



City of Hamilton

CITY COUNCIL REVISED

Wednesday, October 25, 2023, 9:30 A.M.

Council Chambers

Hamilton City Hall

71 Main Street West

Call to Order

1. APPROVAL OF AGENDA

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

2. DECLARATIONS OF INTEREST

3. CEREMONIAL ACTIVITIES

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 October 11, 2023

5. COMMUNICATIONS

5.1 Correspondence from the Township of West Lincoln requesting support for their resolution respecting Challenges Faced by Smaller Developers in Ontario Communities.

Recommendation: Be received.

5.2 Correspondence from the Town of Midland requesting support for their resolution respecting "Catch and Release" Justice in Ontario.

Recommendation: Be received.

5.3 Correspondence from the Township of McKellar requesting support for their resolution calling for an amendment to the Legislation Act, 2006.

Recommendation: Be received.

5.4 Correspondence from Lisa Burnside, Chief Administrative Officer, Hamilton Conservation Authority advising the City of Hamilton that the Hamilton Conservation Authority will be considering its 2024 Budget

at their Board of Directors meeting on December 7, 2023 at 6:00 p.m.

Recommendation: Be received.

5.5 Correspondence from the Honourable Paul Calandra, Minister of Municipal Affairs and Housing respecting the Proposed Legislation to Return Lands to the Greenbelt and Oak Ridges Moraine.

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

5.6 Correspondence from the Township of Archipelago requesting support for their resolution respecting Cigarette Producer Responsibility.

Recommendation: Be received.

6. COMMITTEE REPORTS

7. MOTIONS

8. NOTICES OF MOTIONS

9. STATEMENT BY MEMBERS (non-debatable)

10. COUNCIL COMMUNICATION UPDATES

11. PRIVATE AND CONFIDENTIAL

11.1 Appointments to the Property Standards Committee for the 2022-2026 Council Term

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

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

*11.2 Appointments to Various Agencies, Boards and Sub-Committees for the 2022-2026 Council Term

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

*11.3 ATU Local 107 Collective Bargaining Update – no copy

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.

12. BY-LAWS AND CONFIRMING BY-LAW

13. ADJOURNMENT



CITY COUNCIL MINUTES 23-018

9:30 a.m.
October 11, 2023
Council Chamber
Hamilton City Hall
71 Main Street West

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

Not Present: Councillors J. Beattie and T. Jackson - Personal

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

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

5. COMMUNICATIONS

- 5.1 Correspondence from Rose Janson respecting Help phase out gas from Hamilton buildings.

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

5.2 Correspondence from Joseph Minor respecting PFAS/PFOS:

- (a) PFAS and Endangered Species in Your Study Area
- (b) 2023 PFOS levels in Lake Niapenco
- (c) Failure to properly identify the PFAS/PFOS Hazardous Waste Repository at the Hamilton International Airport

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

5.9 Correspondence from Joshua Weresch respecting the October 6, 2023 article in CBC Hamilton which announced that the Hamilton Association for Tiny Shelters would no longer be erecting tiny shelters in Strachan Linear Park.

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

5.10 Correspondence from Joshua Weresch in support of the request for the Planning Committee consider the institution of an extreme noise by-law as had been done in Brampton, Ontario.

Recommendation: Be received and referred to the consideration of Item (d)(i) of Planning Committee Report 23-016.

8. NOTICES OF MOTION

8.1 Requirement for Any Landfill Expansion Applications to Obtain Municipal Support

8.2 Waste Collection Fees for Condominium Communities located on Cul de Sacs

11. PRIVATE AND CONFIDENTIAL

11.1 Appointments to the Hamilton Public Library Board of Directors for the 2022-2026 Council Term

(Nann/Pauls)

That the agenda for the October 11, 2023 meeting of Council be approved, as amended.

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

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

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

DECLARATIONS OF INTEREST

Councillor B. Clark declared a disqualifying interest to Item 6 of Planning Committee Report 23-016 respecting an Application for a Zoning By-law Amendment for Lands Located at 1177, 1183, and 1187 West 5th Street (PED23179) (Ward 8), as the principle planner of Urban Solution has a retail business interest with his son.

APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 September 27, 2023

(McMeekin/Tadeson)

That the Minutes of the September 27, 2023 meeting of Council be approved, as presented.

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

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

COMMUNICATIONS

(Tadeson/A. Wilson)

That Council Communications 5.1 to 5.10 be approved, as *amended*, as follows:

- 5.1 Correspondence from Rose Janson respecting Help phase out gas from Hamilton buildings.

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

5.2 Correspondence from Joseph Minor respecting PFAS/PFOS:

- (a) PFAS and Endangered Species in Your Study Area
- (b) 2023 PFOS levels in Lake Niapenco
- (c) Failure to properly identify the PFAS/PFOS Hazardous Waste Repository at the Hamilton International Airport

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action **and a comprehensive report back to General Issues Committee.**

5.3 Correspondence from the Town of Aurora requesting support for their resolution In Opposition to Strong Mayor Powers in Aurora.

Recommendation: Be received.

5.4 Correspondence from Robert Brosius respecting the HSR re-design anticipating the LRT.

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

5.5 Correspondence from Conservation Halton respecting a Board resolution regarding the Effects of Climate Change on Biodiversity within Conservation Halton's Watersheds.

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

5.6 Correspondence from the City of Pickering endorsing the City of Hamilton's resolution respecting a Request to Abandon Greenbelt Development.

Recommendation: Be received.

5.7 Correspondence from Ian Brisbin, Martin & Hillyer Associates respecting York Boulevard/Wilson Street and James Street North Safety Review and Signalized Intersection Safety Enhancements (Ward 2, City-Wide)

Recommendation: Be received and referred to the consideration of Item 7 of Public Works Committee Report 23-014.

5.8 Correspondence from the Town of Wasaga Beach requesting support for their resolution respecting Illegal Car Rally - Provincial Task Force.

Recommendation: Be received.

- 5.9 Correspondence from Joshua Weresch respecting the October 6, 2023 article in CBC Hamilton which announced that the Hamilton Association for Tiny Shelters would no longer be erecting tiny shelters in Strachan Linear Park.

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

- 5.10 Correspondence from Joshua Weresch in support of the request for the Planning Committee consider the institution of an extreme noise by-law as had been done in Brampton, Ontario.

Recommendation: Be received and referred to the consideration of Item (d)(i) of Planning Committee Report 23-016.

Result: Motion on the Communication Items, as amended, CARRIED by a vote of 14 to 0, as follows:

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

(Tadeson/A. Wilson)

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

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

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

- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Deputy Mayor - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 1 Councillor Maureen Wilson

PUBLIC HEALTH COMMITTEE REPORT 23-010

(M. Wilson/A. Wilson)

That Public Health Committee Report 23-010, being the meeting held on Monday, October 2, 2023, be received and the recommendations contained therein be approved.

Result: Motion on the Public Health Committee Report 23-010, CARRIED by a vote of 14 to 0, as follows:

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

PUBLIC WORKS COMMITTEE REPORT 23-014

(Nann/Pauls)

That Public Works Committee Report 23-014, being the meeting held on Monday, October 2, 2023, be received and the recommendations contained therein be approved.

Result: Motion on the Public Works Committee Report 23-014, CARRIED by a vote of 14 to 0, as follows:

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

YES - Ward 2 Councillor Cameron Kroetsch
 YES - Ward 15 Councillor Ted McMeekin
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 14 Councillor Mike Spadafora
 YES - Deputy Mayor - Ward 11 Councillor Mark Tadeson
 YES - Ward 13 Councillor Alex Wilson
 YES - Ward 1 Councillor Maureen Wilson

PLANNING COMMITTEE REPORT 23-016

(Danko/Hwang)

That Planning Committee Report 23-016, being the meeting held on Tuesday, October 3, 2023, be received and the recommendations contained therein be approved.

(Danko/M. Wilson)

That Item 3 of Planning Committee Report 23-016 respecting Application for a Zoning By-law Amendment for Lands Located at 212 and 220 Rymal Road West, be **amended** by deleting sub-section (a)(i) and inserting new sub-sections (a)(i) to (a)(iii), as follows:

3. Application for a Zoning By-law Amendment for Lands Located at 212 and 220 Rymal Road West, Hamilton (PED23154) (Ward 8) (Item 10.1)

(a) That Amended Zoning By-law Amendment Application ZAC-20-018, by T. Johns Consulting Group Ltd. c/o Diana Morris, on behalf of Atlas Homes Corp. c/o Tarik Abbas, Owner, for a change in zoning from the "B" (Suburban Agriculture and Residential, Etc.) District to the Low Density Residential (R1, 854, H149) Zone and Low Density Residential (R1, 854, H149, H159) Zone, to permit the development of five single detached dwellings, for lands located at 212 and 220 Rymal Road West, as shown on Appendix "A" attached to Report PED23154, be DENIED on the following basis:

- ~~(i) — ***The application does not meet the City's planning vision for the Rymal Road Corridor.***~~
- (i) The proposal does not support orderly development in that the lands should be developed in conjunction with the draft plan of subdivision to the rear of the lands;***
- (ii) The proposal is not consistent with the land use density and housing mix required to support future higher order transit; and,***
- (iii) The individual driveway accesses will not minimize traffic conflicts.***

Result: Amendment to Item 3 of the Planning Committee Report 23-016, CARRIED by a vote of 14 to 0, as follows:

NOT PRESENT - Ward 10 Councillor Jeff Beattie
 YES - Ward 12 Councillor Craig Cassar

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

Due to a declared conflict, Item 6 was voted on separately as follows:

6. Application for a Zoning By-law Amendment for Lands Located at 1177, 1183, and 1187 West 5th Street (PED23179) (Ward 8) (Item 10.4)

(a) That Zoning By-law Amendment Application ZAC-22-047, by UrbanSolutions Planning & Land Development Consultants Inc. c/o Matt Johnston on behalf of 1333664 Ontario Ltd. c/o Mike Valvasori, owner, for a change in zoning from the “AA” (Agricultural) District (Block 1) and the “RT-20-H” (Townhouse-Maisonette) District, Modified, Holding (Block 2) to the “E-3/S-1830-H” (High Density Multiple Dwellings) District, Modified, Holding, to permit the development of a 10 storey multiple dwelling containing 206 dwelling units and 229 parking spaces, on lands located at 1177, 1183, and 1187 West 5th Street, Hamilton, as shown on Appendix “A” attached to Report PED23179, be APPROVED on the following basis:

- (a) That the draft By-law, attached as Appendix “B” to Report PED23179, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject property by introducing the Holding symbol ‘H’ to the proposed “E-3/S-1830” (High Density Multiple Dwellings) District, Modified;

The Holding Provision ‘H’ is to be removed, conditional upon:

- (i) That the Owner confirms that the construction of the municipal storm sewer along West 5th Street has been completed and is fully operational to provide a stormwater outlet for the subject site, to the satisfaction of the Director of Development Engineering;

- (ii) That the Owner confirms that the municipal sanitary sewer along West 5th Street has been upgraded to support the proposed development, to the satisfaction of the Director of Development Engineering;
- (iii) That the Owner submit and receives approval of a Functional Servicing Report that addresses the required fire flow, to the satisfaction of the Director of Development Engineering;
- (c) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and complies with the Urban Hamilton Official Plan.

Result: Motion on Item 6 of the Planning Committee Report 23-016, CARRIED by a vote of 13 to 0, as follows:

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

Upon Council's request, Item 8 was voted on separately as follows:

8. Sign Variance Appeal SV-14-005 for the Property known as 523 Carlisle Road, Flamborough, Denied by the Director of Development Planning and Appealed by the Owner (PED23204) (Ward 15) (Item 11.1)

- (a) That the Appeal of Sign Variance Application SV-14-005, by Kaneff Properties Ltd. Owner, submitted Fontur International Inc. c/o Joel Swagerman, to add a sign on the top of an existing telecommunications tower to advertise the, ownership group of the Carlisle Golf and Country Club, for the property located at 523 Carlisle Road, (Flamborough), as shown on Appendix "A" attached to Report PED23204, be DENIED on the following basis:
 - (i) That the requested variances are not in keeping with the intent of Sign By-law No. 10-197;

- (ii) That the requested variances do not meet the tests of Sign By-law No. 10-197.

Result: Motion on Item 8 of the Planning Committee Report 23-016, CARRIED by a vote of 13 to 1, as follows:

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

Result: Motion on the balance of the Planning Committee Report 23-016, as Amended, CARRIED by a vote of 14 to 0, as follows:

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

GENERAL ISSUES COMMITTEE REPORT 23-026

(Tadeson/A. Wilson)

That General Issues Committee Report 23-026, being the meeting held on Wednesday, October 4, 2023, be received and the recommendations contained therein be approved.

(Nann/Spadafora)

That consideration of General Issues Committee Report 23-026 be deferred until after Closed Session.

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

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

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 23-015**(Kroetsch/Hwang)**

That Audit, Finance and Administration Committee Report 23-015, being the meeting held on Thursday, October 5, 2023, be received and the recommendations contained therein be approved.

Mayor Horwath relinquished the Chair to Deputy Mayor Tadeson.

(Horwath/Kroetsch)

- (a) That Item 6 of Audit, Finance and Administration Committee Report 23-015 respecting Hamilton Police Services and Hamilton Public Library Surpluses and Deficits be referred to the Hamilton Police Services Board and Hamilton Public Library Board of Directors for comment; and

6. Hamilton Police Services and Hamilton Public Library Surpluses and Deficits (Item 11.1)

WHEREAS, the City of Hamilton is the primary funder for Hamilton Police Services and Hamilton Public Library;

WHEREAS, the City of Hamilton is legislatively required to approve the Hamilton Police Services Board and Hamilton Public Library Board of Directors approved budgets for Hamilton Police Services and Hamilton Public Library;

WHEREAS, the City of Hamilton approves the disposition of any year end surpluses and deficits for Hamilton Police Services and Hamilton Public Library;

WHEREAS, the Hamilton Police Services Board and Hamilton Public Library Board of Directors approve any year-end surplus or deficit related transfers exclusive of Hamilton City Council consideration and approval; and

WHEREAS, the Hamilton Police Services Board and Hamilton Public Library Board of Directors have approved reserve policies in keeping with City of Hamilton Reserve policies;

THEREFORE, BE IT RESOLVED:

- (a) That City staff coordinate with Hamilton Police Services to prepare an amendment to the year-end closing process whereby Council would receive and approve any Hamilton Police Services Board recommendations related to transfer funds to and from reserves relating to year-end surpluses and deficits; and
- (b) That City staff coordinate with Hamilton Public Library to prepare an amendment to the year-end closing process whereby Council would receive and approve any Hamilton Public Library Board of Directors recommendations related to transfer funds to and from reserves relating to year-end surpluses and deficits.
- (b) That staff be directed to report back to the General Issues Committee with recommendations, including legal advice with regards to, how the *Police Services Act* and *Public Libraries Act* applies to the recommendations.

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

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

Mayor Horwath assumed the Chair.

Result: Motion on the balance of the Audit, Finance and Administration Committee Report 23-015, CARRIED by a vote of 14 to 0, as follows:

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

MOTIONS

7.1 Appointment to the Public Works Committee**(Tadeson/Cassar)**

That Councillor Tammy Hwang be appointed to the Public Works Committee, for the remainder of the 2022-2026 Term of Council, effective immediately.

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

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

7.2 Change to the October 31, 2023 Planning Committee Meeting Start Time

The following motion was WITHDRAWN:

WHEREAS, due to prior commitments, several of the members of the Planning Committee are not available for the usual 9:30 am start time;

THEREFORE, BE IT RESOLVED:

That the October 31, 2023 Planning Committee meeting start time be changed from 9:30 am to 1:30 pm, in order to ensure quorum is present.

NOTICES OF MOTION

Councillor Clark introduced the following Notice of Motion:

8.1 Requirement for Any Landfill Expansion Applications to Obtain Municipal Support

WHEREAS, Bill 197 included a new *Environmental Assessment Act* section 6.0.1 in Part II which requires a private proponent of an undertaking to establish a landfilling site to obtain municipal support for the undertaking in accordance with that section; and

WHEREAS, this provision has unintentionally increased private proponent landfill expansions;

THEREFORE, BE IT RESOLVED:

That the City of Hamilton formally request an amendment to the Section 6.0.1 in Part II of the *Environmental Assessment Act*, to require private proponents to obtain municipal support for any landfill expansion applications.

Councillor Clark introduced the following Notice of Motion:

8.2 Waste Collection Fees for Condominium Communities located on Cul de Sacs

WHEREAS, there is a policy directing City waste vehicle staff to not reverse from cul de sacs, etc;

WHEREAS, several condo communities in Ward 9 are required to retain private waste collectors due to this policy;

WHEREAS, the City's selected private waste company, GFL, has willingly entered into private agreements with these condo communities to remove their waste enabling GFL to reverse from any cul de sac with a safety person;

WHEREAS, condo communities were denied City pick-ups due to the no reversing rule;

WHEREAS, condo communities still pay the taxes for a City waste collection service as well as paying their private contractor given that the City has denied them this service; and

WHEREAS, the City's own contractor, GFL, is willing to safely pick up waste by reversing from cul de sacs with a safety person;

THEREFORE, BE IT RESOLVED:

That staff report back to the Public Works Committee with a preferred option to either have the City compensate such condo boards for the denied service through tax credits which GFL then provides privately or to permit the City's contracted waste company, GFL, to reverse from cul de sacs with a safety person.

Councillor M. Wilson introduced the following Notice of Motion:

8.3 Request to Expand the Scope of the Greenbelt Lands Investigation to Include the Decision to Expand the City of Hamilton's Urban Boundary

That Council request that our head of council communicate with the Commissioner of the RCMP and any other necessary or appropriate body to request that the scope of the RCMP investigation into the Government of Ontario's decision to open up the Greenbelt lands for development be extended to include the Government of Ontario's decision to expand the City of Hamilton's urban boundary by 2200 hectares.

STATEMENTS BY MEMBERS

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

COUNCIL COMMUNICATION UPDATES

(Tadeson/A. Wilson)

That the listing of Council Communication Updates from September 22, 2023 to October 5, 2023, be received.

Result: Motion on the Council Communication Updates from September 22, 2023 to October 5, 2023 CARRIED by a vote of 14 to 0, as follows:

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

PRIVATE AND CONFIDENTIAL

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

11.1 Appointments to the Hamilton Public Library Board of Directors for the 2022-2026 Council Term

(Cassar/M. Wilson)

(a) That the following citizens be appointed to the Hamilton Conservation Authority Board of Directors, for the 2022-2026 Council Term commencing October 10, 2023:

- (1) Batra, Gagan
- (2) Berry, Brie
- (3) Dampthey, Kojo
- (4) Firth, Dayna
- (5) Griggs, Alison
- (6) Horwath, Jennifer
- (7) Serviss, Lynne
- (8) van Velzen, Nicolas
- (9) Whitmore, Carly

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

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

GENERAL ISSUES COMMITTEE REPORT 23-026 - CONTINUED

(Tadeson/A. Wilson)

That General Issues Committee Report 23-026, being the meeting held on Wednesday, October 4, 2023, be received and the recommendations contained therein be approved.

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

6. City of Hamilton Meta Advertising (Item 11.1)

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;

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;

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;

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;

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;

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;
- (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.

Result: Motion CARRIED by a vote of 8 to 6, as follows:

NOT PRESENT - Ward 10 Councillor Jeff Beattie

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

Result: Motion on the balance of the General Issues Committee Report 23-026, CARRIED by a vote of 14 to 0, as follows:

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

(Tadeson/A. Wilson)

That Council rise from Committee of the Whole.

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

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

YES - Ward 15 Councillor Ted McMeekin
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Deputy Mayor - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

BY-LAWS AND CONFIRMING BY-LAW

(Tadeson/A. Wilson)

That Bills No. 23-185 to No. 23-191, be passed and that the Corporate Seal be affixed thereto, and that the By-laws, be numbered, be signed by the Mayor and the City Clerk to read as follows:

- 185 To Amend By-law No. 01218, as amended, To Regulate On-Street Parking
Schedule 6 (Time Limit Parking)
Schedule 8 (No Parking)
Schedule 12 (Permit Parking)
Schedule 13 (No Stopping)
Wards: 1, 5, 6, 9, 10
- 186 To Amend Zoning By-law No. 464 (Glanbrook), Respecting Lands Located at 1898
and 1900 Rymal Road East
Ward 9
ZAC-23-036
- 187 To Amend Zoning By-law No. 05-200, Respecting Lands Located at 65 Guise Street
East, Hamilton
Ward 5
ZAC-23-035
- 188 To Amend Zoning By-law No. 6593 with respect to lands located at 1177, 1183 and
1187 West 5th Street, Hamilton
Ward 8
ZAC-22-047
- 189 To Amend By-law No. 01-215, To Regulate Traffic
Schedule 2 (Speed Limits)
Schedule 3 (Flashing School Zones - Reduced Speed Limit)
Wards 12, 13
- 190 To Appoint an Integrity Commissioner and Lobbyist Registrar for the City of
Hamilton
Wards: City Wide
- 191 To Confirm the Proceedings of City Council

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

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

(Tadeson/Pauls)

That, there being no further business, City Council be adjourned at 10:49 a.m.

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

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

Respectfully submitted,

Mayor Andrea Horwath

Janet Pilon
Acting City Clerk

Oct 5, 2023

Association of Municipalities of Ontario (AMO)
200 University Ave #801
Toronto, ON
M5H 3C6

Dear AMO Members:

Re: Challenges Faced by Smaller Developers in Ontario Communities

This is to confirm that at the Sept 25, 2023 Council Meeting the following resolution was adopted with respect to the above noted matter:

That, a letter be drafted for signature by the Mayor and that the letter be forwarded to the Minister of Municipal of Affairs, Association of Municipalities of Ontario (AMO) and its member municipalities, outlining the issues and constraints brought to the Township Council's attention with respect to holding back development applications of new homes within the community.

The Township of West Lincoln is writing to bring to your attention a significant matter that has recently come to our attention at the Township of West Lincoln. This issue pertains to the challenges faced by small developers in communities like ours, across the province of Ontario. These challenges are currently making it difficult for communities like West Lincoln to meet the housing goals of the province.

We recently received a request from a developer regarding their development project in Smithville, Ontario which was first draft approved approximately in 2015. The developer has presented a compelling case for an extension to the draft plan of condo approval, citing several noteworthy factors that have emerged since their initial application and which are delaying the start of development. Initially Council wanted to refuse extension approval to force the development but it was clear that would not be possible. The challenges are a symptom of broader issues felt by the Municipality on numerous planning issues, and some of these challenges as outlined to us by the developer, are noted below.

A significant challenge is the current state of the market, characterized by severe material supply chain constraints. These constraints have made it exceedingly difficult for the developer to secure pricing for essential construction materials, introducing financial uncertainty. An extension is deemed necessary to ensure the viability of the project, which aligns with our community's need for diverse housing options.

Furthermore, the recent and unexpected increase in interest rates by the Bank of

Canada has created volatility in the marketplace for pre-sale condo townhomes. These rate hikes have affected both the developer's financing costs and potential buyer's ability to secure financing. An extension would provide the developer with the opportunity to adapt their financial strategies in response to this rapidly changing environment.

Additionally, the challenging market conditions in the Niagara Region, as indicated by the Niagara Association of Realtors, have led to declining home values and shifting market dynamics. These changes necessitate a reassessment of the project timelines, for dwelling types and sizes, to ensure its long-term viability and success. Granting an extension will allow the developer to adapt to these current market dynamics and make informed decisions.

Importantly, extending the draft plan of condo approval would help conserve our Township's valuable resources. Re-submitting the entire approval package and undergoing the approval process again would be resource-intensive for both the developer and our local government. We believe that an extension at this time is a pragmatic solution that aligns with efficient resource utilization.

In light of these challenges, our commitment to supporting responsible and sustainable development in our community, and a desire to help address the identified housing shortfall, we kindly request that AMO and the Provincial government consider the current issues faced by developers in communities across Ontario. The challenges outlined by this developer reflect a broader trend that warrants attention and will severely hamper the ability to achieve increased housing starts if not addressed.

We recommend that the decision-making process for future planning applications be allowed to be guided by a balanced approach that takes into account market conditions, historical precedence, and resource conservation. This approach should ultimately contribute to provide much-needed housing supply to communities like West Lincoln, albeit at slower rates than first contemplated.

We appreciate your attention to this matter and believe that addressing these challenges will help promote equitable development opportunities across the province. Please do not hesitate to reach out if you require any additional information or clarification on this issue.

We look forward to collaborating with AMO and the Provincial government to find solutions that support the growth and vitality of our community and others like it.

Sincerely,



Mayor Cheryl Ganann
cc.. Minister Paul Calandra
All AMO member municipalities



September 8, 2023

The Senate of Canada
Ottawa, ON
K1A 0A4

Via Email: sencom@sen.parl.gc.ca

Premier Doug Ford
Legislative Building
Queen's Park
Toronto ON
M7A 1A1

Via Email: premier@ontario.ca

Dear Premier Ford:

Re: "Catch and Release" Justice is Ontario

At its September 6, 2023, Regular Council Meeting with Closed Session the Council for the Town of Midland passed the following Resolution:

That the Town of Midland send a letter to the Federal and Provincial Governments requesting meaningful improvements to the current state of "catch and release" justice in the Ontario legal system. Police Services across Ontario are exhausting precious time and resources having to manage the repeated arrests of the same offenders, which in turn, is impacting their morale, and ultimately law-abiding citizens who are paying the often significant financial and emotional toll of this broken system; and

That this resolution be sent to other Municipalities throughout Ontario for their endorsement consideration.

Thank you.

Yours very
truly,

THE CORPORATION OF THE TOWN OF MIDLAND

Sherri Edgar

Sherri Edgar, AMCT
Municipal Clerk
Ext. 2210



Township of McKellar

701 Hwy #124, P.O. Box 69, McKellar, Ontario POG 1C0

Phone: (705) 389-2842

Fax: (705) 389-1244

October 19, 2023

Hon. Doug Downey
Attorney General
McMurtry-Scott Bldg 11th Flr, 720 Bay St.
Toronto, ON M7A 2S9

Sent via email: Doug.Downey@ontario.ca

RE: Call for an Amendment to the *Legislation Act, 2006*

Dear Mr. Downey,

At the Regular Meeting of Council held on October 17, 2023, the Council of the Corporation of the Township of McKellar carried the following resolution:

Resolution No. 23-671

Moved by: Councillor Kekkonen

Seconded by: Councillor Zulak

WHEREAS Metroland Media Group has sought bankruptcy protection and will cease the print publication of its weekly community newspapers across Ontario, moving to an online-only model; and

WHEREAS Neil Oliver, Chief Executive Officer and President of Metroland Media Group, said the 71 Metroland community publications will be digital only going forward; and

WHEREAS the *Legislation Act, 2006* provides a definition of “newspaper” which applies to every Ontario Act and Regulation, as in a provision requiring publication, means a document that, (a) **is printed in sheet form**, published at regular intervals of a week or less and circulated to the general public, and (b) consists primarily of news of current events of general interest; (“journal”); and

WHEREAS Ontario Municipalities are required to follow publication and notice requirements for Provincial Acts and Regulations; and

WHEREAS communities such as the West Parry Sound Area cannot comply with publication requirements in Provincial Acts and Regulations as the Parry Sound North Star news publication is no longer being printed in sheet form and there are no other local news publications fitting the definition of “newspaper”; and

WHEREAS some small, rural, Ontario Municipalities may not have the means to bring an application to the Court to ask for directions and approval of an alternate manner of providing notice;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of McKellar does hereby request the Provincial government to make an amendment to the *Legislation Act, 2006* to include digital publications as an acceptable means of publication and notice requirements for Provincial Acts and Regulations; and

FURTHER request the support of all Ontario Municipalities; and

FURTHER THAT this resolution be forwarded to the Minister of Municipal Affairs and Housing, Paul Calandra; Parry Sound-Muskoka MPP, Graydon Smith; The Association of Ontario Municipalities (AMO); CEO and President of Metroland Media Group, Neil Oliver and all Ontario Municipalities.

Carried

Regards,



Karlee Britton
Deputy Clerk
Township of McKellar
deputyclerk@mckellar.ca
(705) 389-2842 x5

cc:

Paul Calandra, Minister of Municipal Affairs and Housing
Graydon Smith, MPP Parry Sound-Muskoka
The Association of Ontario Municipalities (AMO)
Neil Oliver, CEO & President, Metroland Media Group
All Ontario Municipalities



Hamilton
Conservation
Authority

5.4

A Healthy Watershed for Everyone

October 13, 2023

Via Email: clerk@hamilton.ca

Mayor Andrea Horwath and Members of Council
Office of the City Clerk
City of Hamilton
71 Main Street West, 2nd Floor
Hamilton, Ontario
L8P 4Y5

RE: Hamilton Conservation Authority – 2024 Draft Budget


Dear Mayor Horwath and Members of Council:

Pursuant to the Conservation Authorities Act, O. Reg. 402/22, s. 17 Hamilton Conservation Authority (HCA) is providing notice to its funding municipalities that HCA will be considering its 2024 budget at its Board of Directors meeting on December 7, 2023 at 6:00 p.m.

The meeting will be held at the HCA Administration Office located at 838 Mineral Springs Road, Ancaster, ON. The meeting agenda, including the report on the 2024 budget will be posted on the HCA website at <https://conservationhamilton.ca/meeting-information-dates/> prior to the meeting. The meeting is open to the public.

In accordance with Regulation 402/22, s. 17(4), HCA's 2024 draft budget, as approved by its Board of Directors on October 5, 2023, is enclosed. We kindly request City of Hamilton comments be received by Monday, November 13, 2023.

Sincerely,


Lisa Burnside
Chief Administrative Officer

Enclosure

Cc. Mike Zegarac, General Manager, Finance & Corporate Services, City of Hamilton



A Healthy Watershed for Everyone

2024 Draft Budget

**As approved by
the Board of Directors on
October 5, 2023**



Executive Summary

The Hamilton Region Conservation Authority has five major sub-watersheds within its boundaries. They are the Spencer, Red Hill and Stoney-Battlefield Creeks as well as the Stoney Creek Numbered Watercourses and Urban Hamilton.

As the region's largest environmental management agency, owning, leasing or managing 4,500 hectares (11,000 acres) of environmentally significant land, our watershed covers portions of two municipalities - Township of Puslinch and the City of Hamilton.

Properties owned and managed by the HRCA include 14 Niagara Escarpment properties, 25 waterfalls, an award-winning marina, 2 recreational lakes, 145 kilometres of park and rail trails, 12 significant wetlands, an ecological preserve and an 18,000 year old muskeg bog.

The goals for this coming fiscal year are four in number as follows:

1) Operate on a cash neutral (A Balanced Budget). This requires maintaining and growing the 70% of the funding revenues that come from non-levy sources, primarily the commercial operations at conservation areas and supplemented by the Hamilton Conservation Foundation, corporate and government grants. The expenditure side of the equation is dominated by the cost of salaries, wages and staff expenses; demonstrating the importance of maintaining tight control over the core complement and only supplementing as needed to complete specific projects with seasonal or contract help.

2) Construct budget with a zero-based approach in areas where actuals have experienced variances from budget in the past. With extra focus placed on Staffing expenditures, HCA's biggest expense, and self-generated revenues, HCA's biggest revenue source, as well as other areas of importance.

3) Support HRCA's 2019 - 2024 Strategic Plan, as herein described:

Vision - A healthy watershed for everyone

Mission - To lead in the conservation of our watershed and connect people to nature

Strategic Plan - Five areas of strategic priority have been identified. The five being Organizational Excellence, Water Management, Education & Environmental Awareness, Conservation Area Experience and Natural Heritage Conservation. These broad areas of priority will be advanced through the development and implementation of related programs.

4) In areas of uncertainty, budget conservatively to mitigate risk. When making assumptions with significant unknowns, budget to cover unfavorable financial scenarios to mitigate the risk of an operating deficit in 2023.

Of note, capital and major maintenance expenditures and amortization expenses are not included in this budget as capital is dealt with separately through the City of Hamilton's block funding process. Lastly, amortization is not included as it is non-cash expense.



2024 Draft Budget

Operating Budget (in 000's)

<u>Division</u>	<u>Expenditures</u>	<u>Revenues</u>	<u>% Split</u>	<u>Revenue Description</u>
Watershed Management Services	\$ 2,903	\$ 2,157 746		Levy Other Revenues
Conservation Areas Operations	6,067	- 7,510		Levy Other Revenues
Westfield Heritage Village	1,012	654 358		Levy Other Revenues
Central Support Services	6,611	2,098 3,071		Levy Other Revenues
Total		4,909 11,684	29.6% 70.4%	Levy Other Revenues
Budget Surplus (Deficit)	\$ 16,593	\$ 16,593 -	100.0%	

2023 Levy	\$ 4,778
2024 Levy	4,909
Levy Increase	\$ 131
% Increase	2.75%

Capital Budget (in 000's)

<u>Capital</u>	<u>Expenditures</u>	<u>Revenues</u>	
Special Projects	\$ 1,130	\$ 1,130	
Major Maintenance	870	870	
Total		2,000	City of Hamilton Capital Block Funding
Budget Surplus (Deficit)	\$ 2,000	\$ 2,000 -	

Consolidated Budget (in 000's)

<u>Consolidated</u>	<u>Expenditures</u>	<u>Revenues</u>
Operating	\$ 16,593	\$ 16,593
Capital	2,000	2,000
Total	\$ 18,593	\$ 18,593
Budget Surplus (Deficit)		\$ -



2024 Divisional Summary (in 000's)

Watershed Management Services

<u>Expenses</u>		<u>Revenues</u>	
Staffing	\$ 2,430	Municipal levy	\$ 2,157
Contractors	164	Permits, fees	388
Supplies	113	Grants	163
Other	196	Other	195
Total	<u>\$ 2,903</u>	Total	<u>\$ 2,903</u>

Conservation Areas

<u>Expenses</u>		<u>Revenues</u>	
Staffing	\$ 3,397	Admissions	\$ 3,357
Equipment	796	Marina	1,563
Materials/supplies	340	Camping	2,035
Utilities	352	Other	555
Other	1,182		
Total	<u>\$ 6,067</u>	Total	<u>\$ 7,510</u>

Westfield Heritage Village & Conservation Area

<u>Expenses</u>		<u>Revenues</u>	
Staffing	\$ 637	Municipal levy	\$ 654
Promotion	109	Admissions	67
Materials/supplies	48	Events	157
Utilities	58	Other	134
Other	160		
Total	<u>\$ 1,012</u>	Total	<u>\$ 1,012</u>

Central Support Services

<u>Expenses</u>		<u>Revenues</u>	
Staff	\$ 3,918	Municipal levy	\$ 2,098
Equipment	82	Equipment rental	1,345
Supplies	102	Management fees	500
Utilities	387	Other	1,226
Other	2,122		
Total	<u>\$ 6,611</u>	Total	<u>\$ 5,169</u>



2024 Programs & Services

Category	Inventory Key Program Areas	Total Expenses	Program Revenue	%	Other Funding	%	Provincial Funding	%	Reserve Funding	%	City of Hamilton Capital Block Funding	%	Municipal Levy	%	Balance
1	Natural Hazards Management	2,232,343	387,600	17%	26,000	1%	89,996	4%	5,100	0%		0%	1,723,647	77%	-
	Conservation Lands and Conservation Areas	4,156,566	1,539,048	37%		0%		0%	150,000	4%	1,007,500	24%	1,460,018	35%	-
	Water Quality & Quantity Monitoring	448,968		0%		0%		0%		0%		0%	448,968	100%	-
	Core Watershed-based Resource Management Strategy	64,547		0%		0%		0%		0%		0%	64,547	100%	-
	Drinking Water Source Protection	1,470		0%	1,470	100%		0%		0%		0%		0%	-
Total Category 1		6,903,894	1,926,648	28%	27,470	0%	89,996	1%	155,100	2%	1,007,500	15%	3,697,180	54%	-
2	Conservation Lands and Conservation Areas	1,193,666	500,000	42%	40,000	3%		0%		0%		0%	653,666	55%	-
	Water Quality & Quantity Monitoring	173,674		0%	56,000	32%		0%		0%		0%	117,674	68%	-
	Core Watershed-based Resource Management Strategy	580,546	120,000	21%		0%		0%	20,000	3%		0%	440,546	76%	-
	Drinking Water Source Protection	-													-
Total Category 2		1,947,886	620,000	32%	96,000	5%	-	0%	20,000	1%	-	0%	1,211,886	62%	-
3	Conservation Lands and Conservation Areas	9,741,705	8,599,205	88%		0%		0%	150,000	2%	992,500	10%	-	0%	-
	Total Category 3		9,741,705	8,599,205	88%	-	0%	-	0%	150,000	2%	992,500	10%	-	0%
Total Programs and Services		18,593,485	11,145,853	60%	123,470	<1%	89,996	<1%	325,100	2%	2,000,000	11%	4,909,066	26%	-

Programs & Services Municipal Levy Allocation

Category	Inventory Key Program Areas	City of Hamilton Municipal Levy	%	Township of Puslinch Municipal Levy	%	Total
1	Natural Hazards Management	1,710,557	99.24%	13,090	0.76%	1,723,647
	Conservation Lands and Conservation Areas	1,448,930	99.24%	11,088	0.76%	1,460,018
	Water Quality & Quantity Monitoring	445,559	99.24%	3,410	0.76%	448,968
	Core Watershed-based Resource Management Strategy	64,057	99.24%	490	0.76%	64,547
	Drinking Water Source Protection	-				-
Total Category 1		3,669,103	99%	28,077	1%	3,697,180
2	Conservation Lands and Conservation Areas	653,666	100.00%		0.00%	653,666
	Water Quality & Quantity Monitoring	116,780	99.24%	894	0.76%	117,674
	Core Watershed-based Resource Management Strategy	437,200	99.24%	3,346	0.76%	440,546
	Drinking Water Source Protection	-				-
Total Category 2		1,207,646	100%	4,239	0%	1,211,886
3	Conservation Lands and Conservation Areas	-		-		-
	Total Category 3		-		-	
Total Municipal Levy		4,876,750	99%	32,316	1%	4,909,066

Pilon, Janet**Subject:** Letter from Minister Calandra - City of Hamilton**From:** minister.mah@ontario.ca <minister.mah@ontario.ca>**Sent:** October 16, 2023 7:57 PM**To:** clerk@hamilton.ca**Subject:** Letter from Minister Calandra - City of Hamilton**Ministry of
Municipal Affairs
and Housing**Office of the Minister
777 Bay Street, 17th Floor
Toronto ON M7A 2J3
Tel.: 416 585-7000**Ministère des
Affaires municipales
et du Logement**Bureau du ministre
777, rue Bay, 17^e étage
Toronto ON M7A 2J3
Tél. : 416 585-7000

234-2023-5060

October 16, 2023

Dear Municipal Clerks/CAOs, and Conservation Authority Administrators:

Subject: Proposed Legislation to Return Lands to the Greenbelt and Oak Ridges Moraine

I am writing to you to let you know that the Ontario government [introduced legislation](#) that if passed, would restore the 15 parcels of land that were redesignated or removed from the Greenbelt Plan and the Oak Ridges Moraine Conservation Plan areas in late 2022. The Greenbelt Statute Law Amendment Act, 2023, if passed, would enhance protections for these areas by ensuring any future boundary changes can only be made through an open, public and transparent legislative process.

In response to the feedback from Indigenous communities, the public, municipalities and stakeholders we introduced proposed legislative amendments that would:

- Add 15 sites back to the Greenbelt that were removed in December 2022 by incorporating the description of the Greenbelt Area and Oak Ridges Moraine Area boundaries directly into the proposed legislation.
- Eliminate the authority to remove lands from the Greenbelt Area and Oak Ridges Moraine Area by regulation so that any future removals would require legislative change to the Greenbelt Act or the Oak Ridges Moraine Conservation Act.
- Revoke the existing Greenbelt Area boundary regulation (O. Reg. 59/05) and the existing regulation that designates the Oak Ridges Moraine Area (O. Reg. 1/02).
- Undo the redesignation of lands to Settlement Area in the Oak Ridges Moraine Conservation Plan.
- Provide for a concurrent amendment to the Greenbelt Plan's land use schedules to restore the same protections to lands that they had before the 2022 amendment
- Continue to ensure provide that no Plan amendments can be made that would reduce its total area in the Greenbelt Plan..
- Reverse the repeal of the Duffins Rouge Agricultural Preserve Act, 2005.
- Restore the same protections for easements and covenants on the lands in the Duffins Rouge Agricultural Preserve that they had before the 2022 amendment, and

- Strengthen immunity provisions.

The amendments, if passed, will maintain the lands added to the Greenbelt in 2022, which includes a total of 9,400 acres (13 additions of Urban River Valleys and lands in the Paris Galt Moraine area).

Request for Feedback

More information on the legislative proposal to amend the Greenbelt Act, 2005, Oak Ridges Moraine Conservation Act, 2001 and other related legislation can be found on the Environmental Registry of Ontario (ERO) at:

- [ERO #019-7739 – Proposal to return lands to the Greenbelt - Greenbelt Statute Law Amendment Act, 2023.](#)
- [ERO #019-7735 – New Act regarding the Duffins Rouge Agricultural Preserve easements and covenants.](#)

Information and mapping on the 2022 decision to amend the Greenbelt Plan and Oak Ridges Moraine Conservation Plan can be found here:

- [ERO #019-6216 - Amendments to the Greenbelt Plan](#)
- [ERO #019-6218 Proposed redesignation of land under the Oak Ridges Moraine Conservation Plan O. Reg. 140/02](#)

I look forward to receiving your feedback on this proposal. Comments can be sent through the registry or to greenbeltconsultation@ontario.ca by November 30, 2023.

Sincerely,



Hon. Paul Calandra
Minister of Municipal Affairs and Housing

- c. Martha Greenberg, Deputy Minister, Municipal Affairs and Housing
Sean Fraser, Assistant Deputy Minister, Municipal Affairs and Housing, Planning and Growth Division
-



The Corporation of The Township of The Archipelago
Council Meeting

Agenda Number: 15.13.
Resolution Number 23-178
Title: Cigarette Producer Responsibility
Date: Friday, October 13, 2023

Moved by: Councillor Sheard
Seconded by: Councillor MacLeod

WHEREAS cigarette manufacturers play a crucial role in the creation and distribution of cigarette products. Cigarettes, are responsible for significant environmental damage and contribute to waste and pollution; and

WHEREAS cigarette butts are the most common form of litter worldwide and pose a threat to aquatic life and ecosystems. As reported 26 July 2023 to the Canadian Council of Ministers of the Environment, Pollution Probe's Great Lakes Plastic Cleanup identified cigarette butts one of the top five items of microplastics found in the Great Lakes, and

WHEREAS cigarette filters are composed of non-biodegradable materials that can take several years to degrade, exacerbating the problem of waste accumulation; and

WHEREAS the concept of producer responsibility promotes the idea that the party that profits from the creation and sale of a product should also be responsible for managing the product's end-of-life environmental impact; and

WHEREAS the Province of Ontario has successfully implemented producer responsibility programs for various industries, such as electronics, packaging, and batteries, resulting in significant improvements in waste management and environmental sustainability; and

WHEREAS the exclusion of cigarette manufacturers from current producer responsibility programs in our province creates an inconsistency in environmental policy and hampers our overall efforts to reduce waste and protect our environment. It is imperative to address the environmental impact of cigarette manufacturing, usage, and disposal.

NOW THEREFORE BE IT RESOLVED that the Township of The Archipelago hereby requests the Province of Ontario to include cigarette manufacturers within the scope of producer responsibility regulations and programs;

AND FURTHER BE IT RESOLVED that the Ontario Government takes necessary steps to develop and amend legislation to ensure cigarette manufacturers are responsible for the collection, recycling, and proper disposal of cigarette waste and the Province of Ontario be encouraged to work collaboratively with relevant stakeholders, including public health organizations, environmental groups, and retail associations, to develop comprehensive and effective strategies for the inclusion of cigarette manufacturers in producer responsibility program, taking into account the unique challenges posed by tobacco products;

AND FURTHER BE IT RESOLVED that the Province of Ontario allocate adequate resources and establish monitoring systems to ensure compliance with the newly imposed responsibilities by cigarette manufacturers, including penalties for non-compliance;

AND FURTHER BE IT RESOLVED that the Province of Ontario adopts regulations and policies that require cigarette manufacturers to:

1. Take financial responsibility for the collection, transportation, recycling, or safe disposal of discarded cigarettes and related waste materials.
2. Develop and engage in public awareness campaigns to educate the public about the environmental impact of cigarette butt litter and implement programs to educate the public on the safe disposal of cigarette butts.
3. Implement measures to minimize the environmental impact of their products through the use of sustainable materials, reduced packaging, and improved recycling initiatives;

AND FURTHER BE IT RESOLVED The Ministry of the Environment actively collaborates with other provinces and territories within Canada to encourage a nationwide approach towards including cigarette manufacturers in Producer Responsibility initiatives;

AND FURTHER BE FINALLY RESOLVED that copies of this Resolution be sent to the Honorable Doug Ford Premier of Ontario, the Honorable Andrea Khanjin Minister of the Environment, Conservations and Parks, relevant Members of Provincial Parliament (MPPs), Leader of the Opposition parties, All Municipalities in Ontario, Pollution Probe, Georgian Bay Forever, Georgian Bay Association, and other pertinent stakeholders as appropriate, urging their support and action in this matter.

Carried



THE HAMILTON POLICE SERVICES BOARD

October 18, 2023

TO: City of Hamilton Council
FROM: Kirsten Stevenson, Administrative Director
C/O The Hamilton Police Services Board

SUBJECT: Hamilton Police Service Projected Capital Expenditures: 2024-2033

Please be advised at its meeting of September 28, 2023, the Hamilton Police Services Board approved the recommendations in Report 23-083 HPS Projected Capital Expenditures 2024-2033 which reads as follows:

- a) That the Hamilton Police Service Board (Board) approves the list of 2024-2033 Projected Police Capital Expenditures included in this report and Appendix "A"; and
- b) That the Board approves that Capital Projects under Section 1 of this report and Appendix "A" be considered by the City of Hamilton (COH) for funding in 2024; and
- c) That the Board forwards Report 23-083 HPS Projected Capital Expenditures 2024 – 2033 and Appendix "A" to the COH for inclusion in their 2024-2033 Capital Budget Plan.

Please note I have attached Report 23-083 and its appendix to this correspondence.

Regards,

A handwritten signature in black ink, appearing to be "Kirsten Stevenson", written over a horizontal line.

Kirsten Stevenson (she/her)
Administrative Director,
Hamilton Police Services Board


kirsten.stevenson@hamilton.ca
www.hamiltonpsb.ca
905-546-2727

cc. Mike Zegarac - General Manager Finance and Corporate Services
Brian McMullan - Director Financial Planning Administration and Policy
Duncan Robertson - Supervisor Budgets and Planning
Kirk Weaver - Manager Budgets and Financial Policy



HAMILTON POLICE SERVICE

RECOMMENDATION REPORT

TO:	Chair and Members Hamilton Police Services Board
BOARD MEETING DATE:	September 28, 2023
SUBJECT:	HPS Projected Capital Expenditures: 2024-2033
REPORT NUMBER:	23-083 (PSB 22-085,21-098, PSB20-099,PSB15-002, PSB 15-002a, PSB 15-002x, PSB 16-113, PSB 17-122, PSB 18-108, PSB 19-103)
SUBMITTED BY:	Frank Bergen, Chief of Police
SIGNATURE:	

RECOMMENDATION(S)

- a) That the Hamilton Police Service Board (Board) approves the list of 2024-2033 Projected Police Capital Expenditures included in this report and Appendix “A”; and
- b) That the Board approves that Capital Projects under Section 1 of this report and Appendix “A” be considered by the City of Hamilton (COH) for funding in 2024; and
- c) That the Board forwards Report 23-083 HPS Projected Capital Expenditures 2024 – 2033 and Appendix “A” to the COH for inclusion in their 2024-2033 Capital Budget Plan

EXECUTIVE SUMMARY

The report, along with Appendix “A”, includes a summary of the 10-year major capital projects for the Hamilton Police Service (HPS) from 2024 to 2033. A brief description of each item including the estimated cost and anticipated funding year(s) for each project are provided in the report below.

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: See the details below, including Appendix “A”.

Staffing: N/A

Legal Implications: N/A

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INFORMATION

Each year the COH requests that the HPS identifies capital projects for the next 10 years. These projects are submitted to the COH for consideration, priority and funding approval through the COH's annual capital budget process. The capital projects listed below represent HPS's projection of expected capital expenditures for the next 10 years.

In addition to capital projects, the HPS developed a 10-year Human Capital plan in 2022. The plan will add 13 net new Police Officers to the authorized sworn strength each year until 2030, to help ensure that the number of Police Officers increases commensurate to the expected population growth in the COH.

This report separates capital projects into three sections: 1) requests to the COH for consideration to fund the expenditures on HPS's behalf, 2) projects HPS will include in its 2024 annual budget submission and 3) future forecasted capital projects for inclusion in COH's 2024-2033 Capital Budget Plan.

1. CAPITAL PROJECTS FOR CONSIDERATION BY THE COH FOR FUNDING

2024 – Roof Replacements – Central and Mountain Stations – \$2,825,000

The roof replacement is an on-going multi-year project that began in 2019. The roofing systems are in need of replacement as they have exceeded or are approaching the end of their expected useful life. Comprehensive reviews of HPS facility roofs were conducted by various parties and the estimated costs and phasing plans in Appendix "A" are based on the recommendations resulting from these reviews.

The roof replacement strategy for Central station is to be completed in four phases. Phase 1 was completed in 2020, while phase 2 and 3 are still in the progress. These three phases have already been approved and funded as part of the COH's annual capital budget process in prior years. Phase 4 is set to commence in 2024 at an estimated cost of \$525,000.

The initial recommendation, provided by the MTE consultants, was to replace the roof for the Mountain station in 2026. In 2023, the MTE consultants were engaged and requested to reassess the roof condition. The new report found the roof to be in fair condition with several locations of significant deterioration. Given the extent of repairs that would be required to address the significantly deteriorated areas, and the minimal useful life gained from the repairs, the recommendation is to instead replace the roof in 2024 at an estimated cost of \$2,300,000. The cost is significantly higher than other recent HPS roof replacements due to the more complex roof system at the Mountain station and an inability to complete the replacement in multiple phases over time.

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2024-2026 – Parking Lot – Central and Mountain Stations – \$500,000 in 2024 (\$800,000 total)

Stantec's Facilities report (2016) identified the need for a complete parking lot replacement and resurfacing at all three Police Stations (Central/East End/Mountain) as they had exceeded or were approaching their end of life conditions.

Based on the most recent 2022 BCA review completed by Walter Feddy, the Central and Mountain station parking lots appeared to be in fair condition with visible surface cracking and deterioration. The recommendation is to defer the replacement of these lots into the future and complete significant repairs over the next few years to address areas of deterioration.

The Mountain station parking lot repair will take place in 2024 at an estimated cost of \$500,000. The Central station parking lot repair is expected to occur in 2026 at an estimated cost of \$300,000. Complete replacement is expected to be required in the next 20 years.

Last year, HPS requested funding to replace the East End station parking lot, which the COH approved and included in its 2023 10-year Capital Plan. HPS asks for the same consideration be given to funding for the proposed Mountain and Central station parking lots in 2024 and 2026.

2024 – Standby Generator Diesel Fuel System Upgrade – Central Station – \$300,000

The standby generator diesel fuel system is a backup power generator in the event of an emergency. The generator fuel system at the Central station does not meet current Technical Standards Safety Authority (TSSA) standard requirements and requires repairs/upgrades to be legislatively compliant. A variance application has been submitted and approved by TSSA to maintain operational requirements until upgrades are completed. The TSSA has approved variance applications for Central station until December 1, 2024.

HPS recently requested, and the COH approved and included in its 10-year Capital Plan, the previous funding request for 2022 and 2023. As such, HPS requests the same consideration for 2024 at an estimated cost of \$300,000.

2024 – Personal Issued Portable Radios Replacement (PIPR) – \$1,400,000

The HPS, together with the COH, negotiated a contract with Motorola in 2019, which resulted in significant discounts with respect to equipment. The replacement plan includes the mobile communication devices in each patrol vehicle. The HPS is in its last year of the five-year deployment strategy for the replacement of the PIPRs.

The related funding requests for 2020-2023 were approved and included in the COH's 10-year Capital Plan. As such, HPS requests the same consideration for 2024.

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2024 – Prisoner Escort Vehicle – \$190,000

The HPS Court Security Branch is responsible for transportation of prisoners to and from Central station, the Hamilton Wentworth Detention Centre (HWDC) and on occasion to facilities outside its jurisdiction.

The court custody transportation wagons have reached the end of their useful life. The prisoner compartments have been reconditioned, however, hinges, latches, wiring and air conditioning are failing. The HPS considered replacing only the prisoner compartment but the chassis of the current E450 is not compatible with the current prisoner compartments.

These vehicles must be highly protected and feature bars or wire mesh over the windows, bulletproof glass, segregated prisoner compartments, and additional seating for escorting officers. Vehicles also must be equipped with radio communications, global positioning units, additional restraints and other emergency equipment. The optimal vehicle size for current operations includes 4 compartments, capable of holding 16 prisoners. The cost of a new prisoner escort vehicle is estimated to be \$190,000. This estimate is slightly higher than the 2023 request, due to and increased cost for upfitting.

The previous funding request for one of the court custody transportation wagon was approved and included in the COH's 2023 annual capital budget. As such, HPS requests the same consideration be given for 2024.

2024 – CSPA Active Attacker Equipment – Legislative Requirement – \$1,877,000

In March 2019, the government passed the Community Safety and Policing Act, 2019 (CSPA), as part of the Comprehensive Ontario Police Services Act, 2019. In 2021, the Ministry of the Solicitor General (Ministry) released a draft regulation, "Response to Active Attacker Incidents", under the CSPA. The draft regulation establishes requirements for the response to, and management of, incidents involving an active attacker. These incidents have the potential for significant injury and loss of life.

The Ministry has taken into account the recommendation from the Mass Casualty Commission Report (Nova Scotia) and feedback from stakeholders and is proposing to make amendments to the regulations with respect to required equipment for police officers.

The regulation states that every police officer who performs patrol function, and who may be required to respond to an incident involving an active attacker, shall have ready access to:

- Hard body armour
- A semi-automatic rifle (Carbine), and
- Breaching tool packs

The current HPS issued body armour is designed to stop handgun ammunition of limited calibers. It does not provide any protection from most rifle caliber ammunition used in many popular combat style rifles.

The HPS is considering deploying ballistic armour plates to the police officers. A ballistic plate is a protective armoured plate that can be inserted into a carrier or bulletproof vest

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on its own or in conjunction with other armour. The armour plates increase the level of protection for officers in highly dangerous situations, such as active shooter events or any event, in which there is a threat from rifle caliber bullets. The plates are capable of stopping all calibers of handgun ammunition, in addition to rifle ammunition. They also afford better protection for the crushing affect of shotgun ammunition. In addition, armour plates protect against the potentially lethal affects of a slashing edged weapon, increasing the officer's likelihood of survival in these lethal encounters.

The armour plates will not only provide proper protection in these situations but will ensure that HPS is compliant with the proposed regulations under the CPSA. The proposed CPSA states that Police services will have one year to comply with this requirement. The cost for the ballistic armour plates is approximately \$1,050,000.

The HPS currently has carbine rifles, with some being deployed operationally and others to the Training Branch for ongoing training and armouring requirements. The deployed carbines are not enough to comply with the new requirement under the proposed CPSA. An additional 102 carbines are necessary to ensure that each police officer, who may be required to respond to an incident involving an active attacker, has ready access to the semi-automatic rifle.

In addition to the 102 new carbines, a minimum of two full magazines will need to be maintained in each vehicle that can be reasonably expected to arrive promptly at the location of an active attacker incident. Similarly, the HPS will need to purchase all the necessary accessories and parts and tools for the carbines. For example, rifle cases, gun lights, slings, mounts, magazine pouches and metal lockers to ensure that the carbines are safety and securely stored and transported to/from the outdoor ranges.

The Ministry is proposing a two year timeline to be in compliance with the new requirements. Based on the current supply and demand, it takes about four to seven months to receive the equipment. Delaying the ordering process will likely extend this period to eight to ten months. The cost associated with the carbines is estimated at \$709,000.

The proposed legislation also directs that at least one breaching tool pack is available in every patrol vehicle responding to an active attacker situation. Currently, only the divisional Supervisor vehicles are equipped with a breaching tool pack, which consists of a CQB ram, Halligan tool, sledgehammer and a set of bolt cutters. To comply with this requirement, the HPS will need to ensure a breaching kit is deployed and readily available not only in the front-line patrol vehicle but also in traffic safety vehicles. This will enable officers to quickly respond in an active attacker situation. The estimated costs is approximately \$118,000.

It is of critical importance that HPS members are provided with the uniforms, tools and equipment required to effectively perform their duties, meet all legislated requirements and ensure their safety, as well as that of the public.

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2024 – Chiller Overhaul – Central Station – \$80,000

The chiller located in the mechanical room has exceeded the recommended 25,000 hours of operation. No service to the vanes, bearing or motor in the chiller cavity have been completed. Generally, it is recommended that chillers be overhauled and inspected every 25,000 operating hours to ensure peak performance. This service is crucial in preventing future failure or shortening the useful lifespan of the chiller, which is the primary source of cooling at the Central station. If this chiller was to fail, it would cause significant damage and there would be no cooling provided to the occupants of this building during the warmer months.

2024 – Structural Wall Waterproofing – Central Station – \$60,000

There is a need to have structural waterproofing done for the outside wall located at the east side patio which is the fleet garage wall. Patio, concrete removal and excavation is required in order to waterproof the wall and stop water migration through foundation walls/joints. An estimated cost of \$60,000 is required to complete this remedial work.

2024 – Barrier Gates with Access Control – Mountain Station – \$140,000

A public, as well as officer, safety issue has been raised in relation to the rear parking lot at the Mountain station. Community members are using the back lot as a throughway to access the YMCA and speed through this corridor is a safety issue. This poses a risk to not only police but public as well, as the risk of vehicle/pedestrian accidents is raised when officers are responding suddenly to emergency calls for service. To mitigate this risk, the installation of barrier gates with access control at this site is proposed.

2. CAPITAL PROJECTS TO BE INCLUDED IN HPS'S ANNUAL BUDGET SUBMISSION**2024-2026 9MM Conversion (Glock Program) – \$183,060 in 2024 (\$549,180 total)**

The HPS started transitioning from a .40-caliber magazine to a Glock 9mm platform in 2022. The HPS negotiated a total Service conversion, with a rent-to-own, five-year plan at \$183,060 per year. 2024 represents the third year of the five-year deployment strategy.

Transitioning to a Glock platform was deemed necessary due to a limited supply of .40 caliber ammunition and that it no longer being manufactured. In addition, transitioning to a Glock platform offers substantial long-term cost savings due to the 9mm ammunition being generally cheaper than .40 caliber.

2024 – Electric Vehicle (EV) Charging Station – Police Stations – \$100,000

The Board approved, through the PSB 22-074, the installation of twelve EV charging stations through the cost-sharing contribution agreement with the Natural Resources Canada (NRCan), in accordance with the terms and conditions associated with the Zero

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Emission Vehicle Infrastructure Program (ZEVIP). The PSB 22-074 stated that any further site preparation and infrastructure costs over and above the grant contribution will be requested through the HPS annual capital budgets. Final costing has been received, and as such, an additional \$100,000 is required for site preparation and infrastructure requirements to complete the work.

2024 – Digital Storage – Investigative Service Division (ISD) – \$164,500

The data storage servers are critical core assets for the HPS Tech Crime Unit (TCU). The TCU examines, analyzes and extracts evidence from all devices for the entire Service.

The current servers maintained on premises are either old, approaching maximum storage capacities or both. One server is considered to be “legacy equipment” that is no longer supported by the vendor nor repairable in the event of a failure. Replacement of the legacy equipment and an increase to the total storage capacity is necessary.

The HPS proposed a hybrid on-site/cloud based solution to solve the data evidence storage challenges and minimize the risk of lost evidence data. The HPS was able to secure pricing for a new on-site server with a two-year plan. This resulted in cost savings, an increase in TCU’s data storage capacity by 145% and solved the near-term capacity challenge. 2024 is the final year of the deployment strategy.

3. FUTURE FORECASTED CAPITAL PROJECTS FOR INCLUSION IN COH’s 2024-2033 CAPITAL BUDGET PLAN

2025 – Cooling Tower Replacement – Central Station – \$175,000

The Central station cooling tower, which is original to the building, shows signs of aging and deterioration. Based on the 2022 BCA completed by Walter Feddy consultants, the cooling tower has been identified for replacement. The cooling tower provides large scale air-conditioning and ventilation to the Central station. This cooling tower works in tandem with the chiller system where it provides evaporation for the cooling system and the two together create a central cooling for the Central station. If the cooling tower was to breakdown there would be no cooling provided to the occupants during the cooling season.

2025 – Reseal Concrete Floors – Central and Mountain Stations – \$105,000

A portion of the service area, at both Central and Mountain stations, and parking garage floor at Central station are finished with sealed concrete. Upon inspection, the finish appeared to be in fair condition with signs of wear and aging. All of these areas experience high foot and machinery traffic and are exposed to chemical agents causing cracking, staining and other damage to the floor which risks shortening the useful life of the floor. The floors need to be resealed in order to maintain their durability and colour while maintaining or extending the life of the floor. If left untreated, loss of sealed surface will increase the likelihood of slips and falls, and prematurely degrade the integrity of the

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concrete beneath it. The estimated cost to reseal the concrete floors at the Central station is approximately \$90,000 and \$15,000 for the Mountain station.

2025 – Carpet Replacement – East End Station – \$50,000

The office areas at the East End station are finished with carpeted flooring. Based on the most recent 2022 BCA review, the carpets appear to be in fair condition with some visible signs of wear and tear. The recommendation is to replace these carpets to hard surface in 2025, with an estimated cost of \$50,000. Hard surface flooring will extend the life of the floor and it is considered to be more sturdy and durable.

2025 – Marine Vessel – Rigid Hull Inflatable Boat (RHIB) – \$350,000

The Marine Unit provides vital support on the waterways within Hamilton Harbour, Lake Ontario, conservation areas and other water ways within the COH. The Marine Unit is responsible for enforcement on the water, search and rescue, criminal investigations and assisting other vessels in distress.

The current RHIB was purchased in 2015. The expected life expectancy for the vessel is about 10 years. The 8 metre RHIB is capable of wading into shallow water to rescue or recover persons, smaller watercraft and vessels. The open platform design provides the ability to easily conduct vessel stops and interact with boaters at a distance. The vessel is equipped with sonar, radar and FLIR in order to fulfil the search and rescue mandate.

The HPS will continue to perform preventative maintenance to extend the life expectancy of the vessel. Once ongoing repairs no longer extend the service life of the vessel a replacement will be required, which is expected to occur in 2025.

2027-2033 – Motor Control Centre – Central and East End Stations – \$100,000

The motor control center (MCC), which provides electrical power and control to various pumps and fans on all manner of mechanical equipment, shows signs of wear and aging. This equipment is critical for the mechanical systems and if failure was to occur it could result in significant downtime and loss of control of mechanical equipment. This can also cause heating, cooling and ventilation systems to cease to function causing discomfort to occupants and possible property damage.

The HPS will be required to replace the MCC at both Central and East End stations, at an estimated cost of \$50,000 each in 2027 and 2033, respectively.

2027-2029 – Central Air System – Make-Up Air Handling Unit (AHU) – Central and East End Stations – \$1,010,000

Make-up air is designed to make up the air in interior space that has been removed due to process exhaust fans. This type of HVAC solution pulls in fresh, tempered air from outside of the building to replace existing air that cannot be recirculated. This not only improves the quality of air within the building, but also protects the health of those inside. The system is comprised of 8 AHU's, 8 supply fans and 8 return fans.

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Based on the 2022 BCA, the system appears to be in fair condition with some signs of wear and aging. If the system was to fail, refurbishment would be needed which includes replacement of the AHUs, supply fans and return fans. The replacement will not be required all at once but rather on an as needed basis. The estimated cost per AHU unit is \$60,000 and \$5,000 per supply/return fan. The HPS will continue to perform regular preventative maintenance to contribute to the longevity of the system.

2027-2032 – Flooring Replacement – Mountain Station – \$160,000

Based on the BCA review completed by Walter Feddy in 2022, the rubber and vinyl flooring at the Mountain station will need to be replaced as it shows some visible signs of wear and tear. The rubber flooring is to be replaced in 2027 and vinyl flooring in 2032, at estimated costs of \$40,000 and \$120,000, respectively.

2028-2031 – Windows Replacements – Police Stations – \$600,000

The exterior windows for all the buildings are comprised of aluminum-framed windows which are original to all buildings. Based on the 2022 BCA, the windows are showing normal signs of wear and tear. The HPS will continue to regularly monitor their condition. However, as they approach the end of their useful life expectancy a full window replacement will be required.

The window replacements for the Central and East End stations are anticipated to occur in 2028 at an estimated cost of \$300,000 and \$100,000, respectively. Window replacements for the Mountain station is anticipated to occur in 2031, at an estimated cost of \$200,000.

2029-2033 – Gym Floor Replacements – Central and East End Stations – \$187,500

The floor in both gyms, located at the Central and East End stations, is finished with hardwood. Based on the 2022 BCA, the wood appears to be in fair condition overall. The floors do display some scratched and gouged areas which are reflective of gyms being a high-traffic area and their frequent use. The HPS will continue to perform preventative maintenance as required to contribute to their longevity. Even with the proper preventative maintenance, the hardwood floor still has a maximum life expectancy. Over time, floors begin to show their age. The boards may begin to feel soft and bouncy, the wood may fracture and crack in places. The accumulation of these issues create more than just cosmetic concerns, but also could make the use of these facilities dangerous for members.

As such, the gym floor replacements for Central and East End stations are expected to occur in 2029 and 2033 at an estimated cost of \$125,000 and \$62,500, respectively.

2030 – Building Improvements – Central Station – \$360,000

The 2022 BCA review identified the need to replace various components at the Central station. At the time of the inspection, all of the components were deemed to be in good condition with recommendations for replacement by 2030. The recommendations were based on their estimated remaining useful life.

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There are approximately 35 painted metal washroom partitions located throughout the Central station that will need to be replaced at an estimated cost of \$60,000.

A portion of the third floor walls are finished with wood paneling. These will approximately cost \$60,000 to replace.

A portion of the common area floors are finished with either VCT or laminate sheet flooring. A total of \$240,000 is estimated for flooring replacement.

2030 – Kitchen Replacement – Mountain Station – \$60,000

There are multiple kitchens located throughout the Mountain station that will need refurbishment in the next nine years due to their deteriorating state. The kitchen replacement is inclusive of cabinetry, countertops, refrigerators, sinks, faucets and flooring.

2031 – Curtain Walls – Mountain Station – \$210,000

A portion of the exterior walls are clad with curtain walls. The curtain wall acts as a protective, weatherproof shield that keeps air and water out of the building. Curtain walls are designed to disperse stress from sources such as high winds, improve the overall steadiness of the building and increase energy efficiency. The 2022 BCA review revealed that the curtain wall appeared in good condition, however, a replacement will be needed at the end of its useful life expectancy. The replacement cost is estimated to be \$210,000.

2031 – Armoured Vehicle – \$530,000

The HPS purchased a Terradyne MPV Armoured Rescue Vehicle (ARV) in 2013. The ARV is designed to provide ballistic protection to police in response to high-risk armed calls for service including hostage or officer rescue. The ARV is deployed by the Emergency Response Unit (ERU) to execute high risk search, arrest warrants or to help resolve armed and barricaded/critical incidents. The ARV allows the ERU to contain armed suspects and move closer to the crisis point safely under the cover of its ballistic protection. ARV's are deployed by police agencies around the world and they have even been used to rescue injured civilians or officers in active shooting situations.

The life expectancy of the vehicle is approximately 15 years depending on use, wear, tear and required maintenance. The HPS will continue to perform routine maintenance to extend the longevity of the current vehicle. Once it is no longer economical to extend the service life of the vehicle through repairs and maintenance, replacement will be required which is estimated at approximately \$530,000.

2032-2033 – Interior Lighting Replacements – East End and Mountain Stations – \$320,000

Interior lighting, for both the East End and Mountain stations, is provided by bulb and tube fixtures which are either ceiling or wall mounted. As per the 2022 BCA review, the HPS plans to replace the current interior lighting at the end of their useful life expectancy with LED bulbs or fixtures, at an estimated cost of \$160,000 per station. Upgrade to LED

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lighting is highly energy-efficient, has longer running hours and lifespan and it also saves on maintenance cost over time.

2033 – Building Improvements – Mountain Station – \$323,000

The 2022 BCA review identified the need to replace various components at the Mountain station. The BCA review recommended that all of these be replaced by 2033, which is based on their remaining useful life.

Aluminum lockers, approximately 206, at an estimated cost of \$103,000.

Approximately 70 hollow-metal and solid wood interior doors, with or without inset glazing, will need to be replaced at an estimated cost of \$100,000.

The BCA report also identified the need for a replacement of the heating water boiler, at an estimated cost of \$100,000.

2033 – Marine Vessel – Interceptor – \$1,000,000

The COH has a number of conservation areas with bodies of water, with some being used in winter months. The Marine Unit is responsible for all bodies of water within COH. The necessity to respond rapidly and appropriately is required.

The current Interceptor vessel was purchased in 2019. The 12 meter Interceptor provides a closed cabin configuration that allows for operations in inclement weather and provides the ability to operate later in the season. The larger deck provides space to evacuate more people from a vessel in distress and provides a safe platform for search and rescue technicians to be dropped in and recovered by helicopter. The cabin provides the essential space and radio communications to act as a command post for Marine critical incidents. The vessel is equipped with sonar, radar and FLIR in order to fulfill the search and rescue mandate, and conduct the duties safely, efficiently and effectively.

The HPS continues to perform preventative maintenance to extend the life expectancy of the vessel. Once ongoing repairs are no longer extending the service life of the vessel a replacement will be required, which currently is expected to occur in 2034.

ALTERNATIVES FOR CONSIDERATION

Not Applicable.

APPENDICES AND SCHEDULES ATTACHED:

Appendix “A” – 2024-2033 Hamilton Police Service 10-Year Capital Plan

FB/S.Dzaferi

c: Ryan Diodati, Deputy Chief – Operations
Paul Hamilton, Deputy Chief – Support
Sanela Dzaferi, Director – Finance

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Hamilton Police Service
10 Year Capital Plan 2024-2033

Appendix A to Report 23-083

Item / Description	Division	Pre - 2024	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
1) CAPITAL PROJECTS FOR CONSIDERATION BY THE COH FOR FUNDING												
Roof Replacement	Station 10 - Central	\$ 680,000	\$ 525,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Roof Replacement	Station 30 - Mountain	-	2,300,000	-	-	-	-	-	-	-	-	-
Parking Lot	Station 30 - Mountain	-	500,000	-	-	-	-	-	-	-	-	-
Parking Lot	Station 10 - Central	-	-	-	300,000	-	-	-	-	-	-	-
Standby Generator Diesel Fuel System Upgrade	Station 10 - Central	-	300,000	-	-	-	-	-	-	-	-	-
Personal Issued Portable Radio Replacement	Service-Wide	4,120,000	1,400,000	-	-	-	-	-	-	-	-	-
Prisoner Escort Vehicles	Court Security	160,000	190,000	-	-	-	-	-	-	-	-	-
CSPA Active Attacker Equipment - Legislative Requirement												
Hard Body Armours	Service-Wide	-	1,050,000	-	-	-	-	-	-	-	-	-
Carbines	Service-Wide	-	709,000	-	-	-	-	-	-	-	-	-
Breaching Tool Packs	Service-Wide	-	118,000	-	-	-	-	-	-	-	-	-
Chiller Overhaul	Station 10 - Central	-	80,000	-	-	-	-	-	-	-	-	-
Structural Wall Waterproofing	Station 10 - Central	-	60,000	-	-	-	-	-	-	-	-	-
Barrier Gates With Access Control	Station 30 - Mountain	-	140,000	-	-	-	-	-	-	-	-	-
		<u>4,960,000</u>	<u>7,372,000</u>	<u>-</u>	<u>300,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
2) CAPITAL PROJECTS TO BE INCLUDED IN HPS's ANNUAL BUDGET SUBMISSION												
9MM Conversion (Glock Program)	Service-Wide	366,120	183,060	183,060	183,060	-	-	-	-	-	-	-
EV Charging Station	Station 10, 20 & ISD	-	100,000	-	-	-	-	-	-	-	-	-
Digital Storage	ISD	-	164,500	-	-	-	-	-	-	-	-	-
		<u>366,120</u>	<u>447,560</u>	<u>183,060</u>	<u>183,060</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
3) FUTURE FORECASTED CAPITAL PROJECTS FOR INCLUSION IN COH's 2024-2033 CAPITAL BUDGET PLAN												
Cooling Tower Replacement	Station 10 - Central	-	-	175,000	-	-	-	-	-	-	-	-
Reseal Concrete Floors	Station 10 & 30	-	-	105,000	-	-	-	-	-	-	-	-
Carpet Replacement	Station 20 - East End	-	-	50,000	-	-	-	-	-	-	-	-
Marine Vessel - Rigid Hull Inflatable Boat	Marine	-	-	350,000	-	-	-	-	-	-	-	-
Motor Control Centre	Station 10 & 20	-	-	-	-	50,000	-	-	-	-	-	50,000
Central Air System - Make-Up Air Handling Unit (AHU)	Station 10 & 20	-	-	-	-	1,010,000	-	-	-	-	-	-
Flooring Replacement	Station 30 - Mountain	-	-	-	-	40,000	-	-	-	-	120,000	-
Windows Replacements	Station 10, 20 & 30	-	-	-	-	-	400,000	-	-	200,000	-	-
Gym Floor Replacements	Station 10 & 20	-	-	-	-	-	-	125,000	-	-	-	62,500
Building Improvements	Station 10 - Central	-	-	-	-	-	-	-	360,000	-	-	-
Kitchen Replacement	Station 30 - Mountain	-	-	-	-	-	-	-	60,000	-	-	-
Curtain Walls	Station 30 - Mountain	-	-	-	-	-	-	-	-	210,000	-	-
Armoured Vehicle	Fleet	-	-	-	-	-	-	-	-	530,000	-	-
Interior Lighting Replacements	Station 20 & 30	-	-	-	-	-	-	-	-	-	160,000	160,000
Building Improvements	Station 30 - Mountain	-	-	-	-	-	-	-	-	-	-	323,000
Marine Vessel - Interceptor	Marine	-	-	-	-	-	-	-	-	-	-	1,000,000
		<u>-</u>	<u>-</u>	<u>680,000</u>	<u>-</u>	<u>1,100,000</u>	<u>400,000</u>	<u>125,000</u>	<u>420,000</u>	<u>940,000</u>	<u>280,000</u>	<u>1,595,500</u>
TOTAL		\$ 5,326,120	\$ 7,819,560	\$ 863,060	\$ 483,060	\$ 1,100,000	\$ 400,000	\$ 125,000	\$ 420,000	\$ 940,000	\$ 280,000	\$ 1,595,500

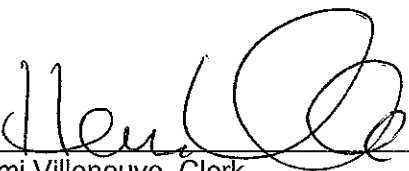


**Township of East Hawkesbury
Regular Meeting**

Agenda Number: 16.
Resolution # 2023-50
Title: Correspondence
Date: October 10, 2023

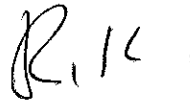
Moved by: Monique Desjardins
Seconded by: Stéphanie Sabourin

Be it resolved that Council support Bill 21 amends the Residents' Bill of Rights set out in section 3 of Fixing Long-Term Care Act, 2021 by adding the right of residents not to be separated from their spouse upon admission but to have accommodation made available for both spouses so they may continue to live together.



Hemi Villeneuve, Clerk,

Carried





Catherine Fife

MPP Waterloo

Robert Kirby
Mayor of Township of East Hawkesbury
5151 County Road 14, P.O. Box 340, St-Eugene, ON, K0B 1P0

RE: Requesting your support for Bill 21, Fixing Long-Term Care Amendment Act (Till Death Do Us Part), 2022

September 25, 2023

Dear Mayor Kirby,

I am writing to you today to share an update on Bill 21, Fixing Long-Term Care Amendment Act (Till Death Do Us Part), 2022, and to request your support for this important legislation.

Bill 21 amends the Residents' Bill of Rights set out in section 3 of Fixing Long-Term Care Act, 2021 by adding the right of residents not to be separated from their spouse upon admission but to have accommodation made available for both spouses so they may continue to live together.

The Act was inspired by Cambridge resident Jim McLeod, who will have been separated from his wife of 65 years Joan, on September 17, 2023. Nearly 6 years later, Jim continues to champion spousal reunification. He often says that he will talk to anyone and has two giant binders full of his advocacy work on the Bill. Last week, he told me that his heart is breaking because of his separation from Joan. He has brought other seniors who are separated from their spouses into the advocacy – you cannot sit with these folks for any amount of time and not care deeply about this legislation.

I know that you value the many contributions that older adults have made to Waterloo Region, and care deeply that they can live their final years with dignity and love. **I am hoping you will consider bringing a motion forward to your Council, in support of the Till Death Do Us Part Act.** Your support will help us to keep attention on this important legislation, so that it can finally be called to the Standing Committee on Social Policy – one step closer to Royal Assent.

I would be happy to discuss the Bill with you further, via phone call or an in-person meeting at your convenience. Thanks in advance for considering my request.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Fife'.

Catherine Fife, Waterloo MPP
Finance & Treasury Board Critic

Constituency Office
100 Regina St. S., Suite 220
Waterloo, ON N2J 4A8
Ph: 519-725-3477 | Fax: 519-725-3667
Email: cfife-co@ndp.on.ca

Queen's Park Office
Room 154, Main Legislative Bldg.
Queen's Park, Toronto ON M7A 1A5
Ph: 416-325-6913 | Fax: 416-325-6942
Email: cfife-qp@ndp.on.ca

Pilon, Janet

Subject: Urgent Request to City Manager to Stop City Staff from the Removal of the Bollards at 229 Fellowes that were approved March 18, 2014 Planning Committee Minutes Motion # 10 page 12 attached.

From: Steven Oliver

Sent: Friday, October 20, 2023 4:20 PM

To: rosanna.melatti@hamilton.ca; jason.thorne@hamilton.ca; citymanager@hamilton.ca; janet.pilon@hamilton.ca

Subject: Urgent Request to City Manager to Stop City Staff from the Removal of the Bollards at 229 Fellowes that were approved March 18, 2014 Planning Committee Minutes Motion # 10 page 12 attached.

Dear Rosanna, Jason, and Janet.

Thank you, Rosanna, for returning my urgent call today. To save you time, I will try to paraphrase what we discussed that is in my voicemail. I have moved ahead to copy Jason and Janet due to this urgency before City Staff removes the bollards, possibly as early as Monday but before Nov 1 as indicated in the Removal Notice attached.

Also included here are photos of the bollards facing old Fellowes Cres and new Fellowes Cres. It exists at 229 Fellowes where [REDACTED] live and who vehemently oppose the bollard removal as they have a special needs child with a flight risk and the bollards have been additional level of safety for them. They witnessed the excessive traffic and speed from the new homes because bollards were not installed until after the houses were fully occupied.

See bollards facing Old Fellowes Cres (west) at 229 and next, Bollards facing New Fellowes at 229 Fellowes.





Please forward my voicemail to Janet Pilon and Jason Thorne where I describe the seeming misrepresentation of the facts of the original purpose of the bollards which are stated by letter(attached) that we received on October 5, 2023.

This Notice of Removal decision is rushing the removal of the bollards on the street before Nov 1 and the rationale **does not meet the criteria of Motion #10, of March 18, 2014.** The Notice of Removal describes the bollards as 'Temporary' and were to be 'Removed' yet no such words exist in the Motion of March 18, 2014. The Motion says 3 criteria that lead to Monitoring the bollards. Monitoring is not Removal. One criterion includes Parkside Drive Construction Improvements which is behind our houses and the construction has not begun yet and is being held up for 2 other reasons. Monitoring can mean lots of things which I will not go into here. We have communicated this several times in the past week and I have not had a response to either of 2 emails, one dated Sunday and the second dated on Wednesday that I have forwarded to you below. We are running out of time as they are committed to remove the bollards by Nov 1, that's 7 business days from now.

Please stop the removal of the bollards as this is a serious breach of the democratically developed Motion of March 18, 2014.

I presented to Council on Feb 18, 2014, to Council describing the future traffic impacts and I still have my presentation. If you need to see it, please let me know. Councillor Partridge was committed to the ongoing bollards to prevent cross traffic. A child on Evans Road, which is just 2 km away, was killed due to cross traffic after 2014. In exchange for the bollards, the City moved forward to increasing Zoning from less than 35 houses to 71. We accepted the zoning change in exchange for the bollards. The houses are still there, but traffic and population has grown in Waterdown, so the risks are now greater.

For your information, travelling through the old Fellowes Cres to Boulding Avenue is how we get to shopping in Waterdown, and to sports parks and most schools. Although it might be more inconvenient for the new young parents on new Fellowes Cres and Lupo Drive extension, they received, in return, a closed circle for 71 homes and a safer neighbourhood for their children.

At Council it was discussed that the bollards were also needed to prevent other shorting cutting that would occur during rush hours, and situations such as when the train stops Parkside Drive at rush hour (daily), and when future widening of Parkside Drive begins. Parkside Drive is only 150 feet away and parallel to Fellowes Cres. Fellowes is the obvious alternative to a congested Parkside Drive as a short cut into town along Laurendale Ave. Since 2014, we have all become aware that the Dundas St bridge needs to be replaced soon. That too will put extraordinary pressure on Parkside Drive and then again onto Fellowes Cres.

As you can see in the photo of the bollards, they are attractively placed, and I am not aware of any accidents or injuries whatsoever with the use of them. They have been here since approximately 2016/2017 and the neighbourhood has become very accustomed to them on both sides. The new subdivision has some 80-100 children who will soon be reaching the ages of 8 and up and they will soon begin bicycling, skateboarding and roller blading on the Lupo Drive or new Fellowes Cres extension. If the bollards are removed, the children will be at a much higher risk to injury from a cross cutting vehicles. We realize this is inconvenient for snow removal and garbage pick-up, but the City has adjusted their tactics over the past 7 years, and it has found its new truck mini plows (2022) are incapable of moving snow up to the bollards and need to bring in a front end loader. If they could bring back a wider front end plow, they will solve their problem with snow at the bollards in most situations.

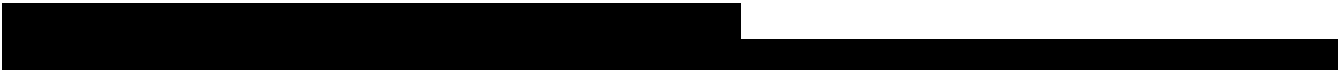

As I mentioned, if Motions can be ignored by City Staff to serve what they think is better, we have the 'Wild West' at City Hall, and I know the City Manager and his staff are committed to ensure that integrity and compliance come first and foremost in the implementations of Motions. The benefit is a greater trust between the City and the Public.

Therefore, we need your help to stop the removal of the bollards before it happens in the next 7 days. Superintendent Moore indicates they will be removed before Nov 1, 2023.

I would be willing to speak and even present this information to James Thorne and Janet Pilon, your City Clerk, on the facts of the 2014 Motion. In the meantime, I will leave you a few days to absorb this sudden situation which is a crisis to us. We were given very little time to absorb this and figure out why the original Motion has been suddenly, with short notice, ignored.

Regards,

Steve Oliver



From: Steven Oliver

Sent: Wednesday, October 18, 2023 12:02 PM

To: James Moore (James.moore@hamilton.ca) <James.moore@hamilton.ca>; Ted McMeekin (ted.mcmeekin@hamilton.ca) <ted.mcmeekin@hamilton.ca>; roadswest@hamilton.ca

Cc: peter.sniuolis@hamilton.ca; mike.field@hamilton.ca; Maureen Scally (maureen.scally@hamilton.ca) <maureen.scally@hamilton.ca>

Subject: Follow up on my letter of Sunday Oct 15th requesting response

Dear James and Ted,

Thank you for our recent conversations. As you know, Superintendent James Moore called me about 10 days ago, but I had not had a chance to review the Motion of March 18, 2014 when we spoke. I was just gathering perspective from him and to provide him the history of my involvement, when I presented to City Council on Feb 18, 2014 about concerns about future traffic if the 71 new houses have open access to our portion of Fellowes Cres, and then to let him know I attended a meeting with the neighbours and Councillor Partridge on March 3, 2014. These two steps were recorded in the Planning Committee Minutes.

We were very satisfied with the eventual Motion of March 18, 2014 that approved the bollards and set out criteria to 'monitor' them after Parkside Drive Improvements were completed.

In my email to you of Sunday October 15th, 2023, I asked you to consider the missing elements from the Motion in your Notice to Remove The Bollards and I have not received a response to you.

Given the urgency of his matter, I am going to reach out to your City Manager and Compliance officers about the following.

- Can the criteria of a motion be ignored or changed without due process such as the development of a new motion?
- Why is it that Superintendent James Moore has written to a few of us in his Notice that the bollards were 'temporary' and were to be 'removed. when the subdivision was completed, when no such plan or words can be found in the Motion of March 18, 2014? His remarks are technically incorrect and have confused and misled, in my opinion, several neighbours.
 - Does Superintendent James Moore and Councillor Ted McMeekin have legal discretion to circumvent the Motion of March 18, 2014?
- On page 12 of the Planning Committee Meeting minutes it states:
 - 10. 'Whereas the proposed extension of Fellowes Crescent to connect with the new Mattamy development will result in increased traffic from 71 new units having access to the older neighbourhood; Therefore be it resolved: That the interface between existing Fellowes Crescent and the proposed extension to Fellowes to the new development to the East remain closed to vehicle access.
- What is temporary about 71 permanent homes and the vehicle traffic that the Motion was developed to stop? How does 'remain closed' become 'temporary' according to Superintendent James Moore?
- Why is it that, although the 3 requirements to 'Monitor' the bollards, as stated in the March 18, 2014 Motion have not been met yet, specifically the completion of Parkside Drive Improvements, does Superintendent James Moore state in the Notice that there was only one requirement and that the requirement discussed leads to 'removal' of the bollards when the word 'removal' does not exist in the Motion whatsoever?

Where do you find the word 'temporary' in this Motion below? What about the requirement to fulfill Parkside Drive Improvements that is highlighted in yellow before monitoring? Where is the word removal?

Whereas the proposed extension of Fellowes Crescent to connect with the new Mattamy development will result in increased traffic from 71 new units having access into the older neighbourhood;

Therefore be it resolved:

- (a) That the interface between the existing Fellowes Crescent and the proposed extension of Fellowes to the new development to the East remain closed to vehicle access and allow only pedestrian access, to be monitored once:
 - (i) The residential construction and abutting land use is completed;
 - (ii) The proposed supporting transportation infrastructure ie Parkside Drive improvements; Bypass corridor between Dundas St. and Parkside Drive are completed and functional.
- (b) Pedestrian access on the existing Fellowes Crescent through the extension will be constructed to include bullard barricades and maintained by the developer satisfactory to the city growth management staff.

CARRIED

I am sure you all agree that we live in a democratic society and that the City of Hamilton creates processes to develop Motions and that no Councillor or Senior Staff member can just ignore the Motion, whether popular or demanded by some constituents and other City department stakeholders?

In this case, It seems the actual criteria is being ignored or not understood by the Superintendent and Councillor at this time. For this reason, and given your urgency to remove the bollards by Nov 1, you leave some of us with no alternative but to seek understanding if this is ethical and legal to change the criteria as you have, with very little notice, and no process to appeal, and proceed directly to removal of the bollards rather than to monitor the bollards after Parkside Drive Improvements have been completed as you were specifically instructed in the Motion of March 18, 2014. It is my belief that the bollards are necessary and that nothing has changed from a traffic burden perspective other than that traffic may be worse now since Waterdown has grown dramatically since 2014.

I realize I had a conversation with Superintendent James Moore that was reported to Ted McMeekin to be 90 minutes. At that time, I was dumbfounded and gathering information and trying to point out the safety concerns. Since 2014, McMonies Drive subdivision that links directly across from Lupo Drive has been built with 80 houses in a circle but with only one way in and out, directly opposite Lupo Drive. I am going to suggest that many vehicles from there will see a new short cut to avoid Parkside Drive as well. By removing the bollards, prematurely, without the Monitoring plan to evaluate their function, without waiting for Parkside Drive Improvements to be completed, and also the rebuilding of the bridge across Dundas St at the core that will begin within the next few years, Fellowes Cres will be overwhelmed with traffic and bypass traffic.

So before I contact the Compliance Staff of your employer, I want you to realize that this is not personal or being vindictive. I am concerned about the just and fair application of the Motion 10 of March 18, 2014, that seems to be ignored or not understood by Superintendent James Moore and Councillor Ted McMeekin.

How would any of you feel, if you developed a Motion, that the next team or councillor simply choose to change the interpretation to serve some other agenda. I am sure you would be offended.

We are offended and we feel betrayed. This is no way to operate as a City and treating us. We put a lot of effort into this, it was well thought out and supported by Council and our Councillor. We trusted them and we trust you to honour the work that was done.

May I suggest you apply a stop, or 'temporary' stoppage on the removal of the bollards until we resolve this with help from the City Manager, the mayor and other staff who would find this quite interesting that a Motion is no longer deemed a Motion anymore.

Regards, Steve Oliver



Pilon, Janet

Subject: Urgent Request to City Manager to Stop City Staff from the Removal of the Bollards at 229 Fellowes that were approved March 18, 2014 Planning Committee Minutes Motion # 10 page 12 attached.

From: Tracy Stewart

Sent: Friday, October 20, 2023 6:09 PM

To: [REDACTED] Melatti, Rosanna <Rosanna.Melatti@hamilton.ca>; Thorne, Jason <Jason.Thorne@hamilton.ca>; Office of the City Manager <CityManager@hamilton.ca>; Pilon, Janet <Janet.Pilon@hamilton.ca>

Subject: Re: Urgent Request to City Manager to Stop City Staff from the Removal of the Bollards at 229 Fellowes that were approved March 18, 2014 Planning Committee Minutes Motion # 10 page 12 attached.

I have read Steve Oliver's email and agree with everything he has reviewed.

I have sent emails to Ted McMeekin and James too with my concerns with the removal of the bollards. I would be more than happy to forward those emails to you.

Like Steve said in his email I have a special needs child who does not understand the dangers of traffic, and is a flight risk. I expressed my concerns in my email to Ted and James.

Sincerely

Tracy Stewart

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

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

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre

777, rue Bay, 17e étage
Toronto (Ontario) M7A 2J3
Tél. : 416 585-7000



234-2023-5137

October 23, 2023

Your Worship
Mayor Andrea Horwath
City of Hamilton
andrea.horwath@hamilton.ca

Dear Mayor Horwath:

As you know, on August 21, 2023, Ontario announced the Building Faster Fund, a new three-year, \$1.2 billion program that will provide up to \$400 million per year to municipalities that meet or exceed their annual housing targets. Ten per cent of the overall funding will be reserved for small, rural and northern communities that have not yet been assigned a housing target.

This program is currently in the final stages of program design, informed by consultations underway with the Association of Municipalities of Ontario, the City of Toronto, and the Housing Supply Action Plan Implementation Team. However, I am writing today to provide details on your municipality's annual housing targets to inform municipal planning for the year ahead.

These are the targets that would apply under the Building Faster Fund provided you commit in writing as head of council to your overall municipal housing target if your municipality has not already previously pledged to meet this housing target and have provided feedback on the recommendations of the Housing Affordability Task Force by October 16, 2023. We also hope and expect that municipalities will submit a council-approved pledge by December 15, 2023, if they have not already done so, outlining the steps they will take to achieve their housing targets, but approval of this pledge is not a condition for accessing funding under the Building Faster Fund.

Annual targets will be determined by taking each municipality's proportion of the overall 1.5 million home goal and applying that proportion against province-wide annual targets, which will increase each year over the course of the Building Faster Fund. For example, if a municipality's target represents 5% of 1.5 million homes, the annual targets for that municipality would be 5% of the province-wide targets for 2023, 2024 and 2025. This ambitious and realistic approach will provide time for municipalities to ramp up approvals processes to the necessary levels.

For the first year of the program, 2023, province-wide annual housing targets will start at 110,000 new housing starts. From there, housing targets will ramp up to 125,000 in 2024, 150,000 in 2025 and 175,000 beginning in 2026 (one year beyond the end of the BFF program period). 175,000 units per year beginning in 2026 would be the pace needed to achieve 1.5 million homes by 2031.

For your municipality, this means your annual housing targets under the BFF would be:

Target	2023	2024	2025
Provincial	110,000	125,000	150,000
City of Hamilton	3,447	3,917	4,700

Performance against these targets will be evaluated based on housing starts, as defined by Canada Mortgage and Housing Corporation's Starts and Completions Survey, as well as Additional Residential Units (for example, basement suites) and other institutional housing types (such as Long-Term Care beds) created in a given calendar year. Please note that the data source for Additional Residential Units is to be determined and more information on what counts will be available once consultations are completed and a final program design is announced.

For additional details on the design of the Building Faster Fund at this stage, please refer to the Backgrounder at this link: <https://news.ontario.ca/en/backgrounder/1003396/ontario-providing-new-tools-to-municipalities-to-build-more-homes-sooner>

Finally, please note that beginning in October 2023, the Ministry of Municipal Affairs and Housing will begin publishing on its website each municipality's annual housing targets, as well as progress towards those targets to date based on housing starts data, on our ministry website. Other data types, such as Additional Residential Units, will be added as they become available in the future.

I look forward to continuing our work together to ensure that more people can afford a place to call home.

Sincerely,



Hon. Paul Calandra
Minister of Municipal Affairs and Housing

c: Janette Smith, City Manager, janette.smith@hamilton.ca
Andrea Holland, City Clerk, clerk@hamilton.ca, Andrea.Holland@hamilton.ca
Hon. Rob Flack, Associate Minister of Housing
Michael Klimuntowski, Chief of Staff, Minister's Office
Martha Greenberg, Deputy Minister
Joshua Paul, Assistant Deputy Minister, Market Housing Division
Sean Fraser, Assistant Deputy Minister, Planning and Growth Division
Caspar Hall, Assistant Deputy Minister, Local Government Division

Inch Hammond

Barristers & Solicitors

1 King Street West
Commerce Place
Suite 500
Hamilton, Ontario
Canada L8P 4X8

kalakos@inchlaw.com
Telephone 905-525-4481
Fax 905-525-0031

October 24, 2023

By Email: Ward1@hamilton.ca; Ward2@hamilton.ca; Ward3@hamilton.ca;
Ward4@hamilton.ca; ward5@hamilton.ca; Ward6@hamilton.ca;
ward7@hamilton.ca; Ward8@hamilton.ca; ward9@hamilton.ca;
ward10@hamilton.ca; Ward11@hamilton.ca; Ward12@hamilton.ca;
Ward13@hamilton.ca; Ward14@hamilton.ca; and Ward15@hamilton.ca

City of Hamilton Councilors
Hamilton City Hall
71 Main Street West
Hamilton, ON L8P 4Y5

WITHOUT PREJUDICE

Dear Sirs and Mesdames:

**Re: Advisory Committee for Persons with Disabilities (“ACPD”)
Handling of Complaints
Our Client: Aznive Mallett**

We have been retained by Aznive Mallett (“Mrs. Mallett”) with respect to the handling of certain complaints made by and against Mrs. Mallett. As you may be aware, over the last 40 years Mrs. Mallett has been heavily involved in disability advocacy within the city of Hamilton and the surrounding area. She has held a variety of roles and received multiple awards for her hard work and dedication throughout the years. Mrs. Mallett has served on the ACPD for a total of five terms, holding the position of chair for the last three terms.

In her most recent term as chair of the ACPD, Mrs. Mallett experienced difficulties with a new member, James Kemp (“Mr. Kemp”). As a result of her difficulties with Mr. Kemp, Mrs. Mallett reached out to a variety of offices within the City of Hamilton (the “City”) for assistance and guidance. Mrs. Mallett informs us that she was adamant and persistent with her desire to have a joint meeting with Mr. Kemp and a representative from the City to discuss and resolve their issues, however this never came to fruition.

In or around the Fall of 2022, Mrs. Mallett filed a complaint against Mr. Kemp with the City (the “Mallett Complaint”). Subsequent to her filing the Mallett Complaint, Mrs. Mallett informs us that Mr. Kemp filed a complaint against her (the “Kemp Complaint”, together with the Mallett Complaint, the “Complaints”). In the last year, Mrs. Mallett remained diligent in following up with the Mallett Complaint. In early 2023, the Complaints were referred to Principle Integrity (the “Integrity Commissioner”).

Mrs. Mallett informs us that the Integrity Commissioner completed their investigation of the Kemp Complaint. The Mallett Complaint seems to have been disregarded in its entirety. Ultimately, the Integrity Commissioners recommendation to the Hamilton City Council is that Mrs. Mallett be removed from her role as both chair and member of the ACPD (the "Recommendation"). Mrs. Mallett informs us she repeatedly contacted the Integrity Commissioner to correct certain information she thought were unsubstantiated or incorrect, but was not provided the opportunity to do so prior to the Recommendation. It was only after the Recommendation was essentially complete and findings had been made against her did the Integrity Commissioner attempt to obtain Mrs. Mallett's version of events.

Mrs. Mallett wishes to express her disappointment in how the City handled the Complaints. In early October 2023, Mrs. Mallett emailed the Integrity Commissioner to discuss the Recommendation. Certain emails from the Integrity Commissioner went into her junk email and she discovered them after the two-week deadline they provided her.

The City's handling of the Complaints has left Mrs. Mallett utterly embarrassed, and placed her in a position to have to defend her reputation and integrity. The treatment of Mrs. Mallett is absolutely unacceptable. Ultimately, Mrs. Mallett vehemently denies the allegations made against her in the Kemp Complaint, and urges the Hamilton City Councilors to reject the Recommendation in its entirety in order for a proper investigation of both the Mallett Complaint and the Kemp Complaint to be conducted.

Although, at this time, our client does not wish to pursue this matter further, Mrs. Mallett reserves all of her rights, including but not limited to, commencing legal proceedings. We look forward to resolving this matter as reasonably and amicably as possible.

Yours truly,
INCH HAMMOND PROFESSIONAL CORPORATION

Per:



Zoe-Georgie-Elpitha Kalakos

ZGEK/

Cc: mayor@hamilton.ca;
postoffice@principlesintegrity.org; and
Janet.Pilon@hamilton.ca



Hamilton

**SELECTION COMMITTEE
FOR
AGENCIES, BOARDS AND SUB-COMMITTEES
REPORT 23-010
1:00 p.m.
October 10, 2023
Council Chambers, 2nd Floor
City Hall**

Present: Councillors C. Cassar (Chair) B. Clark, C. Kroetsch, N. Nann, M. Tadeson, A. Wilson and M. Wilson

**Absent
with regrets:** Councillor T. Jackson - Personal

**THE SELECTION COMMITTEE FOR AGENCIES, BOARDS AND SUB-COMMITTEE
PRESENTS REPORT 23-010 AND RESPECTFULLY RECOMMENDS:**

1. **Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees (Item 4.2)**
 - (a) That the directions provided to staff in Closed Session respecting the Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees, be approved; and
 - (b) That the details of the Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees remain confidential.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

The agenda for the October 10, 2023 meeting of the Selection Committee for Agencies, Boards and Sub-Committees was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no Declarations of Interest.

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

(i) September 15, 2023 (Item 3.1)

The Minutes of September 15, 2023 were approved, as presented.

(d) PRIVATE & CONFIDENTIAL (Item 4)

(i) Closed Session Minutes – September 15, 2023 (Item 4.1)

The Closed Session Minutes of September 15, 2023 were approved as presented, and remain confidential.

(ii) The Committee move into Closed Session for Item 4.2, respecting the Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees, Section 9.3 Sub-section (b) of the City's Procedural By-law 21-021, as amended, and Section 239(2) Sub-section (b) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual.

(iii) Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees (Item 4.2)

For further disposition, refer to Item 1.

(e) ADJOURNMENT (Item 6)

There being no further business, the Selection Committee adjourned at 2:52 p.m.

Respectfully submitted,

Councillor C. Cassar, Chair
Selection Committee

Loren Kolar
Legislative Coordinator
Office of the City Clerk



Hamilton

**SELECTION COMMITTEE
FOR
AGENCIES, BOARDS AND SUB-COMMITTEES
REPORT 23-011
9:30 a.m.
October 12, 2023
Room 264, 2nd Floor
City Hall**

Present: Councillors C. Cassar (Chair), B. Clark, N. Nann, M. Tadeson,
M. Wilson and A. Wilson

**Absent
with regrets:** Councillors T. Jackson – Personal, C. Kroetsch– City Business

**THE SELECTION COMMITTEE FOR AGENCIES, BOARDS AND SUB-COMMITTEE
PRESENTS REPORT 23-011 AND RESPECTFULLY RECOMMENDS:**

1. **Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees (Item 4.1)**
 - (a) That the directions provided to staff in Closed Session respecting the Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees, be approved; and
 - (b) That the details of the Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees remain confidential.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

The agenda for the October 12, 2023 meeting of the Selection Committee for Agencies, Boards and Sub-Committees was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor N. Nann declared a non-disqualifying interest regarding an applicant during the Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees, as the individual worked on the Councillor's campaign.

(c) PRIVATE & CONFIDENTIAL (Item 4)

The Committee move into Closed Session for Item 4.1, respecting Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees, Section 9.3 Sub-section (b) of the City's Procedural By-law 21-021, as amended, and Section 239(2) Sub-section (b) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual.

(ii) Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees (Item 4.1)

For further disposition, refer to Item 1.

(d) ADJOURNMENT (Item 6)

There being no further business, the Selection Committee adjourned at 1:59 p.m.

Respectfully submitted,

Councillor C. Cassar, Chair
Selection Committee

Loren Kolar
Legislative Coordinator
Office of the City Clerk



Hamilton

**SELECTION COMMITTEE
FOR
AGENCIES, BOARDS AND SUB-COMMITTEES
REPORT 23-012
9:30 a.m.
October 13, 2023
Room 264, 2nd Floor
City Hall**

Present: Councillors, B. Clark (Acting Chair), C. Kroetsch, N. Nann,
M. Wilson and A. Wilson

**Absent
with regrets:** Councillor T. Jackson – Personal, C. Cassar and M. Tadeson - City
Business;

**THE SELECTION COMMITTEE FOR AGENCIES, BOARDS AND SUB-COMMITTEE
PRESENTS REPORT 23-012 AND RESPECTFULLY RECOMMENDS:**

1. **Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees (Item 4.1)**
 - (a) That the directions provided to staff in Closed Session respecting the Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees, be approved; and
 - (b) That the details of the Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees remain confidential.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

The agenda for the October 12, 2023 meeting of the Selection Committee for Agencies, Boards and Sub-Committees was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of Interest.

(c) PRIVATE & CONFIDENTIAL (Item 4)

The Committee moved into Closed Session for Item 4.1, respecting Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees, Section 9.3 Sub-section (b) of the City's Procedural By-law 21-021, as amended, and Section 239(2) Sub-section (b) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to personal matters about an identifiable individual.

(ii) Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees (Item 4.1)

For further disposition, refer to Item 1.

(d) ADJOURNMENT (Item 6)

There being no further business, the Selection Committee adjourned at 12:48 p.m.

Respectfully submitted,

Councillor B. Clark, Acting Chair
Selection Committee

Loren Kolar
Legislative Coordinator
Office of the City Clerk



City of Hamilton
SOLE VOTING MEMBER
OF THE HAMILTON FARMERS' MARKET
REPORT 23-004

9:30 am
 Monday, October 16, 2023
 Council Chambers, Hamilton City Hall, 2nd Floor
 71 Main Street West, Hamilton, ON

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

Absent: Councillors N. Nann and E. Pauls – City Business
 Councillor M. Spadafora - Personal

**THE SOLE VOTING MEMBER OF THE HAMILTON FARMERS' MARKET PRESENTS
 REPORT 23-004 AND RESPECTFULLY RECOMMENDS:**

1. COMMUNICATIONS (Item 4)

The Communication Items, were approved as follows:

- (a) Correspondence from Cameron Kroetsch, Chair, Board of Directors, Hamilton Farmers' Market Corporation, respecting comments on Report PED23049 - Vision for the Hamilton Farmers' Market (Item 4.1)

Recommendation: Be received.

- (b) Correspondence from Cameron Kroetsch, Chair, Board of Directors, Hamilton Farmers' Market Corporation, respecting an Increase to the Management Capacity and Staffing Resources for the Hamilton Farmers' Market (Added Item 4.2)

Recommendation: Be received and referred Finance Staff for consideration and recommendations to the 2024 Budget Process.

2. Notice; Minutes of the Previous Annual Meeting; Directors; Financial Statements and Auditor's Report; and Audit Appointment (Item 7.1)

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

Council – October 25, 2023

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

AND WHEREAS by section 5 of the Corporation's By-Law No.1, the Board of Directors shall consist of a minimum of three (3) to a maximum of thirteen (13) or such other number of directors, as may be determined from time to time by the Sole Voting Member;

AND WHEREAS by section 15 of the Corporation's By-Law No.1, the City of Hamilton, as the sole voting member, is authorized to or may require the Directors of the Corporation to appoint an auditor;

(a) NOTICE

BE IT RESOLVED:

That the Sole Voting Member hereby waives its right to receive general or special notice of an annual meeting of the members of the Corporation.

(b) MINUTES OF PREVIOUS ANNUAL MEETING

BE IT RESOLVED:

That the minutes of the annual meeting held September 13, 2022, be approved.

(c) DIRECTORS

BE IT RESOLVED:

That the following persons are affirmed or appointed as Directors of the Corporation and shall hold office until the date specified below, unless further extended as permitted by the by-laws of the Corporation or until their respective successors are elected or appointed subject to the by-laws of the Corporation:

- | | | |
|-------|--|--------------------|
| (i) | Councilor Cameron Kroetsch – Council Member | November 14, 2026 |
| (ii) | Councilor Jeff Beattie – Council Member | November 14, 2026 |
| (iii) | Anne Miller – Vendor Member- Third Term | August 11, 2025 |
| (iv) | Celina Masoudi – Vendor Director-Second Term | September 13, 2025 |
| (v) | John Alexander – Vendor Director- First Term | April 19, 2025 |
| (vi) | Shane Coleman – Vendor Director- First Term | April 19, 2025 |

EX OFFICIO MEMBERS

- (vii) Bill Slowka – Market Manager

(d) **FINANCIAL STATEMENTS AND AUDITOR'S REPORT**

BE IT RESOLVED:

That the financial statements of the Corporation for the fiscal year ended December 31, 2022, attached hereto as Schedule "A" together with the auditor's report as prepared by KPMG LLP, be and the same are hereby received and approved.

(e) **AUDIT APPOINTMENT**

BE IT RESOLVED:

That the undersigned, being the Sole Voting Member, hereby authorizes the Directors of the Corporation to appoint an auditor of the Corporation to hold office until the next following annual meeting at such remuneration as may be fixed by the Directors and the Directors are hereby authorized to fix such remuneration.

The foregoing resolutions are, by signature below of the Sole Voting Member of the Corporation entitled to vote on such resolutions, passed as resolutions of the Corporation pursuant to the Act.

FOR INFORMATION:

(a) **APPROVAL OF AGENDA (Item 1)**

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

4. COMMUNICATIONS

4.2 Correspondence from Cameron Kroetsch, Chair, Board of Directors, Hamilton Farmers' Market Corporation, respecting an Increase to the Management Capacity and Staffing Resources for the Hamilton Famers' Market

Recommendation: Be received and referred to the 2024 Budget Process.

The agenda for the October 16, 2023 meeting of the Sole Voting Member of the Hamilton Farmers' Market, was approved, as amended.

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

There were no declarations of interest.

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

(i) May 8, 2023 (Item 3.1)

The Minutes of the May 8, 2023 meeting of the Sole Voting Member of the Hamilton Farmers' Market, were approved, as presented.

(d) PRESENTATIONS (Item 6)

(i) Hamilton Farmers' Market Corporation (Item 6.1)

Bill Slowka, Manager, Hamilton Farmers' Market, addressed the Committee with a presentation respecting the Hamilton Farmers' Market Corporation.

The presentation respecting the Hamilton Farmers' Market Corporation, was received.

(e) ADJOURNMENT (Item 12)

There being no further business, the Sole Voting Member of the Hamilton Farmers' Market adjourned at 10:30 a.m.

Respectfully submitted,

Deputy Mayor Mark Tadeson
Chair, Sole Voting Member
Hamilton Farmers' Market

Angela McRae
Legislative Coordinator
Office of the City Clerk



**PUBLIC WORKS COMMITTEE
REPORT 23-015**

1:30 p.m.

Monday, October 16, 2023

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent with Regrets: Councillors Kroetsch and McMeekin - Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Update to the City's Green Fleet Strategy and Action Plan (PW03147(g)) (City Wide) (Item 9.1)

That Report PW03147(g), respecting Update to the City's Green Fleet Strategy and Action Plan, be received.

2. Winterizing Public Washrooms - Winter Operations (PW21031(b)) (City Wide) (Outstanding Business Item) (Item 11.1)

(a) That the provision of winter washrooms based on the two-year pilot program be continued;

(b) That the Public Works Department, Environmental Services Division be authorized to provide the provision of winter washroom access:

(i) at a cost of \$484,525, for the period of November 1, 2023 to March 31, 2024 to be funded from the Tax Stabilization Reserve (#110046) and;

(ii) that the cost of \$581,430 to operationalize this as a permanent program in 2024 be referred to the 2024 Tax Budget process;

- (c) That the Public Works Department, Environmental Services Division, be authorized to provide additional locations namely Confederation Park and to switch Mountain Drive Park to a building facility instead of a port-o-let as part of the continuation of the winter washroom project:
 - (i) at a cost of \$66,900, for the period of November 1, 2023 to March 31, 2024 to be funded from the Tax Stabilization Reserve (#110046) and;
 - (ii) that the cost for the full winter season of \$80,330 be referred to the 2024 Tax Operating budget process;
 - (d) That the Public Works Department, Environmental Services Division, be authorized to provide a temporary supervisor to support the contractor monitoring, response and inspection of winter washroom locations:
 - (i) at a cost of \$51,700, for the period of November 1, 2023 to March 31, 2024 to be funded from the Tax Stabilization Reserve (#110046) and;
 - (ii) The Public Works Department, Environmental Services Division, permanent staff complement increase of a 0.5 full time employee for a winter Parks Supervisor at a cost of \$62,000, be added to the 2024 Tax Operating budget process;
 - (e) That the 6-month vehicle rental cost of \$8,000 be referred to the Public Works Department, Environmental Services Division 2024 Tax Operating budget process; and
 - (f) That Staff be directed to consider increasing the design standard for park washrooms to ensure winter access is possible for future capital new construction or reconstruction and that all fixtures be installed or replaced at the time of reconstruction as institutionally resilient products such as stainless steel.
 - (g) That, in response to public feedback, staff be directed to report back to the Public Works Committee respecting the extension of operating hours beyond daylight hours during the winter months.
- 3. New Play Equipment for Green Acres Park, Corman Park, and Valley Park (Wards 5, 9 and 10) (Item 12.1)**

WHEREAS, Green Acres Park is located at 880 Queenston Road, Hamilton, Ward 5;

WHEREAS, Valley Community Park is located at 970 Paramount Drive, Hamilton, Ward 9;

WHEREAS, Corman Park is located at 23 Teak Street, Hamilton, Ward 10;

WHEREAS, Green Acres Park is in need of a junior and senior play structure, as there is currently only a swing set at this park location;

WHEREAS, the Parks Capital Program is not currently funded for the addition or replacement of the above noted park play equipment;

WHEREAS, Valley Park and Corman Park have play structures that require replacement due to end of life condition, and the Parks budget has limited funding to replace; and

WHEREAS, the three identified parks are candidate sites for application of the Stoney Creek Compensation Royalties (Terrapure) reserve.

THEREFORE, BE IT RESOLVED:

- (a) That \$350,000 in funding from the Stoney Creek Compensation Royalties (Terrapure) reserve #117036, not to exceed \$1,050,000 in total, be approved for new play equipment for each park as follows:
 - (i) Green Acres Park, located at 880 Queenston Road, Hamilton, Ward 5;
 - (ii) Valley Park, located at 970 Paramount Drive, Hamilton, Ward 9;
 - (iii) Corman Park, located at 23 Teak Street, Hamilton, Ward 10;
 - (b) That staff be directed to undertake community engagement through the Play Your Way-Engage Hamilton digital platform in 2024 for Green Acres Park, Corman Park, and Valley Park; and
 - (c) That the Parks section undertake the addition of new play equipment at Green Acres Park, Valley Park and Corman Park in 2025.
- 4. Removal of the Hamilton Beach Rescue Lift Located at the Hamilton Beach Strip, Adjacent to Lakeside Avenue (Ward 5) (Item 12.2)**

WHEREAS, the Hamilton Beach Rescue unit previously operated from the area at the Hamilton Beach Strip, adjacent to Lakeside Avenue;

WHEREAS, there is a remnant of a boat lift, previously used to support operations of the Hamilton Beach Rescue unit, that is no longer needed and is at its end of life;

WHEREAS, this location is ideal for the installation of beach mobility mats to create an accessible access from the parking area at Lakeside Avenue to the beach, which requires the removal of the boat lift to create the space for the improvement;

WHEREAS, the Voluntary Hamilton Beach Rescue Unit are not able assist with the removal of this infrastructure;

THEREFORE, BE IT RESOLVED:

- (a) That the removal of the Hamilton Beach Rescue Lift located at the Hamilton Beach Strip, adjacent to Lakeside Avenue, to be funded from Hamilton Beach Rescue Reserve #110005 at an upset limit, including contingency, not to exceed \$4,000, be approved; and
- (b) That the General Manager of Public Works be authorized and directed to approve and execute any and all required agreements and ancillary documents, in a form satisfactory to the City Solicitor.

FOR INFORMATION:

(a) CEREMONIAL ACTIVITIES (Item 1)

(i) Waste Reduction Week (Item 1.1)

Chair Nann advised that the month of October is recognized as Circular Economy Month and the week of October 15th to 22nd is celebrated as Waste Reduction Week. To educate residents on the importance of waste reduction during this week, Hamilton Waste Management staff have planned several initiatives and promotion of City Facilities.

(b) APPROVAL OF AGENDA (Item 2)

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

The Agenda for the October 16, 2023 Public Works Committee meeting was approved, as presented.

(c) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) October 2, 2023 (Item 4.1)

The Minutes of the October 2, 2023 meeting of the Public Works Committee were approved, as presented.

(e) DELEGATION REQUESTS (Item 6)

(i) Cheryl Hurd respecting Cancellation of Complimentary HSR Ridership for Individuals Who are Blind (Item 6.1)

The Delegation Request from Cheryl Hurd respecting Cancellation of Complimentary HSR Ridership for Individuals Who are Blind, was approved for a future meeting.

(f) DISCUSSION ITEMS (Item 11)

(i) Winterizing Public Washrooms - Winter Operations (PW21031(b)) (City Wide) (Outstanding Business Item) (Item 11.1)

Report PW21031(b) be Winterizing Public Washrooms - Winter Operations was **amended** by adding recommendation (g), to read as follows:

(g) That, in response to public feedback, staff be directed to report back to the Public Works Committee respecting the extension of operating hours beyond daylight hours during the winter months.

For further disposition of this matter, refer to Item 2.

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

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

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

- (1) Items Considered Complete and Needing to be Removed (Item 14.1(a))

- (i) Winterizing Public Washrooms (14.1(a)(a))
Item on OBL: ABV
Addressed as Item 11.1 (PW21031(b)) (on today's agenda)

(2) Items Requiring a New Due Date: (Item 14.1(b)):

- (i) Implementation plan for the two-way conversion of Main Street (Item 14.1(b)(a))
Item on OBL: ACW
Current Due Date: October 30, 2023
Proposed New Due Date: November 13, 2023
- (ii) Reassessment of one-way streets (Item 14.1(b)(b))
Item on OBL: ACX
Current Due Date: October 30, 2023
Proposed New Due Date: November 13, 2023

(h) ADJOURNMENT (Item 16)

There being no further business, the meeting adjourned at 2:17 p.m.

Respectfully submitted,

Councillor N. Nann, Chair,
Public Works Committee

Carrie McIntosh
Legislative Coordinator
Office of the City Clerk



Hamilton

**HAMILTON POLICE SERVICES BOARD SELECTION COMMITTEE
REPORT 23-005**

6:00 p.m.

Monday, October 16, 2023

Room 192, 1st Floor

City Hall

Present: Councillor N. Nann (Chair), Councillor C. Cassar, R. Greenspan, Mayor A. Horwath, Councillor C. Kroetsch, F. Kuczma, O. Mbaya, J. Mulkewich, A. Purnell, Councillor M. Spadafora and Councillor M. Wilson

**Absent with
Regrets:** S. Tora

**THE HAMILTON POLICE SERVICES BOARD SELECTION COMMITTEE PRESENTS
REPORT 23-005 AND RESPECTFULLY RECOMMENDS:**

- 1. Interviews for the Citizen Position on the Hamilton Police Services Board (Item 4.2)**
 - (a) That the directions to staff in Closed Session, be approved; and
 - (b) That the details of the Interviews for the Citizen Position on the Hamilton Police Services Board, remain confidential.
- 2. Amendment to the Corporate Policy, Hamilton City Council – Appointment of Citizens to the City’s Local Boards**

WHEREAS, this recommendation was arrived at before interviews for the Hamilton Police Service Board were completed on October 16, 2023, and

WHEREAS, the Hamilton Police Services Board Selection Committee is currently required to submit two (2) preferred candidate(s) to Council for consideration for the appointment of one person to the Hamilton Police Services Board

THEREFORE, BE IT RESOLVED:

That Section 15 (v) of the Corporate Policy, Hamilton City Council – Appointment of Citizens to the City’s Local Boards, respecting the Selection Process for the one Citizen Appointment to the Hamilton Police Services Board, be **amended** to read as follows:

Selection Process for the one Citizen Appointment to the Hamilton Police Services Board

15. Six (6) members of Council and six (6) community representatives are appointed to the Hamilton Police Services Board Selection Committee whose mandate will be to:

- (v) Submit ~~two (2)~~ **one (1)** preferred candidate~~(s)~~ to Council for consideration for the appointment of one person to the Hamilton Police Services Board.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

The agenda for the October 16, 2023 meeting of the Hamilton Police Services Board Selection Committee, was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no Declarations of Interest.

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

(i) September 14, 2023 (Item 3.1)

The Minutes of September 14, 2023 meeting of the Hamilton Police Services Board Selection Committee were approved as presented.

(d) PRIVATE & CONFIDENTIAL (Item 4)

The Committee determined that a Closed Session discussion of Item 4.1 was not required, and approved the following in Open Session:

(i) Closed Session Minutes of September 14, 2023 (Item 4.1)

The Closed Session Minutes of September 14, 2023 meeting of the Hamilton Police Services Board Selection Committee, were approved, as presented.

The Committee move into Closed Session for Item 4.2, Deliberation of Applications to the Single Citizen Position on the Hamilton Police Services Board, pursuant to Section 9.3 Sub-section (b) of the City's Procedural By-law 21-021, as amended, and Section 239(2) Sub-section (b) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual.

(ii) Interviews for the Citizen Position on the Hamilton Police Services Board (Item 4.2)

For further disposition, refer to Item 1.

(e) ADJOURNMENT (Item 5)

There being no further business, the Hamilton Police Services Board Selection Committee adjourned at 10:11 p.m.

Respectfully submitted,

Councillor N. Nann, Chair
Hamilton Police Services Board
Selection Committee

Loren Kolar
Legislative Coordinator
Office of the City Clerk



**PLANNING COMMITTEE
REPORT
23-017**

October 17, 2023

9:30 a.m.

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

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

THE PLANNING COMMITTEE PRESENTS REPORT 23-017 AND RESPECTFULLY RECOMMENDS:

1. Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications (PED23219) (City Wide) (Item 9.1)

That Report PED23219 Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications, be received.

2. Provincial Streamline Development Approval Fund (PED22060(a)) (City Wide) (Item 9.2)

That Report PED22060(a) respecting Provincial Streamline Development Approval Fund, be received.

3. Application for a Zoning By-law Amendment for Lands Located at 851 Lawrence Road, Hamilton (PED23207) (Ward 4) (Item 10.1)

(a) That Amended Zoning By-law Amendment Application ZAC-23-040 by Bousfields Inc. c/o David Falletta on behalf of C Valery Construction Ltd., owner, for a change in zoning from "E-2/S-131" (Multiple Dwellings) District, Modified, to the Mixed Use Medium Density (C5, 877, H163) Zone and the Mixed Use Medium Density (C5, 881) Zone, to permit a 13 storey multiple dwelling which includes 272 residential units with on-site surface and underground parking areas, for lands located at 851 Lawrence Road,

as shown on Appendix “A” attached to Report PED23207, be APPROVED, on the following basis:

- (i) That the draft By-law, attached as Appendix “B” to Report PED23207, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and complies with the Urban Hamilton Official Plan;
- (iii) That the amending By-law apply the Holding Provision of Section 36(1) of the Planning Act, R.S.O. 1990 to the subject property by introducing the Holding symbol ‘H163’ to the proposed Mixed Use Medium Density (C5, 877) Zone;

The Holding Provision ‘H163’ is to be removed, conditional upon:

- (1) The Owner submitting a Parking Assessment demonstrating that:
 - (a) The removal of the driveway access to 380 Cochrane Road shall have no adverse impact on site circulation;
 - (b) The required parking for 380 Cochrane Road and 851 Lawrence Road will be provided at 851 Lawrence Road;
 - (c) Sufficient manoeuvring space is available for waste collection and loading vehicles entirely on private property;

To the satisfaction of the Manager, Transportation Planning and Director of Planning and Chief Planner.

- (2) The Owners of 380 Cochrane Road and 851 Lawrence Road enter into a parking agreement with the City to be registered against the title of both the lot upon which parking is to be provided (851 Lawrence Road) and the lot containing the use requiring the parking (380 Cochrane Road), to the satisfaction of the Director of Planning and Chief Planner;
- (3) The Owner submitting a Watermain Hydraulic Analysis, to the satisfaction of the Director of Hamilton Water;
- (4) The Owner submitting a technical memorandum prepared by a qualified professional that provides justification for why

dewatering is not required, and in the event that dewatering is required, the owner shall provide a written record of a Monitoring and Contingency Plan that outlines a protocol for action, to the satisfaction of the Director of Hamilton Water;

- (5) The Owner making satisfactory arrangements with the City's Growth Management Division and entering into an External Works Agreement with the City for the design and construction of any required improvements to the municipal infrastructure at the Owner's cost, should it be determined that upgrades are required to the municipal infrastructure to support the proposed development, all to the satisfaction of the Director of Growth Management and Chief Development Engineer;
- (6) The Owner submitting a revised Tree Protection Plan addressing the protection of private trees, to the satisfaction of the Director of Planning and Chief Planner. The resubmission is also to include the applicable Tree Protection Plan review fee payable to the City of Hamilton;
- (7) The Owner submitting a Wind Study, to the satisfaction of the Director of Planning and Chief Planner.

4. Application for a Zoning By-law Amendment for Lands Located at 527 James Street North, Hamilton (PED23212) (Ward 2) (Item 10.2)

- (a) That Zoning By-law Amendment Application ZAC-23-038, by King Consultants Inc. c/o Gursewak Singh on behalf of the Heli Patel, owner, for a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to the Transit Oriented Corridor Local Commercial (TOC2, 875) Zone, to recognize an existing retail use (convenience store) and take-out restaurant on lands located at 527 James Street North, Hamilton, as shown on Appendix "A" attached to Report PED23212, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix "B" to Report PED23212, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and complies with the Hamilton-Wentworth Official Plan and West Harbour (Setting Sail) Secondary Plan.

5. Application for a Zoning By-law Amendment for Lands Located at 12 Louisa Street, Flamborough (PED23208) (Ward 13) (Item 10.3)

- (a) That Zoning By-law Amendment Application ZAR-22-004 by MB1 Development Consulting Inc. c/o Michael Barton on behalf of Ryan Kennedy, owner, for a change in zoning from the Settlement Residential (S3) Zone to the Settlement Residential (S1, 872, H160) Zone, to permit the lands to be developed for a single detached dwelling, on lands located at 12 Louisa Street, as shown on Appendix “A” attached to Report PED23208, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix “B” to Report PED23208, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the amending By-law apply the Holding Provisions of Section 36(1) of the Planning Act, R.S.O. 1990 to the subject property by introducing the Holding symbol ‘H’ to the proposed Settlement Residential (S1, 872) Zone.

The Holding Provision ‘H’ is to be removed, conditional upon:

- (1) That the Owner/Applicant applies for a Building Permit showing a connection to the municipal water system and installation of a Class 6 Tertiary wastewater treatment system, to the satisfaction of the City’s Chief Building Official;
- (2) That the Applicant enter into, and have registered on title, a development agreement with the City of Hamilton to install and properly maintain the tertiary treatment septic system, in order to function as designed, to the satisfaction of the Director of Development Planning, Director of Hamilton Water, and City Solicitor;
- (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to the Greenbelt Plan (2017), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended) and complies with the Rural Hamilton Official Plan.
- 6. By-Law Enforcement Strategy Update (PED23195) (City Wide) (Item 11.1)**
- (a) That the updated By-Law Enforcement Priority Framework, attached as Appendix “A” to Report PED23195, be approved.

- 7. Amendment to the Pool Enclosure By-law No. 16-184 (PED23214) (City Wide) (Item 11.2)**
 - (a) That the By-law, attached as Appendix “A” to Report PED23214 to amend City of Hamilton By-law No. 16-184, a By-law to Regulate Enclosures for Privately-Owned Outdoor Pools, which has been prepared in a form satisfactory to the City Solicitor, be enacted.

- 8. Amendment to the Fortification By-law No. 10-122 (PED23215) (City Wide) (Item 11.3)**
 - (a) That the By-law, attached as Appendix “A” to Report PED23215 to amend City of Hamilton By-law No. 10-122, a By-law to Prohibit and Regulate Fortification and Protective Elements of Land, which has been prepared in a form satisfactory to the City Solicitor, be enacted.

- 9. Adjustment to School Crossing Guard Locations (PED23196) (Wards 7, 10 and 15) (Item 11.4)**
 - (a) That the revised list of school crossing guard locations resulting from school closures, openings, construction projects, walking patterns, and lunch program changes in Wards 7, 10 and 15, as outlined in Appendix “A” attached to Report PED23196, be approved;
 - (b) That staff be authorized and directed to consult with the affected Ward Councillors and to use delegated authority for adding and/or removing school crossing guards prior to City Council approval for any proposed changes by the Hamilton-Wentworth District School Board, and the Hamilton-Wentworth Catholic District School Board for the 2023/2024 school year.

- 10. School Crossing Warrants (PED23217) (City Wide) (Item 11.5)**
 - (a) That the School Crossing Guard Warrant Development Report attached as Appendix “A” to Report PED23217 be received;
 - (b) That staff be directed to utilize the methodology presented in Appendix “A” attached to Report PED23217, along with industry best practices and local experience, for evaluating the implementation and removal of school crossings in the City of Hamilton.

11. **Appeal to the Ontario Land Tribunal (OLT) for lands located at 140 and 164 Sulphur Springs Road, Ancaster, for Lack of Decision on Zoning By-law Amendment Application (ZAC-21-027) (Ward 12) (LS23029/ PED23184(a)) (Item 15.1)**
- (a) That the directions to staff in closed session respecting Report LS23029/ PED23184(a), be approved;
 - (b) That the directions to staff in closed session with respect to Report LS23029/ PED23184(a) be released to the public, following approval by Council; and,
 - (c) That the balance of Report LS23029/PED23184(a) and its Appendices remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

15. PRIVATE AND CONFIDENTIAL

- 15.1 Appeal to the Ontario Land Tribunal (OLT) for lands located at 140 and 164 Sulphur Springs Road, Ancaster, for Lack of Decision on Zoning By-law Amendment Application (ZAC-21-027) (Ward 12) LS23029/PED23184(a)

ADDITIONS:

Staff Presentations for Items 10.1, 10.2 and 10.3.

The agenda for the October 17, 2023 Planning Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

No declarations of interest were made.

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

(i) October 3, 2023 (Items 4.1)

The Minutes of the October 3, 2023 meetings were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

- (i) Michael Sabelli and Paul Kocsis respecting an Exemption to the Demolition By-law for 47 Whitfield Ave. (For the October 31st meeting) (Item 6.1)**

The Delegation Request from Michael Sabelli and Paul Kocsis respecting an Exemption to the Demolition By-law for 47 Whitfield Ave., was approved for the October 31st meeting.

(e) DELEGATIONS (Item 7)

- (i) West End Home Builders Association, Chamber of Commerce and Smart Prosperity Institute respecting “Who Will Swing the Hammer” Report (Approved at the October 3rd meeting)**

The time limit for the Delegation from the West End Home Builders Association, Chamber of Commerce and Smart Prosperity Institute respecting “Who Will Swing the Hammer” Report was extended to fifteen minutes.

Dr. Mike Moffatt and Jesse Helmer addressed the Committee respecting “Who Will Swing the Hammer” Report.

The Delegation from Dr. Mike Moffatt and Jesse Helmer respecting “Who Will Swing the Hammer” Report, was received.

(f) PUBLIC HEARINGS (Item 10)

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

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

(i) Application for a Zoning By-law Amendment for Lands Located at 851 Lawrence Road, Hamilton (PED23207) (Ward 4)) (Item 10.1)

The Committee was advised that there were no members of the public registered as Delegations.

Spencer Skidmore, Area Planning Manager, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

David Falletta with Bousfields Inc., was in attendance, and indicated support for the staff report.

The presentation from David Falletta with Bousfields Inc., was received.

Chair Danko called three times for public delegations and the following individual came forward:

- (i) Doug Kovac
- (a) The public submissions regarding this matter were received and considered by the Committee:
 - (i) Doug Kovac – Concerns with application
- (b) The public meeting was closed.

For disposition of this matter, refer to Item 3.

(ii) Application for a Zoning By-law Amendment for Lands Located at 527 James Street North, Hamilton (PED23212) (Ward 2) (Item 10.2)

The Committee was advised that there were no members of the public registered as Delegations.

The staff presentation was waived.

Gursewak Singh with King Consultants Inc. was in attendance, and indicated support for the staff report.

The presentation from Gursewak Singh with King Consultants Inc., was received.

Chair Danko called three times for public delegations and no one came forward.

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

For disposition of this matter, refer to Item 4.

(iii) Application for a Zoning By-law Amendment for Lands Located at 12 Louisa Street, Flamborough (PED23208) (Ward 13) (Item 10.3)

The Committee was advised that there were no members of the public registered as Delegations.

The staff presentation was waived.

Michael Barton with MB1 Development Consulting Inc., was in attendance, and indicated support for the staff report.

The presentation from Michael Barton with MB1 Development Consulting Inc., was received.

Chair Danko called three times for public delegations and no one came forward.

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

For disposition of this matter, refer to Item 5.

The Committee recessed until 12:50 p.m.

(g) PRIVATE & CONFIDENTIAL (Item 15)

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

criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

- (i) **Appeal to the Ontario Land Tribunal (OLT) for lands located at 140 and 164 Sulphur Springs Road, Ancaster, for Lack of Decision on Zoning By-law Amendment Application (ZAC-21-027) (LS23029/PED23184(a)) (Ward 12) (Item 15.1)**

For disposition of this matter, refer to Item 11.

(h) ADJOURNMENT (Item 16)

There being no further business, the Planning Committee adjourned at 1:45 p.m.

Councillor J.P. Danko, Chair
Planning Committee

Lisa Kelsey
Legislative Coordinator



GENERAL ISSUES COMMITTEE REPORT 23-027

9:30 a.m.

October 18, 2023

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

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

Absent: Councillor M. Tadeson - Personal

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 23-027 AND RESPECTFULLY RECOMMENDS:

1. **Hamilton's Climate Action Strategy 2023 Annual Update (PED23222) (City Wide) (Outstanding Business List Item) (Item 8.1)**
 - (a) (c) That the following investments to be funded from the 2023 Budget allocation to the Climate Change Reserve (Account No 108062), be approved:
 - (i) E-Bike Pilot for Hamilton Bike Share to an upset limit of \$750k;
 - (b) (a) That Appendix "A" to Report PED23222 "Hamilton's Climate Action Strategy Annual Climate Change Update 2023" be received.
 - (b) That Appendix "B" to Report PED23222 "Status Update Regarding Climate Actions in Hamilton's Climate Action Strategy" be received.
 - (c) That the following investments to be funded from the 2023 Budget allocation to the Climate Change Reserve (Account No 108062), be approved:
 - (ii) Municipal Parking Lot Greening / Climate Adaptation pilot project to an upset limit of \$200k;

- (iii) Enhancement/Expansion of Secure Bike Parking Facilities to an upset limit of \$350k;
- (iv) De-paving pilot project to an upset limit of \$350k; and,
- (v) Fire Truck Anti-Idling Technology to an upset limit of \$900k.

2. Canadian Mortgage and Housing Corporation Housing Accelerator Fund (HSC23017(a) / FCS23062(a) / PED23143(a)) (Added Item 8.2)

- (a) That staff be directed to execute the Housing Action Plan initiatives as outlined in Report HSC23017(a)/FCS23062(a)/PED23143(a), and that staff be directed to bring forward for Council's consideration the necessary policy process, program and required authorities and proposed delegations and regulatory adjustments required to implement the Housing Action Plan initiatives including, as appropriate financial and staffing implications and affordability requirements;
- (b) That the General Manager of the Healthy and Safe Communities Department be authorized to make any necessary revisions or adjustments to the Housing Action Plan initiatives, and to provide any required reporting, as necessary, to deliver and administer the Housing Accelerator Fund in accordance with all Canadian Mortgage and Housing Corporation requirements; and,
- (c) That the General Manager, Healthy and Safe Communities Department be authorized and directed to enter into and execute all ancillary agreements and documents as may be required to deliver and administer Housing Accelerator Fund initiatives four and six as outlined in this report with terms and content satisfactory to the General Manager, Healthy and Safe Communities Department and in form satisfactory to the City Solicitor.

3. Light Rail Transit Sub-Committee Report 23-004 - September 25, 2023 (Item 9.1)

(a) Light Rail Transit Operations Models (PED23166(a)) (City Wide) (Item 8.1)

- (i) That Report PED23166(a), respecting Light Rail Transit Operations Models, be received.
- (ii) That staff be directed to extend an invitation to former Region of Waterloo Chief Administrative Officer, Mike Murray, to attend a meeting of the Light Rail Transit Sub-Committee, to share his insights and assessment of operations of the Region of Waterloo's Light Rail Transit System.

(b) Labour Relations Analysis of Light Rail Transit Model (HUR23014) (City Wide) (Item 15.1)

That Report HUR23014, respecting Labour Relations Analysis of Light Rail Transit Model, be received and remain confidential.

4. **Community Benefits Protocol Sub-Committee Report 23-001 - September 28, 2023 (Item 9.2)**

(a) (d) **Realizing Community Benefits in the New HSR Transit Maintenance & Storage Facility (Added Item 11.1)**

WHEREAS, The City of Hamilton is undertaking a significant public Infrastructure project under Contract Number C13-02-23 – a requirement for a General Contractor to construct a new Hamilton Transit Maintenance and Storage Facility (MSF) in Ward Three.

WHEREAS the construction of the second Hamilton Transit Maintenance and Storage Facility is a project which will benefit Hamilton's future transit initiatives for an overall benefit to the City.

THEREFORE, BE IT RESOLVED:

- (i) That staff be directed to work collaboratively with the Contractor who, where practical and appropriate, will ensure that socially and environmentally responsible business practices are considered when employing workers and completing the work; and,
- (ii) That whatever measures are taken by the Contractor will result in zero cost overages to the approved project budget.

(b) (a) **Appointment of Chair and Vice-Chair**

- (i) That Councillor C. Kroetsch be appointed as Chair of the Community Benefits Protocol Sub-Committee for 2023-2024.
- (ii) That K. Andrus be appointed as Vice-Chair of the Community Benefits Protocol Sub-Committee for 2023-2024.

(b) **Community Benefits Protocol Sub-Committee Terms of Reference (Item 9.1)**

That the Community Benefits Protocol Sub-Committee Terms of Reference, be received.

(c) **Hamilton Community Benefits Protocol Sub-Committee Update (HSC23026) (City Wide) (Item 9.2)**

- (i) That Report HSC23026, respecting Hamilton Community Benefits Protocol Sub-Committee Update, be received.
- (ii) (1) That staff be directed to report back on the Hamilton

Community Benefits Protocol Sub-Committee respecting a summary of the pilots undertaken for social Request for Procurement (RFP); and

- (2) That the report back include the 2019 Sandra Hamilton procurement report as an attachment.

5. Interview Sub-Committee to the General Issues Committee Report 23-002 - October 10, 2023 (Item 9.3)

(a) Screening Tools to be Used During Deliberations of the Applications to the City of Hamilton's Advisory Committees (Item 4.2)

- (i) That the following screening tool be approved and remain confidential, for use during the Interviews for the Climate Change Advisory Committee:

- (1) Amended Confidential Interview Questions – Climate Change Advisory Committee

(b) Deliberation of Applications to the Climate Change Advisory Committee (Item 4.3)

That the direction provided to staff in closed session, be approved and remain confidential.

6. King West Business Improvement Area Dormancy (PED23198) (Ward 2) (Item 10.1)

- (a) That the Dormant Business Improvement Area Status Procedure, as attached as Appendix "A" to Report PED23198, be adopted;
- (b) That the King West Business Improvement Area become dormant (a non-active Business Improvement Area) for a three-year term and that the King West Business Improvement Area issue a cheque to the City of Hamilton for all monies that are currently in the King West Business Improvement Area bank account(s);
- (c) That Finance staff be directed to create an account to hold the funds of the King West Business Improvement Area;
- (d) That Finance staff be directed to oversee the account and fulfil any financial obligations of the dormant King West Business Improvement Area throughout the term;
- (e) That Public Works staff be directed to store any material assets of the Business Improvement Area and the cost for storage be invoiced to Finance for payment from the Business Improvement Area account; and,

- (f) That Commercial Districts and Small Business Section staff be directed to undertake the appropriate program modifications to identify that Financial Incentive Programs are available only to property owners/authorized tenants within the existing active city-wide Business Improvement Areas.

7. Main West Esplanade Business Improvement Area Dormancy (PED23199) (Ward 2) (Item 10.2)

- (a) That the Dormant Business Improvement Area Status Procedure, attached as Appendix “A” to Report PED23199, be adopted;
- (b) That the Main West Esplanade Business Improvement Area become dormant (a non-active Business Improvement Area) for a three-year term and that the Main West Esplanade Business Improvement Area issue a cheque to the City of Hamilton for all monies that are currently in the Main West Esplanade Business Improvement Area bank account(s);
- (c) That Finance staff be directed to create an account to hold the funds of the Main West Esplanade Business Improvement Area;
- (d) That Finance staff be directed to oversee the account and fulfil any financial obligations of the dormant Main West Esplanade Business Improvement Area throughout the term;
- (e) That Public Works staff be directed to store any material assets of the Business Improvement Area and the cost for storage be invoiced to Finance for payment from the Business Improvement Area account; and,
- (f) That Commercial Districts and Small Business Section staff be directed to undertake the appropriate program modifications to identify that Financial Incentive Programs are available only to property owners/authorized tenants within the existing active city-wide Business Improvement Areas.

8. Revitalizing Hamilton Tax Increment Grant - 179-189 Catharine Street North, Hamilton (PED23200) (Ward 2) (Item 10.3)

- (a) That a Revitalizing Hamilton Tax Increment Grant Program Application submitted by WQ (Catharine St N) GP Inc. (Brendan Morley), for the property at 179-189 Catharine Street North, Hamilton, estimated at \$258,079.15, over the maximum of a four year period, and based upon the incremental tax increase attributable to the redevelopment of 179-189 Catharine Street North, Hamilton, be authorized and approved in accordance with the terms and conditions of the Revitalizing Hamilton Tax Increment Grant Program;
- (b) That the General Manager of the Planning and Economic Development Department be authorized and directed to execute a Grant Agreement together with any ancillary documentation required, to give effect to the Revitalizing Hamilton Tax Increment Grant Program for WQ (Catharine

St N) GP Inc. (Brendan Morley) for the property known as 179-189 Catharine Street North, Hamilton, in a form satisfactory to the City Solicitor; and,

- (c) That the General Manager of the Planning and Economic Development Department be authorized and directed to administer the Grant and Grant Agreement including, but not limited to, deciding on actions to take in respect of events of default and executing any Grant Amending Agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Revitalizing Hamilton Tax Increment Grant Program, as approved by City Council, are maintained and that any applicable Grant Amending Agreements are undertaken in a form satisfactory to the City Solicitor.

9. Downtown Hamilton Office Report Update (PED23081(a)) (Ward 2) (Item 10.4)

- (a) That the terms for the Commercial Vacancy Assistance Program, being Appendix "I" to the Revitalizing Hamilton's Commercial Districts Community Improvement Plan, be amended as contained in Appendix "A" to Report PED23081(a);
- (b) That the Commercial Vacancy Assistance Program otherwise scheduled to cease on October 22, 2023, be made permanently available; and,
- (c) That staff be directed to continue engagement with downtown office landlords and property owners to discuss the feasibility of expanding and introducing new office-related incentive programs in the Downtown Hamilton Community Improvement Project Area;

10. Conservation Authority Agreements for Non-Mandatory Programs and Services (FCS23081) (City Wide) (Item 10.5)

That the Mayor and City Clerk be authorized to execute agreements for Non-Mandatory Programs and Services with the Hamilton Region Conservation Authority, Halton Region Conservation Authority, Niagara Peninsula Conservation Authority and Grand River Conservation Authority based substantially on the Term Sheet attached as Appendix "A" to Report FCS23081 and in a form satisfactory to the City Solicitor.

11. Encampment Response Update - September 2023 (HSC23066(a)) (City Wide) (Item 10.6)

- (a) That Report HSC23066(a), respecting the Encampment Response Update – September 2023, be received.
- (b) That staff be directed to explore the feasibility of a 'Clean Up Protocol' enabling City Staff being able to remove waste from private properties that are adjacent to Encampment sites and report back to the General Issues Committee.

12. Red Hill Valley Parkway Inquiry Update (LS19036(t)) (City Wide) (Item 10.7)

That Council approve the revised estimated total cost of the Red Hill Valley Parkway Judicial Inquiry of up to \$28,000,000, to be funded through the Tax Stabilization Reserve (110046).

13. Airport Sub-Committee Report 23-004 – October 6, 2023 (Added Item 10.8)

(a) Airport Masterplan (PED19084(i)) (City Wide) (Item 10.1)

- (i) That the Airport Master Plan, attached as Appendix “A” to Report PED19084(i), prepared by TradePort International Corporation (TradePort), be approved;
- (ii) That TradePort be directed to complete, in cooperation with the city and its partners, the following studies necessary to implement the Airport Master Plan, that are required from time to time, and particularly in the immediate term:
 - (1) Ground Transportation Study;
 - (2) Noise Exposure Forecasts and Airport Zone Regulations Assessment;
 - (3) Functional Servicing Report / Master Servicing Plan;
 - (4) Radar Tower Relocation Study;
 - (5) Stormwater Master Drainage Study;
 - (6) Airport Environmental Strategy and Climate Resiliency Plan; and
 - (7) Long-term Land Needs Assessment, and Land Use and Development Optimization Strategy.

14. Hamilton Light Rail Transit Property Acquisition (PED23221) (City Wide) (Item 14.2)

- (a) That the directions provided to staff in Closed Session, respecting Report PED23221, Hamilton LRT Property Acquisition, be approved and remain confidential;
- (b) That Appendix "A" to Report PED23221, respecting Hamilton LRT Property Acquisition be approved and remain confidential; and,
- (c) That Report PED23221, respecting Hamilton LRT Property Acquisition, remain confidential.

15. Greenbelt Judicial Review Motion (LS23035) (City Wide) (Item 14.3)

That Report LS23035, respecting the Greenbelt Judicial Review Motion, be received and remain confidential.

16. Legal Update Regarding Judicial Review Application – Urban Boundary Expansion (LS16029(i)) (City Wide) (Added Item 14.4)

That Report LS16029(i), respecting Legal Update Regarding Judicial Review Application – Urban Boundary Expansion, be received and remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

5. COMMUNICATIONS

- 5.1 Correspondence from Jeffrey Cowan, President and CEO and David E. Inkley, Vice President - Engineering and Development, Hamilton Community Enterprises, respecting Item 8.1 - Hamilton's Climate Action Strategy 2023 Annual Update (PED23222)

Recommendation: Be received and referred to consideration of Item 8.1.

6. DELEGATION REQUESTS

- 6.2 Delegation Requests respecting Item 8.1 - Hamilton's Climate Action Strategy 2023 Annual Update (PED23222), for today's meeting, from the following individuals:

- (a) Zoe Green, Action 13 (Virtually)
- (b) Adeola Egbeyemi, Environment Hamilton (In-Person)
- (c) Don McLean, Hamilton 350 Committee (Virtually)
- (d) Jesse Elders, Bay Area Climate Change Council (In-Person)

8. STAFF PRESENTATIONS

- 8.2 Canadian Mortgage and Housing Corporation Housing Accelerator Fund (HSC23017(a) / FCS23062(a) / PED23143(a))

Due to the length of the agenda and the item not being time sensitive the Staff Presentation respecting the 2023 Economic Development Workforce

Strategy (PED23194) (City Wide) – which was moved from the October 4th meeting to today’s meeting will be placed on the November 1st GIC agenda.

10. DISCUSSION ITEMS

10.8 Airport Sub-Committee Report 23-004 - October 6, 2023

14. PRIVATE AND CONFIDENTIAL

14.4 Legal Update Regarding Judicial Review Application – Urban Boundary Expansion (LS16029(i)) (City Wide)

The agenda for the October 18, 2023 General Issues Committee meeting, was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) October 4, 2023 (Item 4.1)

The minutes of the October 4, 2023, General Issues Committee meeting were approved, as presented.

(d) COMMUNICATIONS (Item 5)

(i) Correspondence from Jeffrey Cowan, President and CEO and David E. Inkley, Vice President - Engineering and Development, Hamilton Community Enterprises, respecting Item 8.1 - Hamilton's Climate Action Strategy 2023 Annual Update (PED23222) (Added Item 5.1)

The correspondence from Jeffrey Cowan, President and CEO and David E. Inkley, Vice President - Engineering and Development, Hamilton Community Enterprises, respecting Item 8.1 - Hamilton's Climate Action Strategy 2023 Annual Update (PED23222) was received and referred to consideration of Item 8.1.

For disposition of this matter, refer to Item 1.

(e) DELEGATION REQUESTS (Item 6)

- (i) That the following Delegation Requests, be approved as follows:
- (1) Kevin Gonci, Mohawk Sports Park - Sports Council, respecting the proposed development of a new Multi-Use Community Hub Facility (In-Person) (For a future meeting) (Item 6.1)
 - (2) Delegation Requests respecting Item 8.1 - Hamilton's Climate Action Strategy 2023 Annual Update (PED23222), for today's meeting, from the following individuals (Added Item 6.2):
 - (a) Zoe Green, Action 13 (Virtually) (Added Item 6.2(a))
 - (b) Adeola Egbeyemi, Environment Hamilton (In-Person) (Added Item 6.2(b))
 - (c) Don McLean, Hamilton 350 Committee (Virtually) (Added Item 6.2(c))
 - (d) Jesse Elders, Bay Area Climate Change Council (In-Person) (Added Item 6.2(d))

(f) DELEGATIONS (Item 7)

- (i) **Delegations respecting Item 8.1 - Hamilton's Climate Action Strategy 2023 Annual Update (PED23222), from the following individuals (Added Item 7.1):**

The following Delegations addressed the Committee respecting Item 8.1 - Hamilton's Climate Action Strategy 2023 Annual Update (PED23222):

- (a) Zoe Green, Action 13 (Virtually) (Added Item 7.1(a))
- (b) Adeola Egbeyemi, Environment Hamilton (In-Person) (Added Item 7.1(b))
- (c) Don McLean, Hamilton 350 Committee (Virtually) (Added Item 7.1(c))
- (d) Jesse Elders, Bay Area Climate Change Council (In-Person) (Added Item 7.1(d))

The following Delegations respecting Item 8.1 - Hamilton's Climate Action Strategy 2023 Annual Update (PED23222), were received:

- (a) Zoe Green, Action 13 (Virtually) (Added Item 7.1(a))
- (b) Adeola Egbeyemi, Environment Hamilton (In-Person) (Added Item 7.1(b))

- (c) Don McLean, Hamilton 350 Committee (Virtually) (Added Item 7.1(c))
- (d) Jesse Elders, Bay Area Climate Change Council (In-Person) (Added Item 7.1(d))

For disposition of this matter, refer to Item 1.

(g) STAFF PRESENTATIONS (Item 8)

(i) Hamilton's Climate Action Strategy 2023 Annual Update (PED23222) (City Wide) (Outstanding Business List Item) (Item 8.1)

Lynda Lukasik, Director, Office of Climate Change Initiatives, provided opening remarks and introduced the staff of the Office of Climate Change Initiatives; Trevor Imhoff, Senior Project Manager; Cathrin Winklemann, Senior Project Manager; and Beatrice Ekoko, Project Manager, who provided Committee with a presentation respecting Report PED23222, Hamilton's Climate Action Strategy 2023 Annual Update.

The staff presentation respecting Report PED23222, Hamilton's Climate Action Strategy 2023 Annual Update, was received.

The report recommendations were put on the floor as follows:

- (a) That Appendix "A" to Report PED23222 "Hamilton's Climate Action Strategy Annual Climate Change Update 2023" be received.
- (b) That Appendix "B" to Report PED23222 "Status Update Regarding Climate Actions in Hamilton's Climate Action Strategy" be received.
- (c) That the following investments to be funded from the 2023 Budget allocation to the Climate Change Reserve (Account No 108062), be approved:
 - (i) E-Bike Pilot for Hamilton Bike Share to an upset limit of \$750k;
 - (ii) Municipal Parking Lot Greening / Climate Adaptation pilot project to an upset limit of \$200k;
 - (iii) Enhancement/Expansion of Secure Bike Parking Facilities to an upset limit of \$350k;
 - (iv) De-paving pilot project to an upset limit of \$350k; and,
 - (v) Fire Truck Anti-Idling Technology to an upset limit of \$900k.

Upon Committee's request, Sub-section (c)(i) was voted on separately. Please refer to Item 1(a) for disposition.

For disposition of the balance of the report, refer to Item 1(b).

(ii) Recess

The General Issues Committee recessed for 35 minutes until 2:05 pm.

(iii) Canadian Mortgage and Housing Corporation Housing Accelerator Fund (HSC23017(a) / FCS23062(a) / PED23143(a)) (Added Item 8.2)

Jason Thorne, Acting City Manager, provided opening remarks and introduced Al Fletcher, Manager, Investment in Affordable Housing/Neighbourhood Development who provided Committee with a presentation respecting Report HSC23017(a) / FCS23062(a) / PED23143(a), the Canadian Mortgage and Housing Corporation Housing Accelerator Fund.

The staff presentation respecting Report HSC23017(a) / FCS23062(a) / PED23143(a), the Canadian Mortgage and Housing Corporation Housing Accelerator Fund, was received.

For disposition of this matter, refer to Item 2.

(h) CONSENT ITEMS (Item 9)

(i) Community Benefits Protocol Sub-Committee Report 23-001 - September 28, 2023 (Item 9.2)

The report recommendations were put on the floor as follows:

(a) Appointment of Chair and Vice-Chair

- (i) That Councillor C. Kroetsch be appointed as Chair of the Community Benefits Protocol Sub-Committee for 2023-2024.
- (ii) That K. Andrus be appointed as Vice-Chair of the Community Benefits Protocol Sub-Committee for 2023-2024.

(b) Community Benefits Protocol Sub-Committee Terms of Reference (Item 9.1)

That the Community Benefits Protocol Sub-Committee Terms of Reference, be received.

(c) Hamilton Community Benefits Protocol Sub-Committee Update (HSC23026) (City Wide) (Item 9.2)

- (i) That Report HSC23026, respecting Hamilton Community Benefits Protocol Sub-Committee Update, be received.

- (ii) (1) That staff be directed to report back on the Hamilton Community Benefits Protocol Sub-Committee respecting a summary of the pilots undertaken for social Request for Procurement (RFP); and
- (2) That the report back include the 2019 Sandra Hamilton procurement report as an attachment.

(d) Realizing Community Benefits in the New HSR Transit Maintenance & Storage Facility (Added Item 11.1)

WHEREAS, The City of Hamilton is undertaking a significant public Infrastructure project under Contract Number C13-02-23 – a requirement for a General Contractor to construct a new Hamilton Transit Maintenance and Storage Facility (MSF) in Ward Three.

WHEREAS the construction of the second Hamilton Transit Maintenance and Storage Facility is a project which will benefit Hamilton's future transit initiatives for an overall benefit to the City.

THEREFORE, BE IT RESOLVED:

- (i) That staff be directed to work collaboratively with the Contractor who, where practical and appropriate, will ensure that socially and environmentally responsible business practices are considered when employing workers and completing the work; and,
- (ii) That whatever measures are taken by the Contractor will result in zero cost overages to the approved project budget.

Upon Committee's request, Sub-section (d) was voted on separately. Please refer to Item 4(a) for disposition.

For disposition of the balance of the report, refer to Item 4(b).

(i) PRIVATE & CONFIDENTIAL (Item 14)

(i) October 4, 2023 - Closed Session Minutes (Item 14.1)

The General Issues Committee Closed Session Minutes of October 4, 2023, were approved and remain confidential.

Committee moved into Closed Session pursuant to Section 9.3, Sub-sections (c), (e) and (f) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-sections (c), (e) and (f) of the *Ontario Municipal Act, 2001*, as

amended, as the subject matters pertains to a proposed or pending acquisition or disposition of land for City or a local board purposes; litigation or potential litigation, including matters before administrative tribunals, affecting the City or a local board; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

(ii) Hamilton Light Rail Transit Property Acquisition (PED23221) (City Wide) (Item 14.2)

For disposition of this matter, refer to Item 14.

(iii) Greenbelt Judicial Review Motion (LS23035) (City Wide) (Item 14.3)

For disposition of this matter, refer to Item 15.

(iv) Legal Update Regarding Judicial Review Application – Urban Boundary Expansion (LS16029(i)) (City Wide) (Added Item 14.4)

For disposition of this matter, refer to Item 16.

(j) ADJOURNMENT (Item 15)

There being no further business, the General Issues Committee adjourned at 4:30 p.m.

Respectfully submitted,

Acting Deputy Mayor Jeff Beattie
Chair, General Issues Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 23-016

**9:30 a.m.
October 19, 2023
Council Chambers
Hamilton City Hall**

Present: Councillors C. Kroetsch (Chair), J. Beattie, B. Clark, T. Hwang, M. Spadafora, M. Tadeson and M. Wilson

**Absent with
Regrets:** Councillor A. Wilson – City Business

THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 23-016 AND RESPECTFULLY RECOMMENDS:

1. Development Charges Exemption for Niwasa Kendaaswin Teg for the Required Renovations to their Temporary Location (Added Item 7.1)

WHEREAS Niwasa Kendaaswin Teg is a non-profit charitable Indigenous organization that provides programming including Aboriginal Head Start, EarlyON Child and Family Centre, licensed childcare, and food bank;

WHEREAS the location where Niwasa Kendaaswin Teg currently operates is closing as early as November 1, 2023, for the demolition of the former St. Helen's Catholic Elementary School, at 785 Britannia Avenue, to make way for the Biindigen Well-being Centre;

WHEREAS Niwasa Kendaaswin Teg will be renting the former St. Brigid Catholic Elementary School, at 22 Smith Avenue, from the Hamilton Wentworth Catholic District School Board, but the renovations of the building to meet Ministry of Education licensing requirements has triggered City of Hamilton development charges of \$206,785 which would cause undue financial hardship on the organization;

WHEREAS the Hamilton Urban Indigenous Strategy actions 27 and 28, respectively, call to support the expansion of Indigenous early childhood education, and to increase access to recreation for Indigenous children, youth and families;

WHEREAS Truth and Reconciliation Commission of Canada: Calls to Actions number 3, 5, and 12, respectively, call upon all levels of government to fully implement Jordan's Principle, the federal, provincial, territorial, and Aboriginal

Council – October 25, 2023

governments to develop culturally appropriate parenting programs for Aboriginal families;

WHEREAS Jordan's Principle guides policy towards providing a child-first approach and ensuring funding is provided when needed for services and supports to be provided without delay for health, social and education of First Nations children.

WHEREAS the Canada-wide Early Learning and Child Care agreement identified childcare access as a priority and identified licensed childcare expansion targets for the City of Hamilton between the years 2022 to 2026; and,

WHEREAS the Ministry of Education's and the City of Hamilton's local Access & Inclusion Frameworks both identify Indigenous families as a priority population under the Canada-wide Early Learning and Child Care Agreement.

THEREFORE, BE IT RESOLVED:

- (a) That staff be authorized and directed to waive the development charges for Niwasa Kendaaswin Teg, respecting the former St. Brigid Catholic Elementary School, at 22 Smith Avenue, under Building Permit 23 138158 00 G3 in the amount of \$206,785 and fund as follows:
 - (i) \$130,271.25 from the Tax Stabilization Reserve (110046);
 - (ii) \$25,559.55 from the Waterworks Capital Reserve (108015); and
 - (iii) \$50,954.20 from the Sanitary Sewer Capital Reserve (108005); 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.

2. Selection of External Auditor for the City of Hamilton and its Consolidated Entities (FCS23105) (City Wide) (Item to 9.2)

That Report FCS23105, respecting Selection of External Auditor for the City of Hamilton and its Consolidated Entities, be received.

3. Development Charges Interest Policy Update (FCS23087) (City Wide) (Item 10.1)

- (a) That Council approves the replacement of the Development Charges Interest Policy, effective November 1, 2023, with the following:
 - (i) The Development Charges Legislated Deferral Interest Policy, attached as Appendix "A" to Audit, Finance and Administration Committee Report 23-016, for building permits, pursuant to Section 26.1 (7) of the *Development Charges Act, 1997*; and

- (ii) The Development Charges Rate Lock-In Interest Policy, attached as Appendix “B” to Audit, Finance and Administration Committee Report 23-016, for site plan or zoning by-law amendment applications, for the purpose of Section 26.2 (3) of the *Development Charges Act, 1997*; **and**
- (b) ***That staff be directed to report back during the 2024 budget process on the financial impact on revenue of the policy changes set out in subsection (a).***

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

6. DELEGATION REQUESTS

- 6.1 Monique Lavallee, Niwasa Kendaaswin Teg, respecting Development Charges Non-Profit Indigenous Organization (for today's meeting)

The agenda for the October 19, 2023 Audit, Finance and Administration Committee meeting, was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) October 5, 2023 (Item 4.1)

The Minutes of the October 5, 2023 meeting of the Audit, Finance and Administration Committee, was approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

- (i) **Monique Lavallee, Niwasa Kendaaswin Teg, respecting Development Charges Non-Profit Indigenous Organization (for today's meeting) (Added Item 6.1)**

The Delegation Request from Monique Lavallee, Niwasa Kendaaswin Teg, respecting Development Charges Non-Profit Indigenous Organization, be approved for today's meeting.

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

(i) **Monique Lavallee, Niwasa Kendaaswin Teg, respecting Development Charges Non-Profit Indigenous Organization (for today's meeting) (Added Item 7.1)**

Monique Lavallee, Niwasa Kendaaswin Teg, addressed Committee respecting Development Charges Non-Profit Indigenous Organization, with the aid of a presentation.

The Delegation from Monique Lavallee, Niwasa Kendaaswin Teg, respecting Development Charges Non-Profit Indigenous Organization, was received.

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

(f) **CONSENT ITEMS (Item 9)**

(i) **Hamilton Women and Gender Equity Committee Minutes – September 7, 2023 (Item 9.1)**

The Hamilton Women and Gender Equity Committee Minutes – September 7, 2023, were received.

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

(i) **Development Charges Interest Policy Update (FCS23087) (City Wide) (Item 10.1)**

(1)

(a) That Council approves the replacement of the Development Charges Interest Policy, effective November 1, 2023, with the following:

(i) The Development Charges Legislated Deferral Interest Policy, attached as Appendix “A” to Report FCS23087, for building permits, pursuant to Section 26.1 (7) of the *Development Charges Act, 1997*; and

(ii) The Development Charges Rate Lock-In Interest Policy, attached as Appendix “B” to Report FCS23087, for site plan or zoning by-law amendment applications, for the purpose of Section 26.2 (3) of the *Development Charges Act, 1997*

(2)

(a) Report FCS23087, respecting Development Charges Interest Policy Update, ***was amended***, by adding sub-section (b) as follows:

- (b) *That staff be directed to report back during the 2024 budget process on the financial impact on revenue of the policy changes set out in subsection (a).*

For further disposition of this matter, refer to Item 3.

(h) **PRIVATE AND CONFIDENTIAL (Item 14)**

(i) **Closed Minutes – October 5, 2023**

The Closed Session Minutes of the October 5, 2023 meeting of the Audit, Finance and Administration Committee, were approved, as presented.

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

There being no further business, the Audit, Finance and Administration Committee, was adjourned at 10:11 a.m.

Respectfully submitted,

Councillor Cameron Kroetsch, Chair
Audit, Finance and Administration
Committee

Tamara Bates
Legislative Coordinator
Office of the City Clerk

<i>Development Charges Legislated Deferral Interest Policy</i>	 Hamilton	Approval: Pending
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Development Charges Legislated Deferral Interest Policy

POLICY STATEMENT	The Development Charges Legislated Deferral Interest Policy sets out the guidelines for application of interest to Development Charges (DC) under Section 26.1 (7) in accordance with Section 26.3 of the <i>Development Charges Act, 1997</i> (DC Act).
SCOPE	This Policy pertains to interest applied to DCs for the purposes of Section 26.1 (7) of the DC Act.
PURPOSE (GUIDING PRINCIPLES)	<p>The purpose of this Policy is to adopt an interest rate policy for Section 26.1 (7) of the DC Act.</p> <p>As per Section 26.1 (7) of the DC Act, as of January 1, 2020, the following types of development commence payment of DCs at first occupancy for a set number of instalments:</p> <ul style="list-style-type: none"> • Rental (six (6) annual instalments commencing at first occupancy). • Institutional (six (6) annual instalments commencing at first occupancy). – This category includes long-term care homes, retirement homes, universities and colleges, memorial homes; clubhouses; or athletic grounds of the Royal Canadian Legion, and hospices. <p>The City is permitted to charge interest on the amounts outstanding from permit issuance until full payment is received.</p>
RELATED LEGISLATION	<i>Development Charges Act, 1997</i> , Section 26.1 (7) <i>Development Charges Act, 1997</i> , Section 26.3
TRANSPARENCY	The Development Charges Interest Policy is to be made available to the public through the City of Hamilton’s official website, ensuring accessibility for all citizens and Council members.
DEFINITIONS	
“DC Act”	<i>Development Charges Act, 1997</i> as amended or revised.

Development Charges Legislated Deferral Interest Policy	 Hamilton	
Page 2 of 2		Approval: Pending

DETAILS	<p>For the purposes of Section 26.1 (7) of the DC Act, effective as of November 1, 2023, the interest rate applied will be the maximum interest rate permitted under Section 26.3 of the DC Act.</p> <p>For building permits issued prior to November 1, 2023, the applicable interest shall be calculated in accordance with the DC Interest Rate Policy adopted by Council on May 27, 2020. The daily interest for any date from June 1, 2022 onwards will be capped at the maximum interest rate legislated under Section 26.3 of the DC Act.</p> <p>If Section 26.3 of the DC Act is repealed, the applicable interest rate for the purpose of Section 26.1 (7) of the DC Act, will be:</p> <ul style="list-style-type: none"> • the Bank of Canada Prime plus 2%, fixed at the date of building permit issuance, compounded semi-annually;
POLICY OWNER	Director of Financial Planning, Administration and Policy
ADMINISTRATION	<p>The administration of the Development Charges Interest Policy falls under the purview of Financial Planning, Administration and Policy, Corporate Services Department.</p> <p>The Policy should be reviewed during each Development Charges Background Study or relevant legislative change to ensure its continued relevance and effectiveness and to incorporate any changes in the operational environment or strategic direction of the City of Hamilton.</p> <p>The review process for Policy updates involves a comprehensive assessment by Financial Planning, Administration and Policy and subsequent recommendation of any changes to City Council for approval, thereby ensuring transparency, inclusivity and accountability.</p>

Development Charges Rate Lock-In Interest Policy		
Page 1 of 2	Hamilton	Approval: Pending

Development Charges Rate Lock-In Interest Policy

POLICY STATEMENT	The Development Charges Rate Lock-In Interest Policy sets out the guidelines for application of interest to Development Charges (DC) under Section 26.2 (3) in accordance with Section 26.3 of the <i>Development Charges Act, 1997</i> (DC Act).
SCOPE	This Policy pertains to interest applied to DCs for the purposes of Section 26.2 (3) of the DC Act.
PURPOSE (GUIDING PRINCIPLES)	<p>The purpose of this Policy is to adopt an interest rate policy for Section 26.2 (3) of the DC Act.</p> <p>Section 26.2 (3) of the DC Act, as of January 1, 2020, freezes the DC rate charged to a development based on the application date of a site plan Application or a zoning by-law amendment, only where such application is applied for on or after January 1, 2020. This freezing does not apply to developments whose site plan or zoning by-law amendments were applied for before January 1, 2020.</p> <p>The City is permitted to charge interest on the frozen rate from the date it is frozen to the date of permit issuance.</p> <p>Section 26.3 of the DC Act prescribes the maximum interest rate applicable under Section 26.1 and 26.2.</p>
RELATED LEGISLATION	<i>Development Charges Act, 1997</i> , Section 26.2 (3) <i>Development Charges Act, 1997</i> , Section 26.3
TRANSPARENCY	The Development Charges Interest Policy is to be made available to the public through the City of Hamilton’s official website, ensuring accessibility for all citizens and Council members.
DEFINITIONS	
“DC Act”	<i>Development Charges Act, 1997</i> as amended or revised

Development Charges Rate Lock-In Interest Policy		
Page 2 of 2	Hamilton	Approval: Pending

DETAILS	<p>For the purposes of Section 26.2 (3) of the DC Act, effective as of November 1, 2023, the interest rate applied will be the maximum interest rate permitted under Section 26.3 of the DC Act.</p> <p>Interest for DC rates locked-in by site plan or zoning by-law amendment applications prior to November 1, 2023 shall be calculated in accordance with the Development Charges Interest Policy adopted by Council on May 27, 2020. The daily interest for any date from June 1, 2022 will be capped at the legislated maximum interest rate under Section 26.3 of the DC Act.</p> <p>If Section 26.3 of the DC Act is repealed, the applicable interest rate for the purpose of Section 26.1 (7) of the DC Act, will be:</p> <ul style="list-style-type: none"> the Bank of Canada Prime plus 2%, fixed at the date of building permit issuance, compounded semi-annually.
POLICY OWNER	Director of Financial Planning, Administration and Policy
ADMINISTRATION	<p>The administration of the Development Charges Interest Policy falls under the purview of Financial Planning, Administration and Policy, Corporate Services Department.</p> <p>The Policy should be reviewed during each Development Charges Background Study or relevant legislative change to ensure its continued relevance and effectiveness and to incorporate any changes in the operational environment or strategic direction of the City of Hamilton.</p> <p>The review process for Policy updates involves a comprehensive assessment by Financial Planning, Administration and Policy and subsequent recommendation of any changes to City Council for approval, thereby ensuring transparency, inclusivity and accountability.</p>



EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 23-013

1:30 p.m.

Thursday, October 19, 2023

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillor B. Clark (Chair), Councillors T. Jackson, C. Kroetsch, T. Hwang (Vice Chair), N. Nann, A. Wilson and M. Wilson

THE EMERGENCY AND COMMUNITY SERVICES COMMITTEE PRESENTS REPORT 23-013 AND RESPECTFULLY RECOMMENDS:

1. Ending of Hamilton Community Foundation/GreenShield Funding for Dental Services (HSC23075/BOH23035) (City Wide) (Item 9.2)

That Report HSC23075/BOH23035, respecting the Ending of Hamilton Community Foundation/GreenShield Funding for Dental Services, be received.

2. Large Volume Hazard Storage Database and Program (HSC23068) (City Wide) (Item 10.2)

- (a) That the Chief of the Hamilton Fire Department be directed to implement a Large-Volume Hazard Storage Database that will focus on commercial, industrial, and agricultural properties using the Ontario Fire Code as a reference for volumes, storage, and types of flammable and combustible substances; and,
- (b) That the Chief of the Hamilton Fire Department be directed to investigate the staffing and resources required to launch and manage the program associated with the inspections and maintenance of the Large-Volume Hazard Storage Database to be discussed through the 2024 budget process;

3. Hamilton Fire Department Agreement with Wounded Warriors Canada (HSC23070) (City Wide) (Item 10.3)

- (a) That the Fire Chief of the Hamilton Fire Department, or their designate, be authorized to enter into and execute any required agreement and any ancillary documents required to give effect thereto with Wounded Warriors Canada, the Hamilton Firefighters Association IAFF Local 288, and the Greater Hamilton Volunteer Firefighters Association, CLAC Local 911 to provide an additional layer of mental health support for all Hamilton Fire Department personnel with content acceptable to the General Manager of Community Services, and in a form satisfactory to the City Solicitor; and
- (b) That the Fire Chief of the Hamilton Fire Department, or their designate, be authorized to execute amendments and any ancillary documents related to these Agreements and any new agreements as required for access to mental health support services offered by Wounded Warriors Canada with content acceptable to the General Manager of Community Services and in a form satisfactory to the City Solicitor.

4. Emergency Food Strategic Planning Committee Funding Request (HSC23072) (City Wide) (Item 10.4)

- (a) That the funding request made by the Emergency Food Strategic Planning Committee/Hamilton Food Share in the amount of \$1.25 million, be referred to the 2024 Tax Supported Operating Budget Process;
- (b) That the annual funding request by the Emergency Food Strategic Planning Committee/Hamilton Food Share be referred to the General Manager of Community Services, or their delegate, for review;
- (c) That the annual funding request by the Emergency Food Strategic Planning Committee/Hamilton Food Share be referred to the Director of Climate Change Initiatives, or their delegate, for review.

5. Early Years Community Plan 2023 Update (HSC23063) (City Wide) (Item 10.5)

- (a) That Hamilton's Early Years Community Plan 2023, attached as Appendix "A" to Emergency and Community Services Report 23-013, be approved, and
- (b) That staff be authorized to implement Hamilton's Early Years Community Plan 2023 Update

- 6. 2023 Ministry of Long-Term Care Funding Enhancement (HSC23057(a)) (Wards 7 and 13) (Item 10.6)**
- (a) That the General Manager of Healthy and Safe Communities Department, or their designate, be authorized to increase the Long-Term Care (LTC) Division's 2023 budgeted complement by 2.0 full-time equivalent permanent positions, for Allied Health Professionals, at an estimated annual gross cost of \$178,590, to be funded from Ministry of Long-Term Care, Allied Health funding that was effective April 1, 2023, resulting in a net cost of \$0 annually; and,
 - (b) That the General Manager of Healthy and Safe Communities Department, or their designate, be authorized to increase the Long-Term Care Division's 2023 budgeted complement by 0.5 full-time equivalent permanent position for a Supervisor Administration, with an estimated gross cost of \$62,700, to be funded from Ministry of Long-Term Care, Level of Care funding that was effective April 1, 2023, resulting in a net cost of \$0 annually; and,
 - (c) That the General Manager of Healthy and Safe Communities Department, or their designate, be authorized to increase the Long-Term Care Division's 2023 budgeted complement by 2.0 full-time equivalent permanent positions for Nurse Practitioners, at an estimated annualized cost of \$187,000 for salary and benefits and \$4,000 for overhead which will be partially funded from Ministry of Long-Term Care Hiring More Nurse Practitioners Funding, leaving an outstanding balance of approximately \$33,000 which is to be absorbed by allied health professionals funding and any remaining balance to be funded from any in-year operating surplus, if required.
- 7. Service Manager Consent for Corktown Co-operative Homes Development of 221 and 223 Charlton Avenue (HSC23056) (Ward 2) (Item 10.7)**
- (a) That Service Manager Consent be granted to Corktown Co-operative Homes Inc. to merge with Charlton Co-operative Homes Inc. to form a single co-operative housing provider named Corktown Co-operative Homes Inc.;
 - (b) That Service Manager Consent be granted for Corktown Co-operative Homes Inc. to undertake the development of 17 affordable units at 221 and 223 Charlton Avenue including taking on a new loan to finance the project;
 - (c) That the General Manager, Healthy and Safe Communities Department, or their designate be authorized and directed to execute and administer a Housing Charge subsidy for 5 units at Corktown Co-operative Homes' property at 221 and 223 Charlton in the amount of approximately \$21,000 to be added to and included in the 2025 Tax Operating Budget on such

terms and conditions as provided for in the Term Sheet attached as Appendix "A" to report HSC23056 and along with any ancillary documentation and amendments in a form satisfactory to the City Solicitor;

- (d) That the General Manager, Healthy and Safe Communities Department, or their designate be authorized and directed to execute and administer an agreement for an annual operating subsidy, beginning in 2025, for Corktown Co-operative Homes' project at 221 and 223 Charlton in the amount of approximately \$420,000 to be included in the 2025 Tax Operating Budget on such terms and conditions as provided for in the Term Sheet attached as Appendix "A" to Report HSC23056 along with any ancillary documentation and amendments in a form satisfactory to the City Solicitor;
- (e) That the General Manager of Health and Safe Communities be directed to transfer and amend the Charlton Co-Operative Ontario Priorities Housing Initiative Contribution Agreement of the New Rental Housing Component Year 3 funding of \$822,495 to Corktown Co-operative Homes Inc, including all ancillary documents related to administration and funding of the Contribution Agreement; and
- (f) That the City consent to a partial discharge of the operating agreement registered as instrument number VM195526 from title to the portion of the lands municipally known as 200 Forest Avenue in Hamilton which are being conveyed to the City for road widening purposes, and that the City Solicitor or her designate be authorized to take all steps and sign all documents necessary to effect the partial discharge.

8. End of Mortgage Strategy and Implementation (HSC23050) (City Wide) (Item 10.8)

- (a) That the End of Mortgage Strategy, including the funding model, attached as Appendix "B" to Emergency and Community Services Report 23-013 be approved, and that the General Manager of the Healthy and Safe Communities Department or designate, be delegated the authority to modify the strategy so long as it supports the long-term sustainability of the social housing portfolio at End of Agreement/ End of Mortgage and does not negatively impact the City of Hamilton's budget;
- (b) That the General Manager of Healthy and Safe Communities or designate be authorized and directed to enter service and exit agreements with housing providers for projects under Housing Services Act, S.O. 2011, c. 6, Sched. 1, that reach End of Operating Agreement or End of Mortgage after 2023 and execute any ancillary agreements or documents in order to provide ongoing affordability for tenants and long-term sustainability for the project, in a form satisfactory to the City Solicitor;

- (c) That \$5.1M be referred to the Housing Services 2024 Tax Operating Budget process annually for the next four years to increase the levy base to \$20.4M, and that this enhancement be increased by inflationary factors, in order to provide an ongoing base totalling \$153 million from 2023-2032 to address capital needs of Housing Projects that are at End of Mortgage/End of Agreement;
- (d) That at the end of the year, if the Housing Division's Net levy is in a surplus, that any unspent funds be transferred to the Social Housing Transition Reserve #112244 to be utilized in future years to fund capital grant requests;
- (e) That a Full Time Equivalent staffing position for a Capital Analyst be referred to the 2024 Housing Services Division complement at an approximate cost of \$111,289 annually for salary and benefits be included in the 2024 Tax Operating Budget;
- (f) That the temporary position of Senior Financial Analyst be converted into a permanent Full Time Equivalent position to be approved in the 2024 Corporate Services, Financial Planning, Administration and Policy Division, funded as reported in HSC22040 through the existing Social Housing investment program levy base.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

5. COMMUNICATIONS

- 5.1 Correspondence from ACORN Hamilton, respecting Proposed Amendments to the Renovation Licence and Relocation Listing By-law

Recommendation: Be received, and referred to the consideration of Item 10.1, Addressing Renovictions, Tenant Displacement and Property Standards in Apartment Buildings in the City of Hamilton (PED23072) (City Wide)

- 5.2 Karen Andrews, Advocacy Centre for Tenants Ontario, respecting a Legal Opinion on the Hamilton Apartment Rental Program

Recommendation: Be received, and referred to the consideration of Item 10.1, Addressing Renovictions, Tenant Displacement and

Property Standards in Apartment Buildings in the City of Hamilton
(PED23072) (City Wide)

The agenda for the October 19, 2023 Emergency and Community Services Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no Declarations of Interest.

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

(i) September 21, 2023 (Item 4.1)

The Minutes of the September 21, 2023 meeting of the Emergency and Community Services Committee, were approved, as presented.

(d) COMMUNICATIONS (Item 5)

The following Communication Items, were approved as presented:

- (i) Correspondence from ACORN Hamilton, respecting Proposed Amendments to the Renovation Licence and Relocation Listing By-law (Added Item 5.1)

Recommendation: Be received, and referred to the consideration of Item 10.1, Addressing Renovictions, Tenant Displacement and Property Standards in Apartment Buildings in the City of Hamilton (PED23072) (City Wide)

- (ii) Karen Andrews, Advocacy Centre for Tenants Ontario, respecting a Legal Opinion on the Hamilton Apartment Rental Program (Added Item 5.2)

Recommendation: Be received, and referred to the consideration of Item 10.1, Addressing Renovictions, Tenant Displacement and Property Standards in Apartment Buildings in the City of Hamilton (PED23072) (City Wide)

(e) CONSENT ITEMS (Item 9)

(i) Resignation from the Seniors Advisory Committee (Item 9.1)

Steve Benson's resignation from the Seniors Advisory Committee, was received.

(f) DISCUSSION ITEM (Item 10)

(i) Addressing Renovictions, Tenant Displacement and Property Standards in Apartment Buildings in the City of Hamilton (PED23072) (City Wide) - (Sub-sections (e), (f), (g), and (h) DEFERRED from August 17, 2023) (Item 10.1)

- (1) (e) That staff be directed to prepare a Renovation Licence and Relocation Listing By-law to regulate repairs and renovations to rental units, in a form satisfactory to the City Solicitor, as per Appendix "D" to Report PED23072, following the 2024 budget process, subject to the approval of the staffing and resourcing outlined in Recommendation (h) as part of the 2024 Budget;
- (f) That City of Hamilton User Fees and Charges By-law No. 23-112 be amended to reflect the new Renovation Licence and Relocation Listing Fee Schedule developed at 10% cost recovery attached as Appendix "E" to Report PED23072;
- (g) That, subject to the adoption of the Renovation Licence and Relocation Listing By-law, the Transition Plan as detailed in Appendix "F" to Report PED23072 to develop, implement and administer the By-law be approved;
- (h) That the appropriate General Managers be directed to refer the following to the 2024 Budget for the implementation of the Renovation Licence and Relocation Listing By-law:
- (i) Three full-time (3.0 FTE) Licensing Administrators in the Licensing and By-law Services Division to administer licence applications, enter investigation files and respond to inquiries, at an estimated total cost of \$287,000 annually (\$258,300 net levy);
- (ii) Three full-time (3.0 FTE) Licensing Compliance Officer in the Licensing and By-law Services Division to enforce the By-law, at an estimated total cost of \$327,000 annually (\$294,300 net levy);
- (iii) One full-time (1.0 FTE) Solicitor in Legal Services to respond to legal challenges and increased Property Standards Committee hearings, at an estimated total cost of \$212,000 annually (\$190,800 net levy);
- (iv) One full-time (1.0 FTE) Housing Clerk in the Housing Services Division to facilitate tenant

support/education, at an estimated total cost of \$80,000 annually (\$72,000 net levy);

- (v) The purchase of three (3) vehicles at an estimated initial cost of \$163,575 and an annual operating cost of \$26,850 (\$24,165 net levy);
- (vi) An outreach, education and communications budget of \$10,000 annually (\$9,000 net levy); and
- (vii) A one-time cost of \$150,000 to fund the transition period for the implementation of the By-law.

(2) (a) Sub-sections (e), (f), (g), and (h) of Report PED23072 respecting Addressing Renovictions, Tenant Displacement and Property Standards in Apartment Buildings in the City of Hamilton (PED23072) (City Wide), WERE DEFERRED to a meeting of the Emergency and Community Services Committee, no later than the January 18, 2024 meeting, to allow for staff to:

- (i) Review the correspondence received from ACORN and Advocacy Centre for Tenants Ontario on October 19, 2023, regarding possible amendments and revisions to the proposed Renovation Licence and Relocation Listing By-law as well as the proposed revisions made by ACORN to the by-law, and report back to Emergency and Community Services Committee, no later than January 18, 2024, on any staff recommended revisions to the proposed Renovation Licence and Relocation Listing By-law; and
- (ii) Include the employee and other costs outlined in sub-section (h) of Report PED23072 as a Council Referred Item in the 2024 budget, such that the additional investments can still be approved as part of the 2024 Operating Budget should Council approve the Renovation Licence and Relocation Listing By-law.

(ii) Emergency Food Strategic Planning Committee Funding Request (HSC23072) (City Wide) (Item 10.4)

- (1)** (a) That the funding request made by the Emergency Food Strategic Planning Committee/Hamilton Food Share in the amount of \$1.25 million, be referred to the 2024 Tax Supported Operating Budget Process;

- (b) That the annual funding request by the Emergency Food Strategic Planning Committee/Hamilton Food Share be referred to the General Manager of Community Services, or their delegate, for review;
- (2) (a) Report HSC23072, respecting Emergency Food Strategic Planning Committee Funding Request, **was amended**, by adding sub-section (c) as follows:
 - (c) ***That the annual funding request by the Emergency Food Strategic Planning Committee/Hamilton Food Share be referred to the Director of Climate Change Initiatives, or their delegate, for review.***

For disposition of this matter, refer to Item 4.

(iii) Emergency Grant for the Emergency Food Strategic Planning Committee

Staff were directed to prepare an emergency grant of \$625k to the Emergency Food Strategic Planning Committee, for the October 25, 2023 meeting of Council meeting.

(g) ADJOURNMENT (Item 16)

There being no further business, the Emergency and Community Services Committee be adjourned at 2:50 p.m.

Respectfully submitted,

Councillor B. Clark
Chair, Emergency and Community Services
Committee

Loren Kolar
Legislative Coordinator
Office of the City Clerk



Hamilton's Early Years Community Plan **2023 UPDATE**

1. INTRODUCTION & PURPOSE

Hamilton's Early Years Community Plan 2023 Update report continues to build on the foundational plan established in 2016 and updated in 2019. The strategic priorities outlined in the [2016-2020 Plan](#) have remained relevant over time. In response to a continually changing landscape and evolving community demographics and needs, subsequent plans have placed emphasis on relevant priorities and emerging opportunities. We continue to focus on transformative, system-wide change and impact that will allow us to make Hamilton the best place to raise a child and age successfully.

The purpose of this update is to highlight where Hamilton's Early Years System will focus its collective energy and efforts in the coming years. While there is uncertainty in the environment, for example, the system is currently anticipating the release of a new Ontario funding model for Canada-Wide Early Learning and Child Care (CWELCC), we recognize our abilities to collectively work as a system to meet challenges and opportunities head on. Our intention moving forward is to continually strengthen our ability to be flexible and responsive.

Hamilton's Early Years Community Plan 2023 Update and accompanying Environmental Scan provide a snapshot of Hamilton's children and families and its early years system. This update reaffirms our vision and focus of Hamilton's Early Years Community Plan in 2023 and beyond.

We are proud of the collective efforts of all the staff, administrators and volunteers working across Hamilton's early years system and partner agencies. Their continued support and commitment will ensure the ongoing success of this plan and our system.

2. SUMMARY OF ACCOMPLISHMENTS

The following is a summary of high-level pieces of work that have emerged since the release of the [EYCP 2016-2020 Progress Update](#) in the summer of 2019. This is not an exhaustive list of accomplishments, but instead a summary of progress made in key areas in response to changing needs and opportunities.

2019 (2 years into the 2016-2020 plan)	BUILDING STRONG FOUNDATIONS: <ul style="list-style-type: none">• Established and refined the new organizing structure which embeds an equity and engagement advisory group/lens• Significant progress in the following priority areas<ul style="list-style-type: none">▪ Child care system planning and stabilization▪ Family support programs (EarlyON Child and Family Centres),▪ Special needs resourcing and strategy, and▪ Quality• Strides in addressing new strategic priorities that emerged in response to community needs<ul style="list-style-type: none">▪ Infant and early years mental health▪ Early years work force
2020 (COVID-19 Pandemic)	FOCUSING ON SYSTEM STABILIZATION & SUSTAINABILITY: <ul style="list-style-type: none">• Worked collaboratively with child care and early years operators to ensure that the child care system could operate safely and remain viable and responsive to family needs• Pivoted to virtual learning platforms to allow for continued professional learning and support services• Continued to address the needs of diverse families in our community, ensuring access to programs and services• Implemented outdoor and virtual programming in EarlyON CFCs to continue offering services to families and caregivers• Recorded Embracing Inclusion podcasts for use by early years workforce

<p>2021 (coming out of the pandemic)</p>	<p>ADDRESSING EARLY YEARS HR WORKFORCE CHALLENGES:</p> <ul style="list-style-type: none"> • Implemented policies, procedures and resources to support the early years system to ensure no service disruptions during the transition with community partners • In response to critical challenges coming out of the pandemic, developed the Workforce Strategy Plan for implementation in 2022/2023 • Continued to provide professional learning opportunities for early learning and child care professionals • Reconvened critical EYCP organizing structure committees and advisory groups • Hosted an early years community virtual celebration & recognition session
<p>2022 (renewed commitment to foundational system-wide strategies)</p>	<p>ADOPTING A SYSTEM-WIDE APPROACH TO STRENGTHEN EQUITY, DIVERSITY, INCLUSION AND BELONGING (EDIB):</p> <ul style="list-style-type: none"> • Placed increased emphasis on foundational work to embed EDIB across Hamilton's early years system, and lead to transformative change strategies <ul style="list-style-type: none"> ▪ EEAG developed an action planning framework ▪ <i>City hired a Human Services Equity Specialist to advance and support EDIB work across the Children's and Community Services Division</i> • Investments made to sustain, enhance, grow and attract the early years workforce, including workforce grants, professional development days, and covering cost of ASCY's professional learning fees • Implemented the Canada Wide Early Learning and Child Care Program
<p>2023 (moving forward as a system)</p>	<p>ADVANCING EDIB ACROSS THE SYSTEM:</p> <ul style="list-style-type: none"> • Finalized a local EDIB framework for the system • Launched the Infant and Early Mental Health Care Pathway for 0-3.8 year old children • Embedded EDIB into the Quality Program • Provided training specific to special needs resources and inclusion • Initiated a new funding framework for local EarlyON CFCs • Continued to invest in activities to sustain, enhance, grow and attract the early years workforce • Developed an Access & Inclusion framework to guide child care expansion for the next several years • Implemented an affordability grant for families accessing before and after school care • Launch of Hamilton's Child & Youth Network bringing together leaders across early years system to collectively plan and strengthen outcomes for children, youth and families

Refer to Hamilton's Early Years Community Plan Updates for additional information at [Early Years Community Partners Resources](#).

3. DEFINING THE LANDSCAPE

Demographic Snapshot of Hamilton’s Children & Families

Hamilton’s Overall Population is Growing

In 2021, Hamilton’s population was 569,355. Between 2016 and 2021, the population of Hamilton grew by 32,435 individuals for a population growth of 6.0%, surpassing the provincial average of 5.8%.¹

Hamilton’s population is predicted to grow to approximately 809,660 individuals by 2046². This represents a population growth of approximately 38% over the next 25 years. This is in line with population growth projections for the province as a whole (38%).

Hamilton’s Child and Family Populations Continue to Grow

In 2021, Hamilton had 91,240 children aged 0 to 14 years of age. See Table 1 for age breakdowns.

Between 2016 and 2021, Hamilton’s child population growth varied across the city. Parts of Glanbrook, Upper Stoney Creek, and Flamborough East experienced relatively large gains in the number of children 0 to 6 years of age compared to other areas of the city (see dark green areas in Figure 1) between 2016 and 2021.

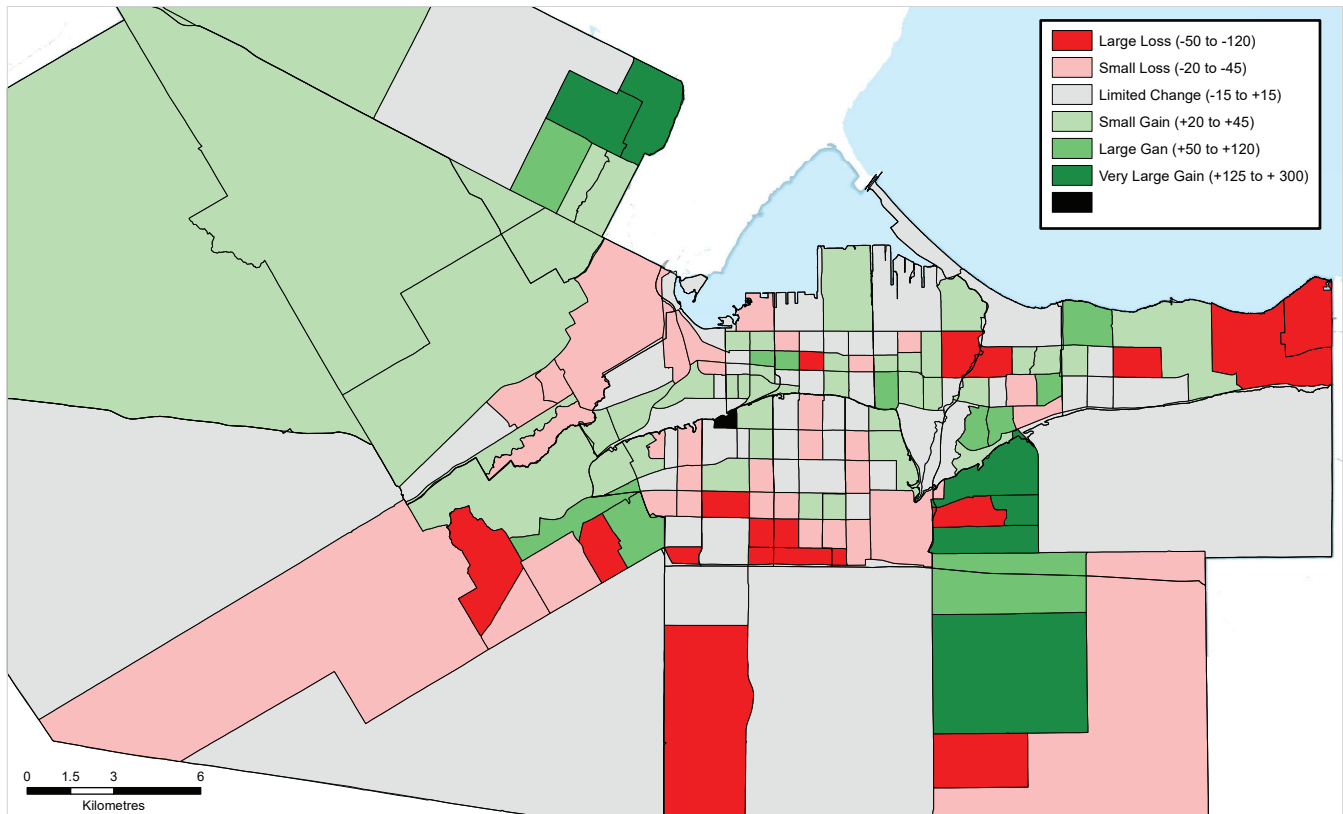
Table 1. Child Population by Age Group, City of Hamilton 2016 and 2021

Age Group (years)	2016	2021
0-4	28,275	29,100
5-9	29,355	30,695
10-14	29,485	31,445
TOTAL 0-14	87,115	91,240

Source: Statistics Canada Census data, 2016 and 2021 accessed through the City of Hamilton's [City Dashboard](#).

1 Statistics Canada 2021 Census data derived from custom tabulations obtained by the City of Hamilton and accessed through the City of Hamilton's [City Dashboard](#).
2 Ontario Ministry of Finance. [Ontario Population Projections Update, 2021-2046](#). Updated Summer 2022.

Figure 1. Gain/Loss Counts of Children Aged 0 to 6 Years from 2016 to 2021 by Census Tract, City of Hamilton



Source: Statistics Canada. Census 2016 and 2021. Obtained through City of Hamilton, Children's and Community Services Division.

Hamilton's Population is Increasingly Diverse

- In 2021, 92% of people living in Hamilton spoke English only, 6% (or 32,630) speak both English and French, 0.1% (or 410) speak French only, and 2% (or 10,435) speak neither English nor French.
- In 2021, 28.2% (or 158,185) of Hamilton residents were born outside of Canada compared to 25.9% (or 136,590) in 2016.
- In 2021, Hamilton was home to 20,145 recent immigrants³ and 12,640 non-permanent residents.
- 25.1% (or approximately 141,000) of Hamilton's population identified as belonging to a visible minority in 2021 compared to 19.0% (or approximately 100,100) in 2016.

TOP 5 NON-OFFICIAL LANGUAGES SPOKEN IN HAMILTON (2021)

1. Arabic 2. Italian 3. Spanish 4. Chinese Languages 5. Portuguese

To learn more about Hamilton's population see Hamilton's Early Years Community Plan 2023 Environmental Scan.

³ Recent immigrant refers to a person who obtained a landed immigrant or permanent resident status up to five years prior to a given census year.

Health & Well-Being of Children & Families in Hamilton

Early Childhood Development

The Early Development Instrument (EDI) is a tool that is widely used around the world to monitor the state of early childhood development. The EDI questionnaire is completed by kindergarten teachers measuring children's ability to meet age-appropriate developmental expectations.

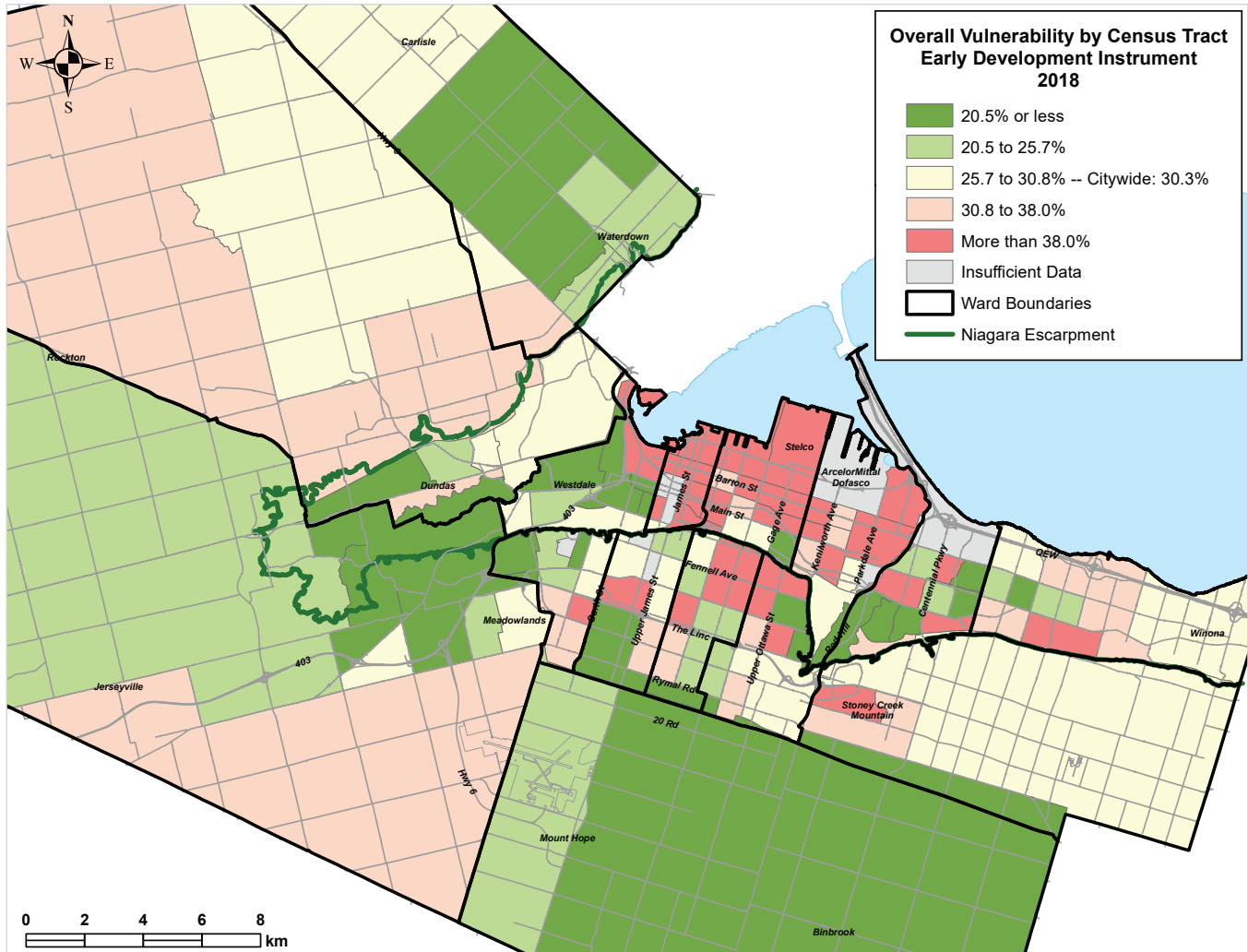
In 2018, the EDI was implemented in Hamilton schools representing 4,972 children in Senior Kindergarten.

- Almost 1 in 3 (30.3%) children in Senior Kindergarten in Hamilton were vulnerable in one or more areas of their development in 2018. This is a small decrease, or improvement, from 30.7% in 2015.
- Children in Hamilton scored slightly more vulnerable than the provincial average (30.3% vs 29.6%) in 2018.
- Vulnerability rates vary greatly from 16% to 52% across Hamilton's neighbourhoods. EDI vulnerability is highest (over 38%) in numerous neighbourhoods in the lower city (within Wards 2, 3 and 4 primarily) but also in pockets on Hamilton Mountain (north of the Linc). See dark red areas on Map 1.

Once available, data from the most recent implementation of the EDI in Hamilton -- completed at the end of the 2022-2023 school year -- will be analyzed, reviewed and shared in a timely manner with our early years community, system partners and the public, to help support planning and implementation of universal and targeted support and activities across the system to address vulnerability.

Vulnerability describes the children who score below a standard score in any domain. Higher vulnerability indicates a greater percentage of children are struggling. The vulnerability rate has been shown to be a strong predictor of future school success.

Map 1. Overall Vulnerability by Census Tract, Early Development Instrument 2018.



Source: EDI 2018 obtained through City of Hamilton, Children's and Community Services Division.

Highlights from Ontario Parent Survey (Hamilton-Specific Results)

The Ontario Parent Survey aims to help understand how families and children have been affected by the lockdown due to Covid-19, and what services families and caregivers may need. Findings from the OPS Third Wave (2022) indicate COVID-19 has negatively impacted parents' and children's mental health and well-being. For example:

- 30% of parents reported a loss of income and 22% of families reported 'moderate to major' impact on their ability to meet financial obligations and essential needs
- 71% of parents reported significant depressive symptoms and 40% of parents reported needing help for mental health but did not seek help
- 39% sought professional care for child's mental health
- 12% reported that their child needed help for mental health but did not seek help
- 31% indicated that COVID-19 had 'a lot' to 'a great deal' of negative impact on their children's mental and emotional health

See Hamilton's Early Years Community Plan 2023 Environmental Scan, section 3, for more on the health and well-being of children and families in Hamilton.

Hamilton's Early Years System

The City of Hamilton's Early Years System aims to make Hamilton the best place to raise a child and the best place to be a child. This involves ensuring that Hamilton families have access to high-quality, affordable, flexible and inclusive early years services and programs. This section provides a high-level overview of Hamilton's Early Years System. For details, see section 4 of Hamilton's Early Years Community Plan 2023 Environmental Scan.

Canada-Wide Early Learning and Child Care System

In March 2022, Ontario reached a \$13.2 billion agreement with the federal government on funding for and the terms of a CWELCC system. The new system will lower child care costs and improve access, quality and inclusion across Ontario's child care and early years sector. In Hamilton, 96% (215) of eligible child care operators have opted in to CWELCC.

Early Years Funding and Budget

In 2022, Hamilton's Early Years System had a total operating budget of \$104.3 million. The majority of the budget was allocated towards:

- Funding to support child care wages (**\$23.4M**)
- Child care fee subsidy (**\$21.7M**)
- Child care fee reduction through CWELCC (**\$21.4M**)

The remaining operating budget (**\$37.8M**) was allocated to Special Needs Resourcing, EarlyON Child and Family Centres, early years system priorities, administration, resource centres, and capacity and emergency supports.

Access to the Early Years System

Hamilton's Licensed Centre-Based Child Care by the Numbers (March 2023)



223 licensed child care centres offering
20,725 spaces for children 0-12.



This includes:

- **3** licensed French language licensed child care centres⁴ serving **280 spaces** (infant to school-age)
- **1** Indigenous-led child care centre⁵ serving **73 spaces** (infant to preschool)
- **59%** of licensed child care centres are located within a school
- **31%** of all spaces are for younger children (infants, toddlers and preschoolers) (Table 2)
- **11%** increase (1,975 spaces) in the number of licensed centre-based child care spaces between December 2019 and March 2023 (see Table 2) with the infant and toddler age groups seeing the highest percent increase.

⁴ Hamilton's three French language child care centres are: La Garderie Le Petit Navire, Le Ballon Rouge De Hamilton, and Pavillon de la Jeunesse avant et après l'école.

⁵ Niwasa Kendaaswin Teg is a multi-service, Indigenous non-profit that provides services and supports to all people across the life cycle.

Table 2. Number of Licensed Centre-Based Child Care Spaces by Age Group in Hamilton, Dec 2019 vs Mar 2023

Child Care Age Group	Number of spaces in Hamilton	
	Dec. 2019	Mar. 2023
Infant (0-18 months)	379	546
Toddler (18-30 months)	1,782	2,094
Preschool (30 months to 4 years)	3,990	4,409
Kindergarten (4-5 years)	5,155	5,547
School Age (6-12 years)	7,444	8,129
TOTAL	18,750	20,725

Source: City of Hamilton Children's and Community Services Division (2022).

Hamilton's Licensed Home Child Care by the Numbers (March 2023)

- **3** home child care agencies ⁶
- **134** licensed home-based child care operators
- approximately **804** licensed-home child care spaces⁷

Child Care Expansion for Children 0 to 5 years Through an Access and Inclusion Framework

Child care spaces are not equitably distributed across the City of Hamilton and few wards are meeting the provincial child care access target of 37%.⁸ This is especially the case in parts of the lower city (Wards 3 and 4), central and east mountain (Wards 6 and 7) and to some extent in Glanbrook (Ward 11) (Refer to Table 3).

Under CWELCC, the City of Hamilton has been allocated 1,687 new child care spaces between 2022 and 2026 consisting of a total 254 new school-based spaces and 1,433 new community-based spaces, based on an access and inclusion framework.

Hamilton's child care expansion will focus on children with special needs, families with low income, those who are most vulnerable, children from diverse communities, Francophone children, and Indigenous children. Early analysis by the City has demonstrated a need to prioritize child care expansion in four city wards:

- **Ward 6:** East Mountain
- **Ward 7:** Central Mountain
- **Ward 3:** Hamilton Centre
- **Ward 4:** East Lower Hamilton

See Appendix A for the City of Hamilton's Access and Inclusion Framework.

⁶ Today's Family, Wee Watch Galbraith and Wee Watch Golfwood are Hamilton's three home child care agencies.

⁷ This is an estimated number based on potential availability given each licensed-home child care operator can provide care for up to 6 children. Actual numbers will differ based on operator actuals.

⁸ This is equivalent to there being one affordable child care space available for every 2.7 children aged 0-5 years.

Table 3. Licensed Child Care Capacity by Child Care Age Group and City Ward, City of Hamilton, February 2023

Ward	Infant Access Rate (%)	Toddler Access Rate (%)	Pre-school Access Rate (%)
Ward 1	13	59	65
Ward 2	13	50	84
Ward 3	4	31	37
Ward 4	3	17	33
Ward 5	7	30	42
Ward 6	0	9	18
Ward 7	1	21	34
Ward 8	0	47	72
Ward 9	9	52	70
Ward 10	11	52	53
Ward 11	4	17	32
Ward 12	6	36	58
Ward 13	0	39	45
Ward 14	15	67	102
Ward 15	15	59	80

Source: City of Hamilton Children’s & Community Services Division.

EarlyON Child and Family Centres

EarlyON Child and Family Centres (EarlyON CFC) offer free, high-quality programs for children from prenatal to 6 years old and their families where they can learn, grow and connect, together. At EarlyON CFC, families can learn and play with their child(ren), meet people, and get advice from early childhood educators and other professionals. Refer to Hamilton’s EarlyON CFC at a Glance chart on page 11 for details.

In 2023, the City of Hamilton initiated a review of their current EarlyON CFC funding model to ensure this system is inclusive, equitable, and responsive to the unique needs of its participants. Engagement and buy-in from Hamilton’s EarlyON CFC operators are important elements that were built into this process. We anticipate this funding review will be completed in early 2024 and that changes to programs and services resulting from this review will be implemented in January 2025.

HAMILTON'S EARLYON CHILD AND FAMILY CENTRES AT A GLANCE

- **8** agencies offering programs at **35** locations
- This includes Niwasa Kendaaswin Teg offering an early learning environment that follows Indigenous teachings and knowledge as well as Centre de Sante Communautaire – Hamilton/ Niagara offering French language programming and supports.
- **6,926** unique parent and **9,062** unique children (ages 0 to 6 years) visited Hamilton EarlyON programs for a total of **70,175** parent and **92,808** child visits between May 2022 and April 2023.
- **1 in 4** children ages 0-4 years living in Hamilton visited an EarlyON CFC at least once from May 2022 – April 2023.
- **80-90%** of 1000+ Hamilton families agreed they had positive experiences visiting an EarlyON

Source: City of Hamilton Children's & Community Services Division.

Affordability of the Early Years System

Quality licensed child care often comes at a significant financial cost to families. In 2022, the average full time, full day rate for child care ages 0-6 in Hamilton was \$59.12. Child care daily rates are highest for infants and lowest for preschool age (Table 4).

Table 4. Average Daily Child Care Rates per Full Time, Full Day by Child Care Age Group, Hamilton 2022

Child Care Age Group	Pre-CWELCC Rate	Post-CWELCC Rate
Infant (0 to 18 months)	70.80	33.39
Toddler (18 to 30 months)	56.98	26.89
Preschool (30 months to 6 years)	49.59	23.41
Average (0 to 6 years)	59.12	27.90

Source: City of Hamilton Children's & Community Services Division

Fee Reduction and Subsidy for Families

- CWELCC funding aimed at reducing the cost of child care resulted in an estimated annual savings of per child for eligible families of approximately \$3,600 in 2022 and \$9,100 in 2023.
- An average of 4,200 children each month receive child care fee subsidy, which supports low-income parents.
- There are no children waiting for a fee subsidy approval in Hamilton.

Quality of the Early Years System

High quality early years services and programs substantially influence children's development and well-being. Evidence shows that high quality early learning and child care programs support development and positively impact children.⁹

Hamilton Early Years Quality Program

The Hamilton Early Years Quality Program (HEYQP) cultivates high-quality, responsive and accountable relationships with the early years community at all levels of an organization for the benefit of children, educators and families. Quality directly impacts the services provided to families and children in the early years system and community. Participation in the quality program is a fundamental foundation for all early learning and child care operators that have funding agreements with the City of Hamilton. Hamilton's early learning and child care community embraces, nurtures and commits to building meaningful, authentic opportunities for educators, families, children and communities for diverse, high-quality, inclusive learning, growth through continuous improvement.

HEYQP HIGHLIGHTS



2022 HEYQP Supports

- **73** City and Affiliated Services for Children and Youth (ASCY) quality visits were completed with operators
- **182** professional learning opportunities offered including workshops, podcasts, Infant and Early Years Mental Health Symposium, etc.
- **10,300+** participated in professional learning opportunities
- **45+** professionals participating in Side by Side mentorship



2022 HEYQP Accomplishments

- **360+** Early Years program sites participated in HEYQP
- **3%** of system sites experienced intensive quality monitoring to support change. This is down from 23% in 2017 and 21% in 2018 reflecting overall system quality improvements
- **99%** change was observed for those who experienced intensive monitoring for continuous improvement

Source: City of Hamilton Children's & Community Services Division.

9 OECD. (2018). Early Learning Matters.

Early Years Workforce

A qualified, stable and well-compensated early years workforce is the foundation of high-quality early years services and programs. Historically, the early years system has experienced workforce challenges due to low compensation and working conditions. The cumulative impacts of responding to the COVID-19 pandemic have intensified the challenges.

- Currently, RECEs that work in the early years and child care sector earn an average of \$22.45/hour in Hamilton, compared to RECEs that work for the school boards which make an average of \$27/hour.
- In 2022, 1,723 child care staff received the Wage Enhancement Grant (WEG). Two thirds of recipients (66%) work in non-profit licensed child care centres and the remaining third work in for-profit licensed child care centres.
- Recent survey responses from a RECE professional learning event¹⁰ indicate the top factors in attracting and retaining a high quality, diverse workforce include:
 - Positive work conditions
 - Relationships with co-workers
 - Career growth
 - Good wages

Equity, Inclusion and Belonging

Early years services and programs play a critical role in supporting equity, diversity, inclusion and belonging (EDIB) in the early years and the community-at-large. Hamilton's early years system has set a goal of strengthening equity, diversity, inclusion and belonging in order to bring to life our vision that all children and families experience a real, lived sense of belonging in the early years system.

For several years, the Equity and Engagement Advisory Group has focused its efforts to support Hamilton's early years system, resulting in the completion of an action planning framework to guide activities being undertaken across the system by ensuring the needs and perspectives of diverse children and families are continually considered. Priority activities within this framework include:

- Implementing a survey to understand the composition of the local early years system workforce
- Prioritizing equity, diversity, inclusion and belonging learning and capacity building for early years staff and system leaders
- Updating the Hamilton Early Years Quality Program System Priority Template with an increased focus on Equity, Diversity and Inclusion
- Developing an Equity, Diversity, Inclusion and Belonging (EDIB) Policy Statement. (Refer to Appendix B - Draft EDIB Policy Statement)

10 It's Your Day! Embracing the Early Years Virtual Professional Learning Day on April 22

Special Needs Resourcing Program

The City of Hamilton is committed to delivering inclusive services where children with varying abilities are experiencing diverse, meaningful ways to participate and successfully learn. Community partners work together with early learning and child care providers, educators and professionals to ensure families and children have access to and experience diverse, inclusive learning communities.¹¹ Special Needs Resourcing funding supports the early years system with resources, equipment, supplies, professional development, such as Shelley Moore professional learning events, Tools for Life (TFL) for Early Years, and evidence-based pedagogical and inclusion practices to plan, inform and deliver high-quality, inclusive services for families with children who have varying abilities. The evidence demonstrates that diverse, inclusive learning communities where children experience a sense of belonging provide developmentally beneficial learning, growth and belonging for all children¹². See below for a snapshot of Hamilton's Special Needs Resourcing.

Special Needs Resourcing Snap Shot (2022)

- Each month, an average of **656** children ages 0 to 6 years and an average of **115** children ages 6 to 12 years receive special needs supports
- **1,237** unique children, ages 0 to 12 years, received special needs supports in 2022
- **331** licensed child care programs were supported with Special Needs Resourcing¹³
- Hamilton had **54** Resource Consultants, and Inclusion Facilitators and **48.40** FTEs
- Addition of a new Francophone Resource Consultant
- **200+** early years professionals attended Let's Talk Moore about Inclusion event
- Most educators in 2019/2020 were trained in TFL and more resources be available in 2023/2024
- In 2022, the City of Hamilton spent **\$5.48M** to support the inclusion of 1,237 children in 331 licensed child care programs

Source: City of Hamilton Children's & Community Services Division.

Early Years Mental Health System and Services

Through its [Infant and Early Years Mental Health System Support](#) Committee¹⁴, the City of Hamilton aims to facilitate an evidence-based, integrated and coordinated approach to cross-sector planning for infant and early years mental health services in Hamilton. This committee's work focuses on:

- Building awareness of infant and early years mental health in the community
- Increasing professional capacity and opportunities for continuous learning
- Identifying and developing appropriate care referral pathways and wait list strategies for children ages 0-6 and their families
- Improving coordination of services and support across the City of Hamilton

11 In Hamilton, the City works with community agencies for early learning and child care to provide early learning opportunities for children and their families. Agencies include: Affiliated Services for Children & Youth/Early Words; Community Living Hamilton; and Ron Joyce Children's Health Centre.

12 Underwood, K. (2013). Everyone is Welcome: Inclusive Early Childhood Education and Care. Think, Feel, Act.

13 This number represents duplicates due to the integrated special needs resourcing delivery model with one or more partners providing supports to the system.

14 For a complete list of Committee membership see: Infant and Early Years Mental Health System Support

An informal environmental scan¹⁵ of IEYMH committee members in Fall 2022 regarding emerging system trends and capacity found anecdotal reports of:

- Increased number of referrals received across member agencies
- Increasingly acute, multi-layered and complex cases encountered among children and youth, post-COVID
- Human resources shortages impacting services and community supports
- Increasing need to support families while waiting for assessment or entry to services
- Support to ensure children get the right level of care, at the right time

IEYMH COMMITTEE AT A GLANCE (2022-2023)

- **18** agency partners engaged as active members
- **170** participants from the early years community attended the April 2023 Symposium focused on early years mental health and staff wellbeing
- **0-3.8 year old** Infant and Early Mental Health Care Pathway launched in January 2023
- **3.9-6.0 year old** Infant and Early Mental Health Care Pathway currently under development

Source: City of Hamilton Children's & Community Services Division.

Newcomer Mental Health Needs

Children and families recently arriving to Canada, especially those who arrive as refugees, experience a range of stressors that place them at risk of poor mental health. A recent Hamilton study¹⁶ out of the Offord Centre for Child Studies at McMaster University examined newcomer mental health needs, barriers to care, and opportunities for improving mental health supports.

The study lays out seven recommendations¹⁷ for improving mental health supports for newcomer children and families. The following are instructive for Hamilton's Early Years System:

- **Newcomer Engagement:** Amplify and listen to newcomer voices at all stages of policy and program design and implementation.
- **Cultural Responsiveness:** Understand how culture and migration experiences shape mental health and work with newcomer families to develop culturally responsive interventions.
- **Workforce Diversity & Development:** Hire and support a more racially and culturally diverse workforce that better reflects newcomer communities.

¹⁵ City of Hamilton CCSD. IEYMH System Summary. January to March 2023

¹⁶ Sims, A. (2023). Thriving Together: Service provider and family perspectives on newcomer child and youth mental health and access to care. Offord Centre for Child Studies. McMaster University)

¹⁷ To learn more see: <http://cyrrc.org/2022/03/4j>

4. COMMUNITY CONSULTATIONS AND EMERGING INSIGHTS AND STRATEGIES

On April 25 and 26, 2023, the City of Hamilton's Children's and Community Services Division hosted three community engagement sessions to assist with the update of its Early Years Community Plan. A total of 217 community partners participated in and contributed to the important discussion which was focused on '**Mobilizing Equity, Diversity, Inclusion and Belonging in Hamilton's Early Years System**'. Participants included a variety of home, centre-based and co-op child care operators, EarlyON providers, City representatives and other early years system partners.

During these sessions, members of the Children's and Community Services Team provided an overview of the Equity, Diversity, Inclusion and Belonging (EDIB) Policy, developed by the Equity and Engagement Advisory Group, and Hamilton's CWELCC Access and Inclusion Framework. Through structured table discussions, participants were invited to provide input on the following:

Equity, Diversity, Inclusion & Belonging Policy

- What challenges do you see when implementing this policy?
- How can you/your organization contribute to implement this policy/work?
- Do you have any feedback on the policy?

Access and Inclusion Framework

- What elements of the framework are you most excited about and why?
- Are there any gaps or opportunities that we should address/include?

The level of engagement and rich discussion that took place during the facilitated table discussions was impressive. Several strategic insights emerged that will inform the work moving forward:

A FOCUS ON INCLUSION & BELONGING - The language and shared experience of 'belonging' resonated with the community. Groups identified opportunities to build capacity and enhance policies and practices to support inclusion, particularly with equity-deserving groups. One group discussion highlighted the following insight – *'If we can meet the unique needs of families, we can all grow, learn and better ourselves, putting biases aside to see every child/family as a human being (who is yearning to be seen, heard and understood) regardless of background/experience.'*

SHIFTING MINDSETS - The work ahead around EDIB and an Access and Inclusion Framework requires shifting mindsets by providing a clear rationale as to why this work is important and offering continuous learning opportunities to build capacity by challenging unconscious biases, sharing promising practices, and telling compelling change stories.

BALANCING CONSISTENCY AND FLEXIBILITY - There is a tension between the need for consistency (i.e., ensuring community standards and expectations across the system), and the desire for flexibility (i.e., opportunities to respond to local need and build on work already underway). Changes to the EDIB Policy and Access and Inclusion Framework and corresponding processes will work to strike this balance.

IMPLEMENTATION SUPPORTS - Dedicated resources are needed to enable progress and ensure success. Stakeholders emphasized the need for clear and transparent system-wide expectations (i.e., priorities and timelines), investments in workforce training and capacity building (e.g., communities of practice and a collaborative community response), data collection and accountability (to monitor progress and outcomes), and ongoing engagement of families and staff.

In subsequent discussions with the Children’s and Community Services team and, based on specific feedback the community provided regarding future opportunities to mobilize EDIB in Hamilton, it became clear that intentional and aligned strategies at the Individual, Community and Systems Level are required to shift mindsets and enable meaningful and transformative change. In the first phase, this work requires investing in champions, establishing mechanisms to build capacity at multiple levels across the system, and fueling the exchange of knowledge and promising practices. See Figure Appendix B - Draft EDIB Policy Statement.

Figure 2. SHIFTING MINDSETS AND ENABLING TRANSFORMATIVE CHANGE: Investing in Champions, Capacity Building and Knowledge Sharing



ENABLERS:

- Acknowledge that this is a change management process that will require time and effort, and not everyone is at the same starting place
- Align and coordinate efforts (both activities that are underway and new)
- Leverage what's already working
- Clarify roles and responsibilities to ensure mutual accountability (City, ASCY, Communities of Practice, Individual Champions, Organizational Champions)

It is important to acknowledge that ASCY has a broad professional learning lead role within the early years system. With respect to EDIB, Organizational Champions will bring specific expertise, credibility and relationships with priority populations/sectors, while ASCY contributes a system coordinating role (i.e. communicating with and convening community partners through system-wide training events to share promising practices and tell compelling change stories).

Organizing Structure and Ongoing Engagement Mechanisms

Feedback gathered in the survey distributed after the consultation events on April 25 and 26 suggested that while the current organizing structure is still relevant, it needs to continue to evolve in order to respond to changing community needs and system opportunities. Refer to Appendix C: Hamilton's Early Years Organizing Structure for additional details.

Recently, a focus on the "middle years" (children 7-14 years old and their families), was identified as an emergent need, to help ensure supports, resources and opportunities are available and a systems approach taken to help this age group grow, develop and succeed, based on our current early years approach.

Building on the [2022-2027 City of Hamilton's Youth Strategy](#), the Child and Youth Network will broaden to include youth partners. The focus will be on facilitating an improved alignment of priorities, continuity of care, enabling seamless transitions from birth to young adulthood, and by adapting a system-wide planning lens.

In addition, it will be important to ensure that the early years community continues to receive information and timely communication regarding the structure and membership of the structure so they can see themselves reflected in and contributing to the local early years system.

Ongoing mechanisms for community engagement/feedback are achieved through the organizing structure and its respective committees/advisories whose terms of reference commit to 'regular updates and opportunities to provide feedback on emerging issues/priorities'. Members also participate in an annual assessment/evaluation on Committee performance and effectiveness.

5. STRATEGIC AIM, ENABLING STRATEGIES, AND STRATEGIC PRIORITIES/ACTIONS

STRATEGIC AIM:

Moving from: Stabilization and sustainability of the early years system

Moving towards: System integration, transformation and seamless transitions for children, youth and families (from birth to young adulthood)




ENABLING STRATEGIES:



There are a number of cross-cutting supports/structures/programs that will enable our success with respect to the identified strategic priorities.

- **Quality:** Continue our current Hamilton Early Years Quality Program efforts and embed system-wide EDIB expectations
- **Continuous learning and improvement:** Continue to strengthen the system's commitment to generating and sharing data, research findings and promising practices to support evidence-informed planning decisions.
- **Ongoing communication and engagement:** Provide accessible and relevant information and opportunities for diverse stakeholders to identify their needs and experiences
- **High-level system-wide investments:** Resources and supports that will mobilize and coordinate community partners who will undertake key strategies/efforts

EMERGING PRIORITIES & ACTIONS:

Implementation of the following emerging priorities and actions will help move Hamilton's Early Years System closer to achieving the strategic aim and the City of Hamilton's vision to be the best place to raise a child and age successfully. These are intentionally high-level with room to refine as needed. We intend to use the existing Early Years Community Plan organizing structures and mechanisms to engage our community in thinking about how best to implement the plan over time. The emerging priorities and actions are intended to capture and reflect all components of Hamilton's Early Years System including: EarlyON Child and Families Centres, licensed centre-based child care, and licensed home child care, and system partners.

Emerging Priorities	What is it? Why is it important?	High Level Activities
 <p>1. EDIB and Access & Inclusion</p>	<p>System reflects the children and families we serve</p> <p>Focus on implementation, measurement, and follow-up</p> <p>This includes Access & Inclusion work, Special Needs Resourcing and Mental Health</p>	<ul style="list-style-type: none"> • EDIB System-Wide Policy/ Framework • Organizational Policies and Procedures • Increase in child care spaces/new funding agreements • Training, capacity building and resources for early years staff and system leaders • Evaluation/Measurement • Strengthening existing and establishing new partnerships • Review of EarlyON CFC funding model
 <p>2. HR work force</p>	<p>Continue to grow, attract, retain and enhance a high quality, diverse early years workforce in Hamilton</p>	<ul style="list-style-type: none"> • Recruitment and retention to build on efforts to retain high quality E.C.E.s • Mentorship opportunities at all levels (i.e., students, educators, and leaders) • Ongoing professional development and system-wide professional learning days • Advocacy to address wage disparities and full time work hours • Provision of workforce grants • Continued focus on workforce mental health and well-being • Expanded partnerships
 <p>3. Child care accessibility, affordability and expansion</p>	<p>Implementation of the national child care plan (CWELCC) in Hamilton</p> <p>Overlap with Access and Inclusion Framework (above)</p>	<ul style="list-style-type: none"> • System stabilization • Affordability • Child care expansion with a focus on priority populations • Implement the new provincial funding model

Emerging Priorities	What is it? Why is it important?	High Level Activities
 <p>4. Middle years system and supports</p>	<p>Explore how best to support the middle years and improve coordination across sectors (Age 7 to 14 years is currently a gap in system)</p> <p>Support successful, seamless transitions from birth to young adulthood</p>	<ul style="list-style-type: none"> • Bringing partners together to expand partnerships for this age group • Address Before and After School Program affordability and accessibility • Intentional/strategic coordination and collaboration with other community initiatives (i.e., The City of Hamilton's Community Safety and Well-Being Plan; youth prevention work through various collaborative networks; The Hamilton Drug Strategy) • Implementation and utilization of MDI (Middle Years Development Instrument) • Alignment with Hamilton's EYCP and Youth Strategy
 <p>5. System-wide coordination & partnerships</p>	<p>Working together differently – more coordination and collaboration to ensure seamless service experience</p> <p>Overarching community collaboration/relationships/system</p>	<ul style="list-style-type: none"> • Structures and enhanced processes to increase coordination and collaboration with key system partners • EDIB and Access & Inclusion - new funding and community 'champions' • Launch of Hamilton's Child and Youth Network • Refreshed focus on early literacy • Ongoing HR Workforce activities • Continued focus on infant and early years mental health activities

6. CONCLUDING REMARKS

We look forward to continuing to work collectively with our early years community and system partners to mobilize transformative, system-wide change and impact to ensure that the needs of all children and their families are met, and a sense of belonging is experienced by all those engaged in the early years system, and our city is the best place to raise a child and age successfully. The identified strategic aim, emerging priorities and actions outlined within this update will guide our work together moving forward. Through ongoing engagement and involvement, the early years community will contribute to refining and implementing the updated plan.

Appendix A



Appendix A: City of Hamilton’s Access and Inclusion Framework (CWELCC)

Canada-Wide Early Learning and Child Care Access and Inclusion Framework

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Canada-Wide Early Learning and Child Care (CWELCC) Overview

On March 28, 2022, the federal and provincial governments signed the [Canada-Wide Early Learning and Child Care \(CWELCC\) agreement](#) aimed at making child care more affordable for families and increasing the compensation for eligible child care staff.

Ontario's Ministry of Education's (MEDU) goals under the CWELCC agreement are similar to the [priorities for the Early Years System in Hamilton](#) — affordability, accessibility, inclusion and quality.

The Ministry of Education's and City of Hamilton's CWELCC goals align with a focus on:

1. **Quality:** ensuring the delivery of high-quality child care, as defined in the [Child Care and Early Years Act, 2014 \(CCEYA\)](#).
2. **Child and Family Focused:** increasing affordability for parents/guardians.
3. **Protection of For-Profit and Non-Profit Spaces:** protection of for-profit and non-profit child care spaces in the province.
4. **Efficient Administrative System:** an efficient administrative system, with collection of minimally necessary information from licensees, to support timely enrolment and implementation of the CWELCC system.

The CWELCC system is designed to provide high-quality, affordable, accessible and inclusive licensed child care programs to support Ontario's children, families, employers, early years professionals and the child care sector. The CWELCC agreement will provide funding to reduce child care fees for families with children 0 to 6 years of age to an average of \$12/day by September 2025.

In 2022, the City of Hamilton successfully implemented the first phase of the CWELCC system which included:

- Enrolling 214 of 223 of Hamilton's licensed child care programs into the system
- Lowering child care fees for participating providers by 52.75% from March 2022 rates
- Lowering child care contributions for families receiving financial support (subsidy) by 50%
- Issuing rebates of 25% of the costs of child care to eligible families, backdated to April 1, 2022
- Providing funding to child care providers to ensure Registered Early Childhood Educators (RECEs) receiving less than the wage floor, met the minimum standard under the agreement

Both 2022 and 2023 are considered transitional years in the implementation of CWELCC, while the Ministry of Education works to create a new funding formula that will be used across the province. CWELCC funding is designed to fully offset a licensee's potential reduction in revenue as a result of a reduced base fee and cost escalation.

Child Care Space Allocations

The Ministry of Education (MEDU) approved the following allocations for new childcare spaces for the City of Hamilton. These spaces support the Ministry’s directed growth plan under CWELCC, and we are pleased to note that we received an additional 170 spaces to meet the child care needs in Hamilton. The City of Hamilton’s MEDU allocations is as follows:

Total Space Allocation*					
Allocation	2022	2023	2024	2025	2026
Total Spaces	195	488	314	388	302
School-based	49	107	49	49	0
Community-based	146	381	265	339	302

* All numbers are subject to change based on Ministry of Education Approval

Under the new CWELCC funding guidelines, municipalities are required to maintain the Ministry of Education’s threshold for child care spaces which is currently 80% not-for-profit and 20% for-profit in the City of Hamilton.

Phase 1: Access, Socio-economic and Demographic Analysis

Hamilton’s Approach to Access and Inclusion

Ontario’s provincial target access rate (the ratio of child care spaces to children) is 37% by 2026. This is equivalent to one affordable child care space for every 2.7 children aged 0-5. Currently, the City of Hamilton has an access rate of 31% across full-day (infant, toddler and preschool) programs. With the current space allocation, city-wide the City of Hamilton is on track to exceed the 37% provincial target access.

The City of Hamilton is committed to ongoing engagement with families, child care providers, and other members of the community to ensure access and inclusion plans meet the needs of the community it’s intended to serve. Further analysis and engagement with key community partners in Hamilton will be required to ensure that neighbourhoods are precisely prioritized as the composition of wards vary greatly from one neighbourhood to another.

Access and inclusion considerations are as follows:

Access Equity: Provide comparable access to child care spaces across the City of Hamilton for the 0-3.8 age group by allocating spaces where the need is greatest.

Directed Spaces for Priority Population (in no particular order): As determined by the Ministry of Education, the City of Hamilton will ensure that child care spaces are allocated based on socio-economic factors to support child care needs in priority populations, including:

- Children living in low-income families
- Children of newcomers to Canada
- Official language minorities (Francophone)¹
- Children with special needs and children needing enhanced or individual supports
- Indigenous children, Black and other racialized children

¹ A principal of access & inclusion to maintain or grow French language spaces for ages 0-5.

Accessibility: Providing a wide range of opportunities for learning, play and inquiry in physical and teaching environments across diverse, flexible settings and contexts.

Participation and Belonging: The intentional and instructional approach that enables children to actively engage in purposeful ways in all parts of the day including play, learning activities and social interactions.

Equity: Making sure everyone has what they need to succeed by removing barriers that disadvantage some groups over others. Children should have equitable access to early learning opportunities that support them in purposeful participation as engaged learners that are competent, capable of complex thinking, curious, and rich in potential.

Special Needs Resourcing (SNR): Ensuring that licensed child care programs across the City of Hamilton can deliver the appropriate level of service for children with special needs, including staff, adaptive equipment and resources. The City of Hamilton is committed to delivering responsive, high-quality, accessible and increasingly inclusive early-learning opportunities for children and their families.

Fee Subsidy: Child care fee subsidy helps families with the cost of licensed child care programs. It is an essential support for many parents and caregivers that helps to balance the demands of a career and family, enabling them to participate in the workforce or pursue education or training.

Workforce: The early years and child care sector continues to experience recruitment and retention challenges with Registered Early Childhood Educators (RECEs). A high-quality early years and child care system requires a comprehensive human resources workforce strategy, including fair compensation for RECEs.

The following guiding principles and foundational documents are embedded into all Children's and Community Services:

- Hamilton Early Years Equity, Diversity, Inclusion and Belonging Action Plan (In Development)
- [Hamilton Parent's Charter of Rights](#)
- [Charter of Rights for Children and Youth](#)
- [How Does Learning Happen: Ontario's Pedagogy for the Early Years](#)
- [Hamilton's Early Years Quality Program](#)

Priority Wards

In January 2023, the City of Hamilton determined priority wards based on identified socio-economic and demographic indicators, as well as the current licensed child care access rates for the 0-3.8 age group in each ward. All wards across Hamilton have been identified as needing child care spaces under the expansion plan. Expansion will be prioritized based on priority populations in identified wards.

The following child care space allocations are the results of the preliminary evaluation of child care space needs per ward. Further analysis of neighbourhoods within each ward will occur until 2026. It is important to note that there may be modifications to ward allocations as the analysis continues. Preliminary expansion plans** were submitted to the Ministry of Education and City Council, identifying child care space priorities across the city:

Name of priority neighbourhoods/areas	Community-based spaces 2023-2023 Allocations	Current Access rates
Ward 6 East Mountain	127	9.0%
Ward 7 Central Mountain	123	19.0%
Ward 3 Hamilton Centre	123	24.0%
Ward 4 East Lower Hamilton	112	17.0%
Ward 11 Glanbrook	101	19.0%
Ward 5 Redhill	101	25.0%
Ward 13 Dundas	96	27.0%
Ward 2 Downtown	80	39.0%
Ward 8 West-Central Mountain	75	39.0%
Ward 12 Ancaster - Flamborough West	75	36.0%
Ward 9 Upper Stoney Creek	69	32.0%
Ward 1 Chedoke-Cootes	64	43.0%
Ward 10 Lower Stoney Creek	59	50.0%
Ward 14 Far West Mountain	56	61.0%
Ward 15 Flamborough East-Waterdown	27	48.0%

**[Information Report](#), [Appendix A](#), [Appendix B](#)

Identifying Priority Neighbourhoods

The City of Hamilton’s goal is to ensure that each neighbourhood has a voice and their child care needs are met.

In order to identify priority neighbourhoods, City staff are identifying key services and resources in the neighbourhoods, such as community organizations, institutions, and associations. We completed this mapping for the top four priority wards (6, 7, 3, 4) identified in 2023.

After identifying priority neighbourhoods, City staff will be working directly with key community partners in these neighbourhoods through a community engagement process, expanded further below.

Phase 2: Community Engagement

Approach to Community Engagement

City staff have reached out to community partners that have existing relationships and connections with diverse communities to request they assist the city in gathering input from the families they serve. The goal is to better understand child care needs and identify barriers that may exist for these families. This community engagement process will help inform the application process inviting all child care licensees to submit their interest in operating new child care spaces at various locations. The application process will be opened up in mid-October 2023 with the goal of opening new community-based child care spaces by the end of 2023. It will also inform future city-wide directed growth through to 2026.

The City of Hamilton circulated the document found in Appendix A, to community partners to invite them to participate in the Community Engagement Partnership Opportunity. Currently, these engagements are being completed in the community with City staff awaiting the outcomes of the engagements.

This approach to community engagement is an integral part of implementing Hamilton's Access and Inclusion Framework at a local level, as it will assist with:

- Including the voices of the community and families to determine how child care services can meet their needs.
- Cultivating meaningful engagement experiences to authentically hear from the community and families.
- Focusing on the voices of diverse and underserved populations who were identified as priority populations.
- Collaborating efforts, which include engagement through multiple community-based organizations that have existing relationships with identified priority populations to provide authentic and meaningful engagement experiences.

Feedback gained from community engagement and families is valued and will inform child care expansion plans throughout the CWELCC implementation, as well as help to identify and address barriers to accessing child care.

Early Years Sector

The City of Hamilton commits to ongoing community engagement to ensure results and outcomes are consistent with child care expectations. This community engagement process will help inform responsible decision-making by inviting a range of perspectives, experiences and knowledge to support the creation of sustainable solutions.

Key Community Partners

The early years sector plays a key role in expansion. In phase one of the Access and Inclusion Framework, City staff consulted the following groups:

City of Hamilton

- Equity and Engagement Advisory Committee
- Consolidated Municipal Service Manager Advisory Committee
- Special Needs Resource Committee

Community Partners

- Hamilton School Boards
- Francophone Service Providers
- Indigenous Service Providers

Phase 3: CWELCC Application and Evaluation Process

The application and evaluation processes will enable CWELCC directed growth for new licensees to open new child care programs, or to expand current child care programs with existing licensees. The application and evaluation process are currently under development and will be shared when finalized. The application process will also include a section on start-up grants which are detailed in the next section.

The application will be made available mid-October 2023.

The application framework will entail the following details:

Inclusion policies:

- Do you have an inclusion policy?
- How will your program ensure that the needs of the priority populations are being met?
- How do you ensure hiring practices are inclusive and equitable?

Access policies:

- Proximity to transportation routes
- What types of resources does your organization have to support instructional and facility accessibility (i.e., barrier-free access)?
- How will you ensure your locations are accessible to priority populations? What are your strategies for barrier-free access to child care?

Budget information:

- Is your program financially viable?
- Do your base and non-base fees meet the Ministry of Education's [capped rates](#) as outlined in the Child Care Early Years Act?
- Staff salaries

Program information:

- How will the number of spaces and age groups you are offering meet the needs of the community and priority populations?
- Do you provide flexibility to families as it relates the days and hours offered for care?
- What are your plans to communicate, drive awareness and promote the child care program?

Quality:

- Do you have a quality framework?
- What is your strategy for integration? What community partners do you work with for resources and supports?
- What is your program statement? (vision/mission, values)
- How are you aligned with the principals of equity, diversity, inclusion and belonging?
- What are your staff recruitment and retention strategies?

Start Up Grants

Start up grants will support directed growth for the creation of new child care spaces based on the priority populations' needs.

Approved licensees participating in CWELCC are eligible to apply for start up grants as a part of their application. This will be an equitable and transparent process for licensees to apply.

Start-up grants must fund projects required for child care facilities to be created, retrofitted, renovated, and/or expanded to accommodate a maximum group size for each age grouping for children under the age of six.

City of Hamilton may enter into service agreements with licensees to flow start-up grant funding, regardless of head office location.

Eligible centre-based applicants will be able to receive a grant of up to \$90 per square foot of a new licensed space with a cap of \$350,000 for every 50 child care spaces created. Home child care licensee applicants will be able to receive grants of up to \$1,000 per CWELCC space created, to a maximum of \$6,000 per provider.

Accountability

In the application, the prospective licensee must include an estimated date for the new licensed full day spaces. This date should be within two years of the date of the application.

When approving applications for start up grants, the City will consider:

- cost effectiveness
- available operating funding
- capacity of program to access funds through other means
- program budget and financial history
- child care licensing history
- current licensed and operational capacity
- age groups
- long-term viability
- investment in quality programming

Upon Approval of Start Up Grant

City staff will work with the prospective licensees to provide funding. Once licensed, the licensee must enter into a funding agreement with the City of Hamilton.

To access funding for start up grants, the of City of Hamilton will require a commitment from the licensee to:

- Participate in CWELCC for the remainder of the current CWELCC agreement (March 31, 2026)
- Spend the start up grant within two years from the date of the application
- Prioritize the creation of, and access to, new licensed full day spaces for children 0-4 years for our priority populations as outlined in the City's Access and Inclusion Framework

The City of Hamilton will receive progressive updates on the use of these funds as intended within the two-year timeframe of the date of application.

If the applicant withdraws from CWELCC or ceases their operations, the City of Hamilton will recover the start up grant funding and return to the Ministry of Education as part of regular financial reporting processes.

Licensed Home Child Care

Home child care licensees must receive written confirmation from the City of Hamilton that the proposed child care homes are aligned with the directed growth approach and eligible for CWELCC funding.

Funding agreements for start up grants for home child care licensees must include a commitment from the licensee to maintain the number of approved child care spaces in the service area for the duration of the CWELCC agreement, even if the licensed capacity of the licensee changes prior to March 31, 2026.

Per Regulation Update 138/15, “Any unused capacity (i.e., inactive homes) will be designated as “unassigned capacity” and HCCAs² will not be permitted to open homes using their unassigned capacity. If licensees wish to open these homes, and they are enrolled in CWELCC, they will be required to demonstrate that a service system manager³ has advised that these homes will be eligible for CWELCC before they are assigned to a service system area.”

Phase 4: Space Creation and Evaluation

Phase 4 of the City of Hamilton Access and Inclusion Framework is not a stand-alone phase. It is an ongoing part of our Access and Inclusion Framework where we evaluate and monitor our framework.

The City of Hamilton is committed to ensuring the entirety of the allocated spaces to the City be utilized in the community.

Evaluation and Monitoring of the Framework

A research-based accountability (RBA) framework will be used to evaluate and monitor City of Hamilton’s Access and Inclusion Framework⁴. RBA provides a simple and action-based approach to community-based initiatives. In addition to mandated Ministry of Education data elements (i.e., counts and impact), the RBA framework outlined in the table below identifies how Hamilton will evaluate and monitor the access and inclusion goals during the implementation of CWELCC.

2 Home Child Care Agencies

3 City of Hamilton

4 Friedman, Mark (2005). Trying hard is not good enough. Victoria, BC: Trafford Pub.

What impact will Hamilton’s CWELCC Access and Inclusion Framework have?		
Population Indicator	Ratio of spaces to children 0-3.8 years of age in Hamilton	
Effort	Quantity	Quality
	<p>How much was completed?</p> <ul style="list-style-type: none"> # of new child care spaces and directed-growth spaces for priority groups in priority neighbourhoods # of new licensees joining Hamilton’s system # of licensees providing diverse, flexible and/or inclusive services # of families participating in CWELCC and # receiving special needs resourcing and fee subsidy # of children on waitlists for child care # of engagement activities with priority groups to inform expansion # of ECEs and non-ECE professionals in workforce and RECE salary ranges # of new community partnerships to cultivate diverse, flexible and inclusive child care 	<p>How well was it completed?</p> <ul style="list-style-type: none"> % change in ratio of spaces to children 0-3.8 years of age in Hamilton by type of care % change of new spaces based on priority neighbourhood targets by type of care % of Hamilton families with children 0-3.8 years participating in CWELCC including special needs resourcing and fee subsidy % change in children waiting for child care % of staff pressures in the system (operating capacity/licensee engagement) % of newly licensed operators participating in Hamilton’s Quality Program % change in ECE and non-ECE professionals in workforce and average RECE salary change % of third-party child care partnerships in the system that cultivate diverse, flexible and inclusive child care

How are Hamilton’s families, children, educators and early years system better off?	
Effect	<p>37% access rate (i.e., one affordable child care space for every 2.7 children ages 0-5 years)</p> <p>% of new spaces based on Ministry of Education priority neighbourhood targets by type of care</p> <p>% of priority populations access rates in priority neighbourhoods</p> <p>% of Francophone spaces in proportion to population is maintained or increased for ages 0-5</p> <p>Cost: Benefit for families in Hamilton participating in CWELCC including SNR and fee subsidy</p> <p>% of child care at full operating and/or licensed capacity in the system</p> <p>% of for-profit vs. not-for-profit enrolled in CWELCC</p> <p>Increase and retention in ECE and non-ECE workforce⁵ and % of RECE change in average salary over time.</p> <p>Diversity of workforce as indicated from Knowing Our Numbers⁶</p>

5 Early Years Community HR Workforce Committee. RBA population indicators. City of Hamilton: n.p.

6 Akbari & McCuaig (2023). Knowing our numbers: a community approach to understanding the ECE workforce. University of Toronto: n.p.

Appendix for City of Hamilton's Access and Inclusion Framework (CWELCC)

Community Engagement Partnership Opportunity

As part of the local implementation of the [Canada-Wide Early Learning and Child Care \(CWELCC\)](#) plan, the City of Hamilton's Children's and Community Services Division is seeking your assistance in reaching the community your organization serves to better support their child care needs. The CWELCC plan seeks to increase child care access and create new targeted child care spaces for identified priority populations. This work is guided through [Hamilton's Access and Inclusion Framework](#).

Through this collaborative effort, we would like to honour the relationship your organization has with these identified populations by inviting your organization to take the lead on this community engagement.

This will be a compensated opportunity to ensure your organization's efforts are acknowledged and respected.

Guidelines for Community Engagement

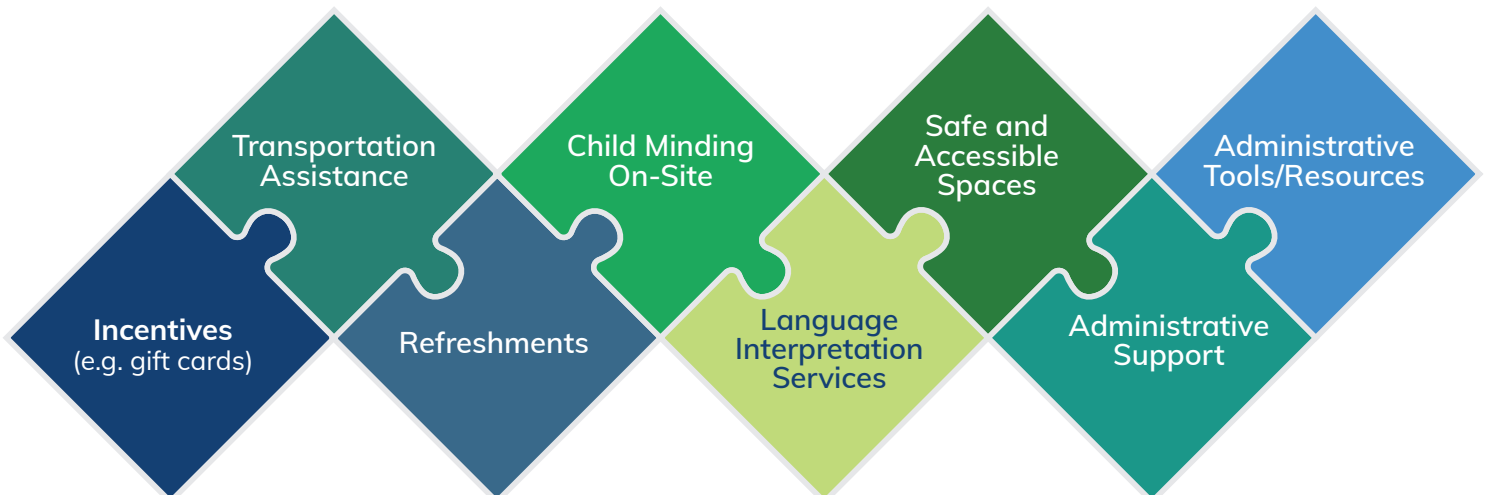
- Intended for families from priority populations serving children **below 6 years of age**.
- Engagement can be completed in any manner to best suit your organization's needs and the community you serve.
- Engagement must be completed using **informed consent** (e.g. written, verbal, or as relevant to the community you serve).
- In a collective commitment to **transparency**, the City of Hamilton and the partnering organization agree to share the outcome of this engagement and how it will be used.
- Engagement must be completed in a **safe and accessible** space.

The City of Hamilton is seeking the following information:

- Understanding child care needs (full or part-time, age of care, type of care)
- Types of child care preferences (home or centre-based)
- Resources that would better support finding or learning about child care options
- Previous attempts or challenges accessing quality child care
- Sense of belonging experienced in child care programs
- Culturally responsive programming
- Inclusion of children with differing abilities

City of Hamilton's Community Engagement Support

With your organization's guidance, we will make every effort to remove any possible barriers to community engagement based on your previous experiences with families, including:



After community engagement is completed, the City of Hamilton will:

- Accept and review the results of your engagement.
- Provide a report back to your organization and the families involved.
- Use the information to inform current and future child care expansion plans.

Organizational Considerations

- Do you have the willingness and capacity to take on this community engagement?
- Can you incorporate this engagement with an existing community event or initiative that is already scheduled to take place?
- What would you need from the City of Hamilton to make this a meaningful engagement opportunity for the population you serve?
- Can your organization commit to the timeline set out by the City of Hamilton?

Timeline

Our goal is to complete all community engagement by **October 2023**.

Next Steps

To move forward with this community engagement opportunity with us, please email cwelcc@hamilton.ca by end of day on **Monday, July 31, 2023**.

If you have additional questions or require further information please reach out to Kornelia Banach at Kornelia.Banach@hamilton.ca 905-546-2424 x 4881 or Brenda Bax at Brenda.Bax@hamilton.ca 905-546-2424 x 4120.

Thank you in advance for your consideration. We look forward to hearing from you.

Appendix B



Appendix B: City of Hamilton's Equity, Diversity, Inclusion and Belonging Policy

DRAFT COPY AS OF AUGUST 2023

The City of Hamilton's Early Years System Equity, Diversity, Inclusion and Belonging Policy

Policy Statement

The City of Hamilton's early years system believes that equity, diversity, inclusion and belonging is about creating a culture that embraces the uniqueness of individuals and is representative of Hamilton's population. We are committed to creating an inclusive environment that respects and honours the diversity in our community that includes but is not limited to citizenship, race, place of origin, ethnic origin, colour, ancestry, disability, age, creed, sex/pregnancy, family status, marital status, sexual orientation, gender identity and gender expression. We acknowledge the history of colonialism, systemic racism and discrimination in Canada and will work to create an early years system where everyone can experience a sense of belonging.

Why is Equity, Diversity, Inclusion and Belonging Important?

By supporting equity, diversity, inclusion and belonging in the early years system, we will be able to bring to life our vision of having all children, families and members of the workforce (including front line staff and management) experience a real, lived and ongoing sense of belonging. Furthermore, we will be able to support and develop a positive organizational culture in which individual differences and the contributions of all team members are recognized and valued.

Purpose

An equity, diversity, inclusion and belonging policy is intended to promote equity, diversity, inclusion and belonging throughout the system. The City of Hamilton's early years system is committed to equity, diversity, inclusion and belonging by implementing these principles through our policies, procedures, and practices to ensure that all people who participate or have a purposeful role in the early years system experience a real, lived and ongoing sense of belonging.

Scope

This policy applies to all members of the early years system including the City of Hamilton's Children's Community Services Division, EarlyON Child and Family Centres and Child Care operators, staff, caregivers/families, system leaders, organizations working within the early years system and persons participating in the early years system (e.g. volunteer, visitor, service provider, contractor).

Guiding Principles

- Every person who participates or has a purposeful role in the early years system will be treated with dignity and respect
- Every individual's identity, strengths, needs and abilities will be honoured and appreciated
- Any form of discrimination will not be tolerated
- The principles of equity, diversity and inclusion will be embedded in the early years system to ensure that every person can experience a real, lived and ongoing sense of belonging

Expectations for The City of Hamilton Early Years System

- Any person who participates or has a purposeful role in the early years system must be accepted and respected for their entire identity.
- Any form of discrimination including the ones on the following protected grounds will not be tolerated: citizenship, race, place of origin, ethnic origin, colour, ancestry, disability, age, creed, sex/pregnancy, family status, marital status, sexual orientation, gender identity and gender expression.

Responsibilities

All members of the early years system share the responsibility for creating an equitable, diverse, inclusive and belonging environment.

The City of Hamilton's Children's and Community Services Division is committed to:

- Creating opportunities for professional learning on equity, diversity, inclusion, belonging and accessibility topics for all employees
- Developing inclusive policies, procedures and practices
- Ongoing communication and dialogue with the community to help inform our work
- Using data-driven information to make evidence-informed decisions
- Working to identify and remove systemic barriers for the workforce and families

The early years system's organizations are committed to:

- Developing inclusive policies, procedures and practices
- Embedding culturally responsive pedagogy into programming
- Establishing an inclusive environment that is free of discrimination and harassment
- Fostering a positive workplace culture where everyone can experience a real, lived and ongoing sense of belonging
- Inclusion of all children regardless of ability, needs, gender, race, ethnicity, creed, and socioeconomic status
- Ongoing communication and dialogue with families to create an inclusive and belonging environment
- Participating in professional learning opportunities on equity, diversity, inclusion, belonging and accessibility topics

Definitions

- **Accessibility:** Inclusive practice of ensuring everyone along the continuum of human ability and experience can acquire the same information, engage in the same interactions, and enjoy the same services in an equally effective and integrated manner with substantially equivalent ease of use.
- **Belonging:** When each individual is supported, respected, and valued for their identity and unique traits that make them different from each other.¹ Belonging is usually the result of the level of inclusion an individual feels in their environment.²

- **Colonialism:** The historical practice of European expansion into territories already inhabited by Indigenous peoples for the purposes of acquiring new lands and resources. This expansion is rooted in the violent suppression of Indigenous peoples' governance, legal, social and cultural structures. Colonialism attempts to force Indigenous peoples to accept and integrate into institutions that are designed to force them to conform with the structures of the colonial state. "Colonialism remains an ongoing process, shaping both the structure and the quality of the relationship between settlers and Indigenous peoples." (TRC Final Report, 2016 What We Have Learned: Principles of Truth and Reconciliation)
- **Discrimination:** Discrimination is an action or a decision that treats a person or a group badly for reasons such as their race, age or disability. These reasons, also called grounds, are protected under the Canadian Human Rights Act. ³
- **Diversity:** The presence of a wide range of human qualities and attributes within a group, organization or society. The dimensions of diversity include, but are not limited to, ancestry, culture, ethnicity, gender, gender identity, language, physical and intellectual ability, race, religion, sex, sexual orientation, and socio-economic status. ⁴
- **Ethnic origin:** Refers to the ethnic or cultural origins of the person's ancestors. An ancestor is usually more distant than a grandparent. ⁵
- **Equity:** A condition or state of fair, inclusive, and respectful treatment of all people. Equity does not mean treating people the same without regard for individual differences. (Source: City of Hamilton corporate NEO)
- **Gender expression:** How a person publicly presents or expresses their gender. This can include behaviour and outward appearance such as dress, hair, make-up, body language and voice. A person's chosen name and pronoun are also common ways people express their gender. Others perceive a person's gender through these attributes. ⁶
- **Gender identity:** is each person's internal and individual experience of gender. It is a person's sense of being a woman, a man, both, neither, or anywhere along the gender spectrum. A person's gender identity may be the same as or different from their birth-assigned sex. ⁶
- **Inclusion:** is a collective term about creating a culture that strives for equity and embraces, respects, accepts and values difference. ⁷
- **Systemic Racism:** Systemic racism consists of organizational culture, policies, directives, practices or procedures that exclude, displace or marginalize some racialized groups or create unfair barriers for them to access valuable benefits and opportunities. This is often the result of institutional biases in organizational culture, policies, directives, practices, and procedures that may appear neutral but have the effect of privileging some groups and disadvantaging others. ⁸
- **Systemic Barriers:** Obstacles that exclude groups or communities of people from full participation and benefits in social, economic and political life. They may be hidden or unintentional but built into the way society works. Our assumptions and stereotypes, along with policies, practices and procedures, reinforce them. (City of Ottawa, Equity & Inclusion Lens Handbook, 2018)

Related Documents

Supporting documents:

- City of Hamilton Early Years System Equity, Diversity, Inclusion and Belonging Action Plan (in progress)

Complementary policies and procedures

- Inclusive Hiring Policy (to be developed)
- Anti-Discrimination and Anti-Harassment Policy (to be developed)
- Inclusion Policy (to be developed)

Relevant Legislation

- Charter of Human Rights
- Ontario Human Rights Code
- Accessibility for Ontarians with Disability Act
- City of Hamilton's Equity and Inclusion Policy
- Charter of Rights of Children & Youth
- Ensuring Equity for All Children and Families: An Equity and Engagement Framework
- City of Hamilton 2016 – 2025 Strategic Plan
- The Hamilton Early Years Community Plan 2016 – 2020

REFERENCES

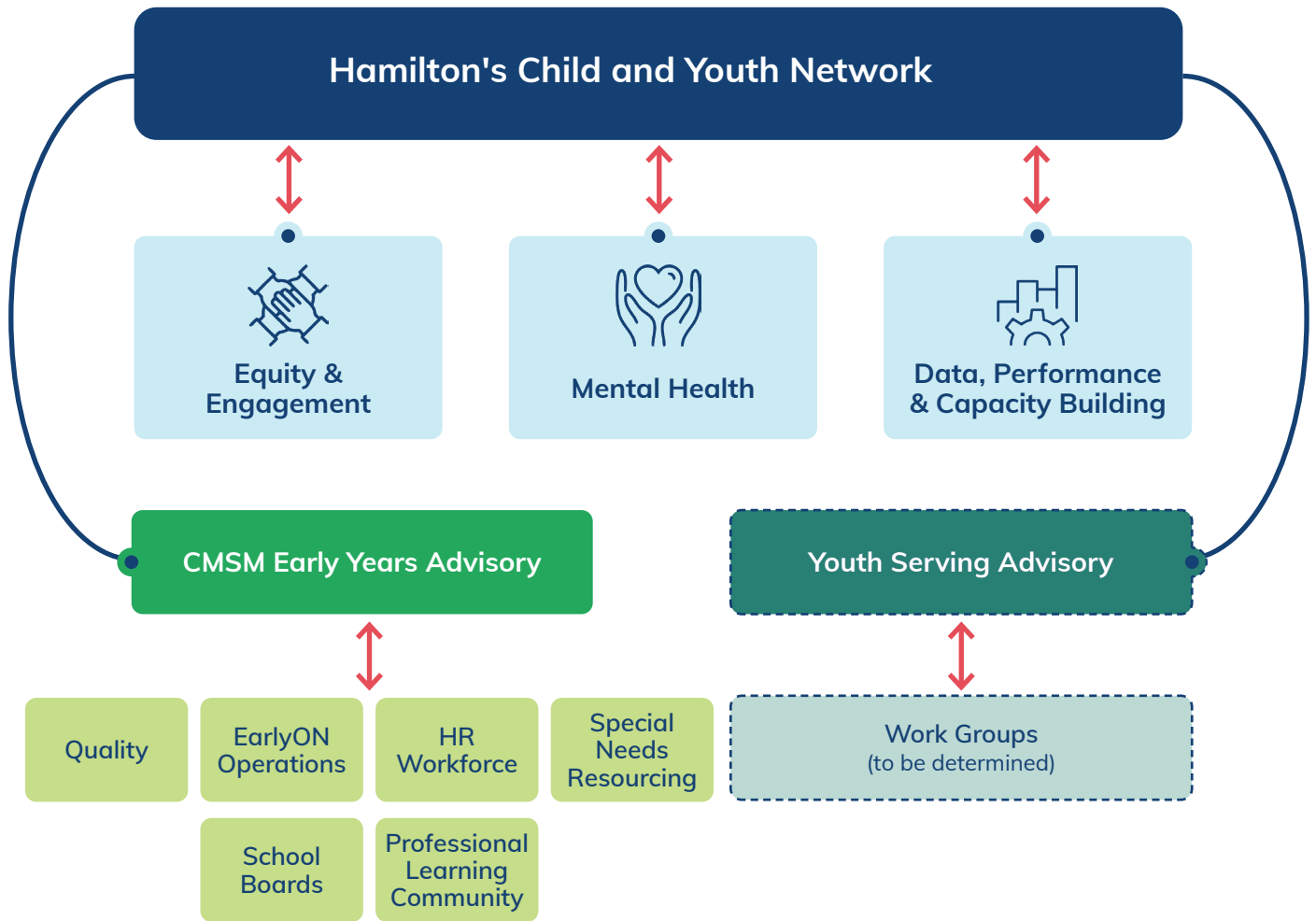
1. <https://policies.usask.ca/policies/health-safety-and-environment/fieldwork-and-associated-travel-safety.php#Purpose>
2. <https://peopleelement.com/overview-of-workplace-diversity-inclusion-and-belonging/>
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Appendix C



Appendix C: Hamilton's Early Years Organizing Structure

Proposed Early Years Organization Structure and Relationships



- Direct Reporting Relationship
- ↔ Indirect Relationship; alignment and support
- ⋯ Proposed Structure to Support Youth



End of Mortgage Strategy and Funding Model

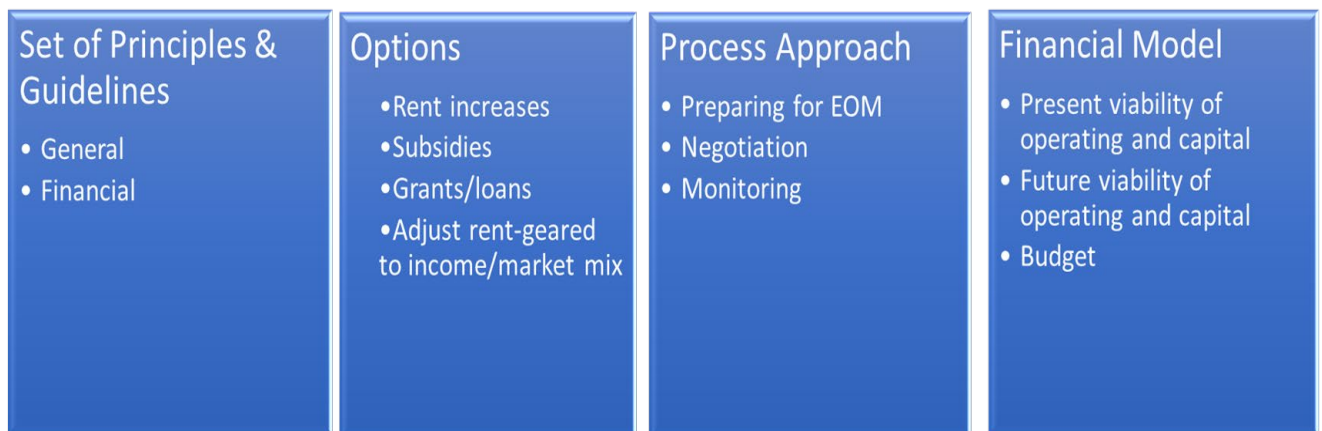
Introduction

The funding and governance of social housing is undergoing a fundamental shift in Ontario. Funding arrangements and obligations to provide rent-geared-to-income housing were contained in agreements that were tied to mortgages when social housing projects were built. Projects primarily funded by the federal government have almost no ongoing obligations once their mortgages end. Projects originally funded primarily by the provincial government must continue to provide rent-geared-to-income housing once their mortgage ends. The end of mortgage for these projects is accompanied by significant changes in their funding which creates uncertainty for the ongoing viability of their operations and capital asset.

The End of Mortgage Strategy developed by the City of Hamilton is defined by a key set of principles to guide negotiation of new agreements with housing providers. The strategy also outlines a process for working with Housing Providers to review the viability of their projects from an operating and capital perspective to determine financial supports that may be required.

The strategy for new agreements is comprised of four components: a set of principles and guidelines, funding options, a process approach, and a financial model.

Figure 1: Illustration of End of Mortgage Renewal Strategy Components



Strategy Principles

The principles explicitly acknowledge that the City of Hamilton will endeavor to retain all current social housing units. Through the establishment of principles and guidelines, the strategy aims to:

- Incentivize Non-Profit and municipally owned affordable housing providers to remain within the community housing portfolio thereby protecting existing rent-g geared-to-income tenancies/affordable housing
- Maximize funding for capital repair needs to address the growing gap between provider capital reserve funds and capital repair work required
- Support Exit and Service agreement negotiations
- Support the co-development of a financial plan that addresses both capital and operating needs of housing providers
- Support a new relationship with housing providers that is equitable and transparent

A full-list of the principles and guidelines developed to support this strategy are detailed below. ‘Subsidies’ specifically refer to City of Hamilton operating and capital subsidies, while ‘funding’ connotes multiple funding sources which could include, but is not limited to, the City of Hamilton:

General Principles

- Social housing is recognized as a valuable publicly funded asset.
- Efforts will be made by the City of Hamilton to retain all current social housing units at End of Agreement/End of Mortgage, and ideally increase the number of affordable housing units available.
- Funding arrangements will enable social housing to remain financially viable, affordable and in good repair.
- Subsidies must be flexible to adapt to varying realities and changing contexts.
- Subsidies will be based on demonstrated need and applied through a transparent funding approach.
- Subsidies will be distributed with consideration to both operating and capital needs and will be responsive to municipal financial constraints.
- Subsidies will incentivize Housing Provider investment and accountability to reduce operating costs (i.e., to maximize revenue sources/efficiencies).
- Subsidies will support housing provider accountability and autonomy.
- Equity will be directed to current project operating and capital needs prior to leveraging new builds. Surplus equity may be used to leverage development with Service Manager approval.

Funding Principles and Guidelines

- To address capital needs, multiple funding sources are required for the continuity of a social housing project.

- Financial viability is defined as a project having a surplus that can be used to address a portion of capital repair costs rather than breaking even.

Based on the funding principles stated above, a comprehensive funding model was developed to support the long-term financial sustainability of social housing. Guidelines were created to develop a standardized approach for determining rent increases, housing provider capital reserve contributions, management and goals for operating surplus, funding mechanisms to increase housing provider revenue, and distribution of City of Hamilton subsidies. This model and the underlying assumptions on which it is based is used to assess both operational and capital viability of a housing project.

Guidelines for Rent-Geared-to-Income Rent

- Rent for rent-geared-to-income tenants will continue to be determined by either minimum rent, benefit unit max shelter or 30% of income (line 23600 of Notice Of Assessment)
- Calculating rent-geared-to-income rent based on maximum shelter allowance under social assistance rather than rent-geared-to-income rent scales will apply to and be piloted with new rent-geared-to-income tenants only.

Guidelines for Provider Capital Reserve Contribution

- The capital reserve contribution determined for each housing project will increase annually based on Statistics Canada Residential Construction Cost Index to keep up with inflating construction costs.
- Contributions to the capital reserve fund will be incorporated into the financial plan and adjusted every five years (or more often if deemed necessary) based on the Building Condition Assessments (BCAs) and reserve fund analysis.
- Initial anticipated contributions to the reserve fund are based on the current contribution amount plus the building condition assessment/reserve fund analysis.
- The City of Hamilton may provide a subsidy towards capital reserve funds based on Housing Provider needs and City of Hamilton fiscal constraints

Guidelines for Operating Surplus

- The target operating surplus for housing providers is 5% of revenue, calculated without any City of Hamilton subsidies.
- Housing Providers with a cumulative operating surplus of greater than 30% of revenue will be directed to contribute the remaining amount to capital reserves with consideration given to contributing an even larger portion of the surplus where possible.
- If capital reserves are sufficiently funded, City of Hamilton subsidies may be recovered or reallocated to new development projects.

Guidelines for Tax Exemptions

- CityHousing Hamilton projects that receive property tax exemptions will continue to receive these exemptions.
- In general, new property tax exemptions will not be considered for Housing Providers. Subsidy that includes the amount needed to cover property tax may be considered where need is demonstrated.

Options

Depending on the housing provider’s net operating income and capital reserves, the following bundle of options, further described in the guidelines below, may be explored and/or applied:

- Rent-Geared-to-Income Subsidy/ Rent supplement
- Rent increases
- Obtaining a loan or refinancing
- Other external funding options grants
- City of Hamilton operating subsidy
- City of Hamilton capital subsidy
- City of Hamilton one-time capital injection
- Adjust rent-geared-to-income/market mix

Subsidies

The forms of subsidy and funding listed above will be considered based on the viability analyses conducted for each project. As baseline, housing providers who sign new operating agreements with the City of Hamilton will receive City of Hamilton rent-geared-to-income subsidies as per legislative requirements. The combination of the options to be used will ultimately depend on the housing project’s unique circumstances.

Rent-Geared-to-Income Subsidy from City of Hamilton

- A rent-geared-to-income subsidy or rent supplement that covers the difference between what the tenant pays and what the housing provider would otherwise receive for that unit, will be paid for automatically as baseline funding for housing providers who enter into new operating agreements with the City of Hamilton.

Rent increases

- Market rent units will be maintained at levels that are affordable to low- and moderate-income households
- Housing Providers will be encouraged to raise rents in housing projects with mixed market and rent-geared-to-income buildings to 80% of Average Market Rent (or higher as deemed necessary for viability and as is advisable based on anticipated tenant impact).

Refinancing/Grants/Loans

- All housing providers will be encouraged to apply for grants and encouraged to maximize multiple funding sources for viability
- Where it is advisable, the option of applying for mortgage refinancing will be recommended to housing providers who are eligible

City of Hamilton Operating Subsidy

- An operating subsidy above the rent-geared-to-income subsidy will be considered if deemed required with the expectation that the Housing provider will have a plan to become financially viable within a determined period of time to qualify. The additional subsidy is limited by the Housing Divisions Social Housing Providers Investment fund for Operating.

City of Hamilton Capital Funding

- The City of Hamilton will provide information to Housing Providers about funding mechanisms and programs that are available to the project.
- An additional one-time capital injection from the City of Hamilton will be considered where needed, based on the project's Proforma limited by the Housing Divisions Social Housing Providers Investment fund for Capital repairs.
- Capital needs far exceed available funding sources for most projects. Subsidies are intended to help bridge rather than close the gap. Opportunities for maximizing City of Hamilton administered capital funding will be explored.

Market/Rent-Geared-to-Income Mix

- Shifting current rent-geared-to-income and market mix is generally a last resort. The impact of changing targets will be considered with respect to the City of Hamilton's Service Level Standard obligations.

- For projects that are currently operating below rent-geared-to-income targets, an individualized approach will be implemented. Where feasible, projects will be brought up to target level.

The guideline below was developed to support vacancy loss and rent-geared-to-income reconciliation:

Vacancy Loss & Rent-Geared-to-Income reconciliation

- The Service Manager will pay for vacancy loss for a subsidized unit up to a one-month period. An annual reconciliation of vacancy loss and rent-geared-to-income subsidy will determine the amount to be recovered from or paid to the Housing Provider.

Approach

This section outlines the approach that will be used with each provider as they reach End of Mortgage. It is anticipated this process will be collaborative and supported by City of Hamilton staff.

Phase 1: Preparing for End of Mortgage

a) Education and Stakeholder Engagement

Housing Providers are expected to be knowledgeable about and prepared for End of Mortgage. Housing Providers are also expected to make sure that their members and or Board are equally well-versed on End of Mortgage issues. To ensure that housing providers are knowledgeable of End of Mortgage legislative changes, opportunities and how to prepare, the City of Hamilton sent End of Mortgage communique’s to housing providers, hosted update and engagement sessions, and shared available resources. Housing Officers have also been doing ongoing outreach to housing providers to ensure that they, and their stakeholders, are aware of the End of Mortgage regulations and the End of Mortgage dates of their specific housing projects.

b) Review of organization’s post-End of Mortgage vision and review of governance framework.

City Staff have encouraged Housing Providers to consider their organization’s post-End of Mortgage vision and to review their governance framework. Although the role of the Board remains the same post-End of Mortgage, the new community housing legislation allows for greater partnership between the Service Manager and Housing Provider. This new framework enables the Board to make

fresh decisions regarding the operations of their housing project. End of Mortgage also provides the opportunity for Boards to evaluate their capacity to continue as is or to take on planning or oversight of new or expanded activities.

- c) Identify and resolve issues listed in the Operational Review and determine how successful practices can continue

In preparation of End of Mortgage, Housing Officers are working with Housing Providers through their operational reviews to identify areas for improvement. As part of the Service Manager obligation to ensure that social housing providers are operating in compliance with the rules and regulations mandated by the Housing Services Act, Housing Administration Officers conduct operational reviews for each project every two to three years. This comprehensive review examines operating procedures including administration procedures, governance, financial management, resident relations, and maintenance management. Performance is measured against the requirements set out in the Housing Services Act and its associated regulations and rules. Discussions based on the results from the Operational Review enable Housing Providers to address how problematic difficulties can be resolved and how successful practices can continue, especially as projects approach End of Mortgage.

- d) Ensure projects have updated Building Condition Assessments

To prepare for End of Mortgage, Housing Providers have been made aware that updated Building Condition Assessments are required. The City has administered \$200,000 to date through the Canada Ontario Community Housing Initiative (COCHI) to fund twenty-five building condition assessments. The remaining providers will be funded through this year's COCHI allocation once approved. A Building Condition Assessment (BCA) report indicates repairs required for the housing project in both the short and long term, along with estimated cost of completing these repairs. A Building Condition Assessment report is a valuable tool in helping to determine capital repair needs and capital repair reserve contributions. All projects that are entering End of Mortgage must have a Building Condition Assessment that was completed within the 3 years before project review. As part of the new Service Agreement, Building Condition Assessments need to be completed again before the 5-year financial review.

Phase 2: Negotiation

The following steps will be followed by Housing Services Division staff at End of Mortgage as they undertake the negotiation of new agreements with housing providers.

- a) Review of portfolio and property financial health

Prior to conducting a viability analysis, Housing Services staff will review financial statements of the project with the Housing Provider to better understand sources of revenue and expenses. If the provider has external funding agreements for the project in question, the terms and conditions of these agreements will be reviewed and factored into the viability analysis.

b) Management of vacancies and rent

Staff will review chronic vacancies with housing providers and identify needs to ensure that units remain available. Rent-geared-to-income and market rent units will be discussed along with plans for future rent revenue for these units.

c) Property development plans

Providers will be encouraged to identify their longer-term goals regarding project and/or portfolio development. Opportunities to address these goals will be discussed.

d) Viability analyses

Viability analyses will be conducted by City of Hamilton staff in conjunction with Housing Providers to determine both operational and capital viability. A more detailed overview of the viability analyses is included below under the financial model and analysis.

e) Five-year financial plan

Housing Services Staff and the Housing Provider will jointly develop a 5-year financial plan. This plan will address how the housing provider's revenues will meet expenditures for the housing project, including projected capital expenditures. The plan will also address how rent for units will be set and will detail the City of Hamilton's financial obligations towards the project.

f) Operating Agreement

A standard Operating Agreement template has been developed by Legal Services. The regulations state that the minimum duration is ten years and that the financial plan must be reviewed at least every five years.

Phase 3: Monitoring and Review

a) Housing Provider Review Process

In general, projects that have reached End of Mortgage will be reviewed in chronological order. Housing Providers with multiple projects at End of Mortgage will have all projects reviewed at the same time.

Housing Providers with projects reaching End of Mortgage in the upcoming year will be contacted in September of the prior End of Mortgage year with a template and instructions outlining the process and data submission requirements.

b) Individual Project Financial Review

Housing Providers with multiple projects, i.e., a portfolio, typically pool their operating costs and capital reserves between projects. The viability analysis process requires a breakdown of finances on a per project basis. In recognition that our methodology for breaking down pooled costs may be imperfect, finance will review all portfolio projects at End of Mortgage after the first two years. As there is no perfect methodology to disaggregate costs for projects that are part of a portfolio, reviewing these projects within a two-year time frame will allow for the assumptions underpinning the model to be re-examined and adjusted as needed. For single project housing providers, the financial plan will be reviewed at the 5-year mark as per regulatory requirements. New Service Agreements will also contain the flexibility to re-visit the agreement earlier than obligated should the Service Manager feel this is required.

c) Budget Review

To ensure that our financial projections meet the needs of the City of Hamilton’s obligations under legislation, a review of the financial framework and funding model will occur after the first 5-year mark of this new framework, which aligns with the financial review of providers as per regulatory requirements.

Financial Model

This financial model, to be used during the negotiation phase, will guide the analyses of the housing project’s operating and capital viability.

Financial Model and Analysis

1) Determining the Financial State of a Project

Four factors will be reviewed to determine the financial state of the project at End of Mortgage:

- Revenue;
- Operating expenses;

- Current capital replacement reserve level; and
- Major costs of renovation/repair during the term of the agreement.

To help review the four factors listed above, the following information will be used:

- Building Condition Assessment;
- Assessment of rent-geared-to-income and market rents compared to average market rent;
- Financial statements for specific housing provider (e.g., Annual Information Returns, Rent rolls etc.); and,
- Debt-equity ratios to determine housing project eligibility and optimal loan amount for refinancing.

Prior to entering a new Service Agreement project data from the last one to three years based on actual rather than benchmark operating and capital amounts will be used to conduct an in-depth analysis of the project's financial viability. The analysis will reflect three time periods (present, 5-year and 10-year) and spanning three scenarios:

Scenario 1 - The first scenario will review the project's financial viability with all subsidies from the City of Hamilton removed. While rent-geared-to-income subsidies will be provided for housing providers to retain their housing projects within the community housing portfolio, providers wishing to exit would first be required to demonstrate their viability to operate and provide rent-geared-to-income subsidy to tenants without City of Hamilton assistance.

Scenario 2 – In the second scenario, a rent subsidy would be applied to all rent-geared-to-income units. A rent-geared-to-income subsidy is the minimum subsidy required under the Housing Services Act. If providers are funded sufficiently for both operating and capital requirements, then no further subsidy will be provided.

Scenario 3 - For projects whose operating or capital is not viable even with rent-geared-to-income subsidy, other funding options including City of Hamilton subsidies may be applied. In general, options available to the housing provider to increase revenue will be explored prior to service manager funding options.

An assessment tool based on an existing End of Framework assessment tool originally developed by Steve Pomeroy for the Canadian Housing and Renewal Association was created to help assess the financial impact and viability of housing projects at End of Agreement/End of Mortgage.

The tool undertakes two types of assessment: a) is the project viable, i.e., does it generate the operating surplus needed to be viable? b) is the project's capital reserve

adequate? If either operating or capital needs are not sufficiently viable, a bundle of options to increase revenue (as detailed above) will be reviewed with the Housing Provider.

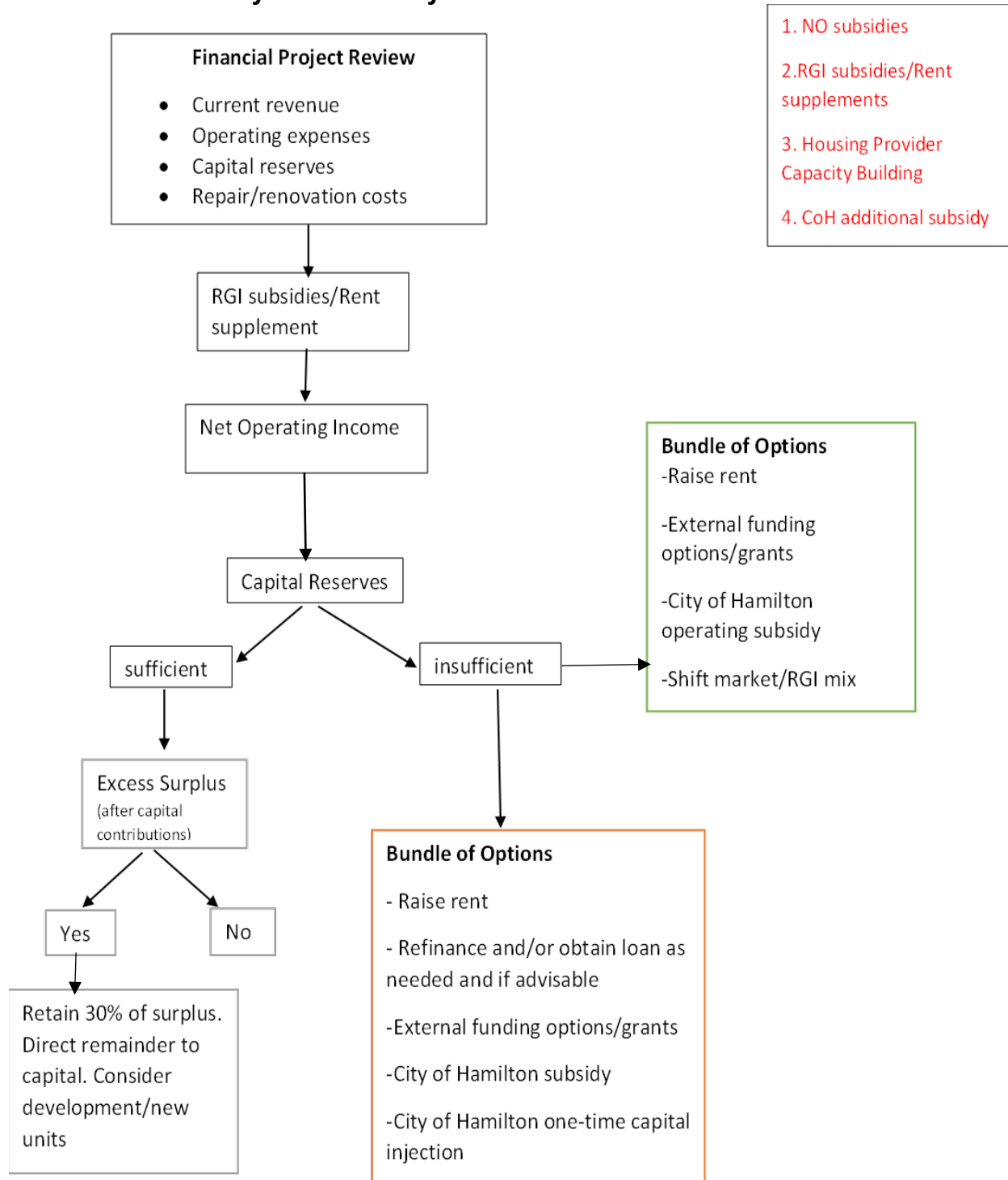
Each scenario will be projected to five and ten years with inflation factors applied to determine funding needs. As per legislative requirements, rent increases will follow provincial rent increase guidelines. Assumptions have been made around inflationary factors to project revenues and expenses over the 10-year span. Revenues will be projected based on the 5-year historical average of provincial indices for rent-geared-to-income rent, market rent and vacancy loss. Expenses (excluding Capital Reserve Contribution) will be projected based on the 5-year historical average of the City of Hamilton budget guidelines. The Residential Statistics Canada Construction Cost Index will be used to determine capital reserve contribution. The benchmark formula in the Housing Services Act for housing projects that have not yet reached end of mortgage uses the Canadian Price Index. However, the Canadian Price Index is not as robust to inflationary changes as the Residential Statistics Canada Construction Cost Index. The Residential Statistics Canada Construction Cost Index is used by Housing Services Corporation who is legislated in the Housing Services Act to assist housing providers and service managers. The increased contribution requirement for Housing Providers to their capital reserve will result in greater expenses and potentially cause a greater operating deficit for the project. This deficit is funded by the City of Hamilton through a subsidy and agreement with the provider to increase rents to ensure long-term viability where applicable and following an impact assessment of rent increases.

The model assumes that 5% of revenue is a reasonable target for operating surplus. Five percent is assumed to help providers meet the threshold of being financially viable rather than simply breaking even. Having a small amount of operating surplus is required for projects to respond to operating expenses that may not have been budgeted such as insurance claims, lawsuits, and unanticipated maintenance. An operating surplus is allocated to the operating reserve up to a capped amount. Monetary funds exceeding this percentage will be directed to capital reserves. Based on preliminary financial modeling, 30% of revenue is assumed as a viable operating reserve to cover three months of unplanned expenses. A cumulative accumulated surplus of greater than 30% will be directed to capital reserves.

Capital reserves should not be greater than the amount required to fund major capital repairs and replacement over a ten-year horizon. If the reserve exceeds this amount, Housing Providers will no longer be required to transfer operating reserves to capital and the City of Hamilton will stop providing operating subsidies. Should capital reserves be sufficiently funded, Housing Providers will be encouraged to invest in new developments or additional units. Preliminary analyses indicate that no housing projects should have over-funded capital reserves based on the proposed model.

The flow chart below outlines the options that will be considered for Housing Projects after a rent-geared-to-income subsidy is applied if operating income or capital reserves are either insufficient or sufficient.

Flow Chart- Project review and considerations for operating income or capital reserve insufficiency or sufficiency



City of Hamilton Budget/ Finance Strategy

Corporate Finance analyzed social housing's existing operating budget and projected a 10-year budget using a 5-year benchmark average. The base budget was then revised by the percentage of projects reaching End of Mortgage as these projects would be funded differently from those still under the previous Housing Services Act regulations. A rent-gear-to-income City of Hamilton subsidy was applied automatically to projects at End of Mortgage. Based on a preliminary generalized analysis, and attributing 5% for operating surplus per project, the City of Hamilton anticipates staying within the operating base budget.

Capital was then examined for the multi-unit projects reaching End of Mortgage and CityHousing multi-unit projects at both End of Mortgage and End of Agreement. Capital needs for the single and semi-detached units were not reviewed as building condition assessments for these properties were not available. Current projections are based on high level assumptions. As more sophisticated information is worked through forecasts may change. The analysis suggests that additional municipal funding is required to help meet the extensive capital repair needs of our aging social housing stock. The majority of Social Housing Providers currently have an accumulated backlog of repairs requiring completion, reflecting the insufficiency of the previous funding formula. Based on 2016 Building Condition Assessments, reports that indicate repairs required for the housing project in both the short and long term, along with estimated cost of completing these repairs, the estimated amount for Social Housing Providers to address their capital costs is \$643M.

Recognizing that a substantial municipal investment is required to address a portion of the capital repair costs, while simultaneously acknowledging finite resources and the need for Housing Providers to obtain additional funding through various sources, the City of Hamilton is proposing to partially bridge the capital repair costs by contributing 25% of capital repair costs to support and maintain units. Twenty four percent or 153M would be included in the levy based over the next 10 years, through an enhancement of 5.1M for four years to increase the base to 20.4 million. The other 1% would be derived from the Annual Municipal Social Housing Capital Repairs and Regeneration funding. The remaining 75% would be funded by providers internal financing, through a bundle of options including Canada Mortgage and Housing Corporation loans/grant requests and other Provincial funding such as Canada-Ontario Community Housing Initiative.

The chart below details the funding request and the current funding sources available to Housing Providers at End of Mortgage:

Chart 1: Capital Needs, Funding Request and Sources at End of Mortgage

2023-2032		Notes
Capital		
Building Condition Assessments (BCAs)	643,000,000	Based on 2016 BCAs
Subtotal- capital needs	643,000,000	May vary based on updated BCAs
Funding Sources		
Provider – Capital Reserves		Will vary depending on base and financial situation
Provider- Loan/refinancing		Depends if eligible and advisable
Provider Grant/COCHI		Depends if eligible and awarded
Annual Municipal Social Housing Capital Repairs and Regen 6730041000	7,319,000	Approval pending through annual Capital budget process. \$7.319M is the cumulative projection of requests for 2023-2032
Levy Base Request in recommendation (c)	153,000,000	5.1M annual enhancement from 2024-2027, cumulative \$51M. Ongoing base of \$20.4M 2028-2032, cumulative \$102M *See Note 1 below
City of Hamilton Contribution at ~25%	160,319,000	~25% = 160,319,000/643,000,000

Note 1

Year	2024	2025	2026	2027	2028	2029	2030	2031	2032	Total
Levy Increase	\$5.1M	\$5.1M	\$5.1M	\$5.1M	0	0	0	0	0	\$20.4M
Levy Base	\$5.1M	\$10.2M	\$15.3M	\$20.4M	\$20.4M	\$20.4M	\$20.4M	\$20.4M	\$20.4M	\$153M

While legislation only requires Service Managers to fund rent-geared-to-income assistance and not capital repair costs, Service Managers are required to fund projects in a manner that ensures that the project can be sustained and is viable. Without

sufficient funding from the municipality, the City of Hamilton risks losing more affordable housing within our geographical boundary.

Principles
Integrity

City of Hamilton

Integrity Commissioner's Recommendation Report

Complaint Involving the Chair of the

Advisory Committee for Persons with Disabilities

October 19, 2023

Introductory Comments

- [1] Principles *Integrity* was appointed the Integrity Commissioner for the City of Hamilton in July 2018. We are also privileged to serve as Integrity Commissioner for a number of Ontario municipalities. The operating philosophy which guides us in our work with all of our client municipalities is this:

The perception that a community's elected representatives are operating with integrity is the glue which sustains local democracy. We live in a time when citizens are skeptical of their elected representatives at all levels. The overarching objective in appointing an Integrity Commissioner is to ensure the existence of robust and effective policies, procedures, and mechanisms that enhance the citizen's perception that their Council and local boards meet established ethical standards and where they do not, there exists a review mechanism that serves the public interest.

- [2] The Municipal Act requires that municipalities adopt codes of conduct for members of Council and for the people appointed by council to the variety of committees and other bodies that serve Council. The Act also requires that municipalities appoint an Integrity Commissioner responsible for overseeing the application of the applicable codes of conduct.
- [3] The City of Hamilton's Advisory Committee for Persons with Disabilities (the ACPD) is subject to a Code of Conduct and oversight by the Integrity Commissioner.
- [4] Integrity Commissioners carry out a range of functions for municipalities. They assist in the development of the ethical framework, for example by suggesting content or commentary for codes of conduct. They conduct education and training for members and outreach for the community. One of the most important functions is the provision of advice and guidance to members to help sort out ethical grey areas or to confirm activities that support compliance. And finally, but not principally, they investigate allegations that a member has fallen short of compliance with the municipality's ethical framework and where appropriate they submit public reports on their findings, and make recommendations, including

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recommending sanctions, that council for the municipality may consider imposing in giving consideration to that report.

- [5] Our role differs from other ‘adjudicators’ whose responsibilities generally focus, to state it colloquially, on making findings of fact and fault. While that is a necessary component when allegations are made, it is not the only component.
- [6] Our operating philosophy dictates the format of this report. The tenets of procedural fairness require us to provide reasons for our conclusions and recommendations, and we have done that. Procedural fairness also requires us to conduct a process where parties can participate in the review and resolution of a complaint.
- [7] In this regard, we have assessed the information fairly, in an independent and neutral manner, and have provided an opportunity to the respondent named in this Report to respond the allegations, and to review and provide comment on the preliminary findings.

The Complaint

- [8] On February 15, 2023 we received a complaint submitted to us by the City Clerk, forwarding an Investigation Report dated January 24, 2023 in which the City’s Human Rights and Workplace Harassment Investigator reported to senior management following complaints and counter-complaints between the Vice-Chair and the Chair of the ACPD, recommending referral of the matter to the Integrity Commissioner.
- [9] The initial investigation by Human Resources staff was undertaken in accordance with the City’s harassment and discrimination prevention policies, during the period of the election hiatus (August 2022- October 2022) during which period the Integrity Commissioner is unauthorized, under the Municipal Act, to receive and administer inquiries.
- [10] Both members were advised of the findings and the impact of their actions and behaviour in writing on October 27, 2022, advised that their manner of interacting was less than optimal for individuals in a leadership role, and cautioned that further behaviour might constitute a policy violation.
- [11] On October 30, 2022 both parties raised renewed concerns regarding recent interactions with each other.
- [12] Following further investigation and meetings by the Human Resources and Workplace Harassment Investigator, it was determined that the Chair, Aznive Mallett, had engaged in conduct ‘concerning for a leader and member of an advisory committee’ and in violation of the City’s harassment and discrimination

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prevention policies. The Investigator recommended referring the matter to the Integrity Commissioner for follow up action as deemed appropriate.

- [13] While Human Resources staff provided us with the file documents, recognizing that members of advisory committees are entitled to procedural fairness by the Integrity Commissioner – particularly where removal might be recommended - we determined that we had an obligation to notify the Chair and the Vice Chair of our involvement.
- [14] In initiating a renewed investigation, we emphasized with both members the desire to find a resolution to the concerns without need for a public Recommendation Report to Council.
- [15] Despite our efforts in attempting to achieve an informal resolution, we now advise that no such resolution was able to be achieved, and therefore we have no alternative but to provide this public Report to Council.

Process Followed for the Investigation

- [16] Our investigation was governed by the principles of procedural fairness. This fair and balanced process includes the following elements:
- Reviewing the Complaint to determine whether it is within scope and jurisdiction and in the public interest to pursue, including giving consideration to whether the Complaint should be restated or narrowed, where this better reflects the public interest
 - Notifying the Respondent (the Chair) that we would be investigating the complaint and providing her a full opportunity to respond
 - Reviewing the initial investigation report, reviewing emails and other documentation, reviewing livestreamed recordings of ACPD meetings, and interviewing the parties to the complaint as well as other persons with relevant information
 - Providing the Respondent with an opportunity to review and provide comments on our preliminary Report
 - Finalizing our Recommendation Report and transmitting it to the Respondent, the Complainant, and to Council.

Background and Facts:

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- [17] The Respondent, Aznive Mallett, is the Chair of the ACPD. The Complainant, James Kemp, is the Vice-Chair.
- [18] Aznive Mallett advised us that she has been a member of the ACPD for the past approximately 5 terms of Council and Chair for the past 3 terms.
- [19] James Kemp was first appointed a member of the ACPD in 2019.
- [20] The ACPD meets monthly for approximately 2 hours.
- [21] The ACPD also has 7 Working Groups, comprised of selected members of the ACPD. Each of the Working Groups also meet monthly for approximately 2 hours each.
- [22] Aznive Mallett sits on 6 of the Working Groups.
- [23] During the 2021-2022 timeframe, the Respondent and the Vice-Chair engaged in disrespectful conduct, curt and rude exchanges, both in person during meetings and in email communications.
- [24] We have found, as did the Human Resources Investigator, that the Respondent has engaged in conduct which violates the City's harassment and discrimination prevention policies, and which constitutes a breach of the Code of Conduct.
- [25] Examples of this include the Respondent cutting-off and answering for the Vice-Chair; sending curt, rude and hostile emails to the Vice-Chair; commenting on more than one occasion that the Vice-Chair *needs counselling*; provoking conflict and generally belittling him.
- [26] The Vice-Chair told us that over the past year and a half it has been getting progressively worse.
- [27] The Vice-Chair has recognized and has shown contrition with respect to occasions when he has been triggered by the Chair's comments, and responded in kind.

Relevant Policy Provisions: Advisory Committee Handbook and Code of Conduct

- [28] The Code of Conduct in place when the Human Resources investigation was conducted included the following:

Appointees shall act with honesty and integrity including:

- Acting in a manner that contribute to the public's confidence in the Advisory Committee or Task Force; and
- Not engaging in conduct that may, or may appear to, constitute an abuse of their position as an Appointee.

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Collegiality

Appointees shall respect and co-operate with other Appointees and the Advisory Committee or Task Force staff.

[29] On January 19, 2022 Council passed a resolution adopting a new Code of Conduct for Local Boards, delaying implementation of its enforceability until April 30, 2023.

[30] The recently-enacted Code of Conduct for Local Boards, now in full force and effect, provides as follows:

Rule 11: Respectful Workplace

Members are governed by the workplace harassment and workplace violence policies in place for staff, recognizing that integrity commissioner is responsible for the administration and investigation of complaints.

All Members have a duty to treat members of the public, one another and staff appropriately and without abuse, bullying or intimidation and to ensure that their work environment is free from discrimination and harassment.

Findings:

[31] Based on our review of the past investigation, and having conducted our own interviews with both the Respondent and the Vice-Chair as well as other persons with relevant information, we find that the complaints concerning the Chair are generally substantiated.

[32] We find that the Respondent's conduct towards the Vice-Chair represents bullying and harassment contrary to the City's harassment policies in breach of the previous Code of Conduct and the current Code of Conduct for Local Boards.

[33] The Respondent's conduct makes it intolerable for the Vice-Chair to participate productively on the ACPD, and condoning on-going harassment by the Respondent bears on the public's confidence.

[34] Our attempts to find an amicable and workable resolution have been unsuccessful. The Respondent, for example, has refused to take responsibility for any of the difficulties being experienced by the Committee and has made no commitment to improve the working relationship with the Vice-Chair. In our view there exists an attitude of entitlement which is interfering with the proper governance of the Committee.

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[35] In the interest of ensuring a productive and respectful environment at the ACPD, having considered the external investigation report and our own review of the matter, and despite the Chair's longstanding membership on the Committee, it is our observation that a significant change in the Committee's leadership should be undertaken.

Recommendations and Concluding Remarks:

[36] Though the Chair has made valuable contributions through her longstanding membership on the Committee and her leadership as Chair for three terms, it is a Chair's responsible to set a respectful tone in order to 'quarterback' the contributions of a committee's membership.

[37] We understand that experience serving on an advisory committee or local board may be seen as a benefit, however, long-serving citizen appointees may come to expect re-appointment term after term, whereas it behooves Council and the community to provide opportunities for others to serve in this capacity, despite a learning curve in the initial months.

[38] Although there are no term limits to such appointments, the number of consecutive terms served by appointees should likely be a relevant factor in Council's consideration on citizen appointments.

[39] Further, where there exists such a significant body of work that an advisory committee must put in place half a dozen permanent Working Groups composed of members of the same advisory committee, it may be desirable for Council to re-consider the mandate of the advisory committee.

[40] With respect to the well-functioning of the ACPD, we are recommending that the Respondent not continue as a member of that committee.

[41] Under the Municipal Act, an Integrity Commissioner may recommend remedial measures which Council may impose, including removal of a citizen appointee from a committee.

[42] In the event that the Respondent does not resign before this Report is considered by Council, we are recommending that the Respondent be removed (either through revocation of her appointment or by non-renewal of her appointment, as necessary).

[43] Accordingly, it is recommended:

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1. That in the event Aznive Mallett has not resigned her appointment to the Hamilton Advisory Committee for Persons with Disabilities by the date this Report is considered by Council, that Council not re-appoint her or revoke her appointment, as necessary.

All of which is respectfully submitted,
Principles *Integrity*



Hamilton

**SELECTION COMMITTEE
FOR
AGENCIES, BOARDS AND SUB-COMMITTEES
REPORT 23-013
12:00 p.m.
October 23, 2023
Room 264, 2nd Floor
City Hall**

Present: Councillors C. Cassar (Chair) C. Kroetsch, N. Nann, M. Tadeson,
A. Wilson and M. Wilson

**Absent
with regrets:** Councillors B. Clark and T. Jackson – Personal

**THE SELECTION COMMITTEE PRESENTS REPORT 23-013 AND RESPECTFULLY
RECOMMENDS:**

1. **Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees (Item 4.4)**
 - (a) That the directions provided to staff in Closed Session respecting the Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees, be approved; and
 - (b) That the details of the Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees remain confidential.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

The agenda for the October 23, 2023 meeting of the Selection Committee for Agencies, Boards and Sub-Committees was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor C. Kroetsch declared a disqualifying interest in regards to an applicant during the Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees, as he has socially significant relationship with the applicant and vacated the meeting room during the discussion.

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

The following Minutes of the Selection Committee for Agencies, Boards and Sub-Committees, be approved:

- (i) October 10, 2023 (Item 3.1)
- (ii) October 12, 2023 (Item 3.2)
- (iii) October 13, 2023 (Item 3.3)

(d) PRIVATE & CONFIDENTIAL (Item 4)

(i) That the following Closed Session Minutes of the Selection Committee for Agencies, Boards and Sub-Committees, be approved:

- (i) October 10, 2023 (Item 4.1)
- (ii) October 12, 2023 (Item 4.2)
- (iii) October 13, 2023 (Item 4.3)

(ii) That the Committee move into Closed Session for Item 4.4, respecting the Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees, Section 9.3 Sub-section (b) of the City's Procedural By-law 21-021, as amended, and Section 239(2) Sub-section (b) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual.

(iii) Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees (Item 4.4)

For further disposition, refer to Item 1.

(e) ADJOURNMENT (Item 6)

There being no further business, the Selection Committee adjourned at 5:32 p.m.

Respectfully submitted,

Councillor C. Cassar, Chair
Selection Committee

Loren Kolar
Legislative Coordinator
Office of the City Clerk



City of Hamilton
**HAMILTON RENEWABLE POWER INC.
 SHAREHOLDER ANNUAL GENERAL MEETING
 REPORT 23-001**

9:30 am
 Monday, October 23, 2023
 Council Chambers, Hamilton City Hall, 2nd Floor
 71 Main Street West, Hamilton, ON

Present: Mayor A. Horwath
 Councillor T. Hwang (Acting Deputy Mayor)
 Councillors J. Beattie, C. Cassar, B. Clark, J.P. Danko, M. Francis,
 T. McMeekin, E. Pauls, M. Spadafora, A. Wilson and M. Wilson

Absent: Councillors C. Kroetsch, N. Nann, and M. Tadeson – City Business
 Councillor T. Jackson - Personal

THE HAMILTON RENEWABLE POWER INC. SHAREHOLDER PRESENTS REPORT 23-001 AND RESPECTFULLY RECOMMENDS:

1. **Hamilton Renewable Power Inc. Board of Directors Report 23-001 - February 24, 2023 (Item 4.1)**
 - (a) **APPOINTMENT OF CHAIR & VICE CHAIR (Item 1)**
 - (i) That C. Cassar be appointed as the of Chair of the Hamilton Renewable Power Inc. Board of Directors for 2022-2026 term; and,
 - (ii) That M. Tadeson be appointed as the Vice-chair of the Hamilton Renewable Power Inc. Board of Directors for the 2022-2026 term.
 - (b) **Resolutions of the Hamilton Renewable Power Inc. Board of Directors (Item 7.1)**
 - (i) **Appointment of Officer**
 - (1) That Carlyle Khan, having consented to act as President of the Corporation, is hereby appointed as President of the Corporation commencing on the date hereof and continuing thereafter until their successor is duly appointed.

(ii) Extension of Toromont Maintenance Services Agreement

- (1) WHEREAS the decision to allow the Corporation to execute an amending agreement in order to extend the term of the Maintenance Services Agreement between the Corporation and Toromont Inc. (the “Agreement”, attached hereto as Schedule “A”) is a business decision to be approved by the Board of Directors by written resolution signed by all the Directors entitled to vote on such resolution at a meeting of the Board of Directors;

THEREFORE BE IT RESOLVED:

That the Directors of the Corporation hereby authorize and direct the President of the Corporation to execute, on behalf of the Corporation, together with all necessary ancillary documents, the Agreement.

(iii) Confirmatory Actions

- (1) That the officers of the Corporation are, and each acting alone is, hereby authorized to do and perform any and all such acts, including execution of any and all documents and certificates, as such officers shall deem necessary or advisable, to carry out the purposes and intent of the foregoing resolutions.
- (2) That any actions taken by such officers prior to the date of the foregoing resolutions adopted hereby that are within the authority conferred thereby are hereby ratified, confirmed and approved as the acts and deeds of the Corporation.

2. Hamilton Renewable Power Inc. Board of Directors Report 23-002 – June 26, 2023 (Item 4.2)

(a) Hamilton Renewable Power Inc. (HRP Inc.) Operating and Financial Update (Item 5.1)

- (i) That the Information Report respecting Hamilton Renewable Power Inc. (HRP Inc.) Operating and Financial Update, be received; and
- (ii) That staff be requested to report back by Q1 2024 with the strategy that will guide Hamilton Renewable Power Incorporated Board of Directors during the consideration of the future status of Hamilton Renewable Power Inc.

(b) Hamilton Renewable Power Inc. (HRP Inc.) Resolutions (Item 6.1)

Hamilton Renewable Power Inc. Board of Directors Resolutions;
Hamilton Renewable Power Inc. 2022 Audited Financial Statements; and
Hamilton Renewable Power Inc. 2023 Draft Budget

(i) 2022 AUDITED FINANCIAL STATEMENTS

- (1) BE IT RESOLVED that the audited financial statements for the 2022 fiscal year (attached hereto as Schedule "A") be approved.

(ii) 2023 BUDGET

- (1) BE IT RESOLVED that the 2023 budget (attached hereto as Schedule "B") be approved and adopted.

(iii) APPOINTMENT OF OFFICERS

- (1) BE IT RESOLVED that Indra Maharjan, having consented to act as Senior Vice-President of the Corporation, is hereby appointed as Senior Vice-President of the Corporation commencing on June 26, 2023 and continuing thereafter until their successor is duly appointed.

(iv) CONFIRMATORY ACTIONS

- (1) BE IT RESOLVED that the officers of the Corporation are, and each acting alone is, hereby authorized to do and perform any and all such acts, including execution of any and all documents and certificates, as such officers shall deem necessary or advisable, to carry out the purposes and intent of the foregoing resolutions.
- (2) BE IT FURTHER RESOLVED that any actions taken by such officers prior to the date of the foregoing resolutions adopted hereby that are within the authority conferred thereby are hereby ratified, confirmed and approved as the acts and deeds of the Corporation.
- (3) THE FOREGOING RESOLUTIONS are hereby consented to by all of the directors of the Corporation pursuant to the *Business Corporations Act* (Ontario), R.S.O. 1990, c. B.16, as evidenced by such directors' signatures hereto.

3. Receive the Consolidated Financial Statements of the Corporation for the year ended December 31, 2022; Receive the 2023 Budget of the Corporation; Receive Board of Directors' Resolutions; and Appointment of the Auditors (Item 6.1)

WHEREAS the City of Hamilton is the sole shareholder of the Corporation ("Shareholder")

AND WHEREAS by Section 203 (1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, the City of Hamilton is authorized to hold the shares in the Corporation and to exercise the rights attributed thereto;

AND WHEREAS the Council of the City of Hamilton are sitting as representatives of the Shareholder (City of Hamilton) for the Corporation;

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

(a) Receive the Consolidated Financial Statements of the Corporation for the year ended December 31, 2022

BE IT RESOLVED THAT the audited Consolidated Financial Statements of the Corporation for the year ended December 31, 2022, a copy of which is attached hereto, as approved by the Board of Directors of the Corporation, is received by the Shareholder.

(b) Receive the 2023 Budget of the Corporation

BE IT RESOLVED THAT the 2023 budget of the Corporation, a copy of which is attached hereto, as approved by the Board of Directors of the Corporation, is received by the Shareholder.

(c) Receive Board of Directors' Resolutions

BE IT RESOLVED THAT the February 24, 2023 Board of Directors' Resolution, a copy of which is attached hereto, is received by the Shareholder.

BE IT RESOLVED THAT the June 26, 2023 Board of Directors' Resolution, a copy of which is attached hereto, is received by the Shareholder.

(d) Appointment of the Auditors

Appointment of auditors of the Corporation:

- Auditor continues until appointed or changed; and
- Board of Directors satisfied with service provided by KPMG as auditors.

Council – October 25, 2023

BE IT RESOLVED THAT KPMG LLP, Chartered Accountants, are appointed auditors of the Corporation for the fiscal year 2023, at a remuneration to be settled by the President of the Corporation, unless the President deems it necessary to appoint different auditors.

(e) Ratification

BE IT RESOLVED THAT all by-laws, resolutions, contracts, acts, and proceedings of the Board of Directors, Shareholder and Officers of the Corporation enacted, passed, made, done or taken since the last meeting of the Shareholder as the same are set forth or referred to in the minutes of the Corporation or in the financial statements submitted to the Shareholder are hereby approved, ratified, sanctioned and confirmed.

THE FOREGOING RESOLUTIONS are hereby consented to by the Shareholder of the Corporation pursuant to the provisions of the *Business Corporation Act* (Ontario).

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 1)

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

CHANGE TO THE ORDER OF ITEMS:

That the Staff Presentation, Item 5.1 – Hamilton Renewable Power Inc. – 2023 Annual General Meeting be move up on the agenda to be heard immediately following Approval of the Minutes of the Previous Meeting, Item 3.1 - September 13, 2022.

The agenda for the October 23, 2023 meeting of the Hamilton Renewable Power Inc. Shareholder, was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) September 13, 2022 (Item 3.1)

The Minutes of the September 13, 2022 meeting of the Hamilton Renewable Power Inc. Shareholder, were approved, as presented.

(d) STAFF PRESENTATIONS (Item 5)

(i) Hamilton Renewable Power Inc - 2023 Annual General Meeting (Item 5)

Carlyle Kahn, General Manager, Public Works, provided opening remarks and introduced Indra Maharjan, Director of Corporate Facilities & Energy Management, and Isabella Herman, Senior Financial Analyst, who provided Committee with a presentation respecting Hamilton Renewable Power Inc - 2023 Annual General Meeting.

The staff presentation respecting Hamilton Renewable Power Inc - 2023 Annual General Meeting, was received.

(e) ADJOURNMENT (Item 9)

There being no further business, the Hamilton Renewable Power Inc. Shareholder, adjourned at 10:12 a.m.

Respectfully submitted,

Acting Deputy Mayor Tammy Hwang
Chair, Sole Voting Member
Hamilton Farmers' Market

Angela McRae
Legislative Coordinator
Office of the City Clerk



City of Hamilton
**HAMILTON STREET RAILWAY COMPANY
 SHAREHOLDER ANNUAL GENERAL MEETING
 REPORT 23-001**

10:20 am

Monday, October 23, 2023

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

Present: Mayor A. Horwath
 Councillor T. Hwang (Acting Deputy Mayor)
 Councillors C. Cassar, B. Clark, J.P. Danko, E. Pauls, M. Spadafora,
 A. Wilson and M. Wilson

Absent: Councillors J. Beattie, M. Francis, C. Kroetsch, N. Nann, and
 M. Tadeson – City Business
 Councillors T. McMeekin, and T. Jackson - Personal

**THE HAMILTON STREET RAILWAY COMPANY SHAREHOLDER PRESENTS
 REPORT 23-001 AND RESPECTFULLY RECOMMENDS:**

1. Audit Exemption and Confirmatory Actions (Item 5.1)

WHEREAS City of Hamilton is the sole and beneficial shareholder of the Corporation (“Shareholder”);

AND WHEREAS City of Hamilton is authorized to hold shares in the Corporation and to exercise the rights attributed thereto, pursuant to Subsection 11.9(1) of the City of Hamilton Act, 1999, S.O. 1999, c.14, Sched. C (“Act”), but the Corporation is not an Offering Corporation within the meaning ascribed to that term in the Business Corporations Act, R.S.O. 1990, c. B.16 (“OBCA”);

AND WHEREAS City of Hamilton has a duty to manage the affairs of the Corporation, pursuant to Subsection 11.9(2) of the Act;

AND WHEREAS the Council of the City of Hamilton are sitting as representatives of the Shareholder (City of Hamilton) for the Corporation;

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

(a) AUDIT EXEMPTION

BE IT RESOLVED THAT, in accordance with the provisions of the OBCA, the Shareholder hereby consents to the Corporation being exempt from the requirements of Part XII of the OBCA regarding the appointment and duties of an auditor for the financial year of the Corporation ending December 31, 2022.

(b) CONFIRMATORY ACTIONS

BE IT RESOLVED THAT the officers of the Corporation are, and each acting alone is, hereby authorized to do and perform any and all such acts, including execution of any and all documents and certificates, as such officers shall deem necessary or advisable, to carry out the purposes and intent of the foregoing resolutions.

BE IT FURTHER RESOLVED THAT any actions taken by such officers prior to the date of the foregoing resolutions adopted hereby that are within the authority conferred thereby are hereby ratified, confirmed and approved as the acts and deeds of the Corporation.

THE FOREGOING RESOLUTIONS are hereby consented to by the Shareholder of the Corporation pursuant to the provisions of the OBCA.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 1)

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

The agenda for the October 23, 2023 meeting of the Hamilton Street Railway Company Shareholder, was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) September 13, 2022 (Item 3.1)

The Minutes of the September 13, 2022 meeting of the Hamilton Street Railway Company Shareholder, were approved, as presented.

(d) ADJOURNMENT (Item 9)

There being no further business, the Hamilton Street Railway Company Shareholder, adjourned at 10:25 a.m.

Respectfully submitted,

Acting Deputy Mayor Tammy Hwang
Chair, Sole Voting Member
Hamilton Farmers' Market

Angela McRae
Legislative Coordinator
Office of the City Clerk



Hamilton

**SELECTION COMMITTEE
FOR
AGENCIES, BOARDS AND SUB-COMMITTEES
REPORT 23-014
12:00 p.m.
October 24, 2023
Room 264, 2nd Floor
City Hall**

Present: Councillors C. Cassar (Chair), N. Nann, M. Tadeson, A. Wilson and M. Wilson

**Absent
with regrets:** Councillors B. Clark and T. Jackson – Personal; Councillor C. Kroetsch – City Business

THE SELECTION COMMITTEE PRESENTS REPORT 23-014 AND RESPECTFULLY RECOMMENDS:

1. **Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees (Item 4.1)**
 - (a) That the directions provided to staff in Closed Session respecting the Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees, be approved; and
 - (b) That the details of the Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees remain confidential.
2. **Amendments to the Terms of Reference for Various Sub-Committees**
 - (a) That the following Committees' Terms of Reference, be amended to reflect the following membership compositions:
 - (i) Knowles Bequest Trust - four (4) citizen members;
 - (ii) Cleanliness and Security in the Downtown Task Force – three (3) citizen members;
 - (iii) Hamilton Municipal Heritage Committee – seven (7) citizen members

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

The agenda for the October 24, 2023 meeting of the Selection Committee for Agencies, Boards and Sub-Committees was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no Declarations of Interest.

(c) PRIVATE & CONFIDENTIAL (Item 4)

(i) The Committee moved into Closed Session for Item 4.1, respecting the Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees, Section 9.3 Sub-section (b) of the City's Procedural By-law 21-021, as amended, and Section 239(2) Sub-section (b) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to personal matters about an identifiable individual.

(iii) Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees (Item 4.1)

For further disposition, refer to Item 1.

(e) ADJOURNMENT (Item 6)

There being no further business, the Selection Committee adjourned at 5:45 p.m.

Respectfully submitted,

Councillor C. Cassar, Chair
Selection Committee

Loren Kolar
Legislative Coordinator
Office of the City Clerk

CITY OF HAMILTON MOTION

Council: October 25, 2023

MOVED BY COUNCILLOR B. CLARK.....

SECONDED BY COUNCILLOR J. BEATTIE.....

Requirement for Any Landfill Expansion Applications to Obtain Municipal Support

WHEREAS, Bill 197 included a new *Environmental Assessment Act* section 6.0.1 in Part II which requires a private proponent of an undertaking to establish a landfilling site to obtain municipal support for the undertaking in accordance with that section; and

WHEREAS, this provision has unintentionally increased private proponent landfill expansions;

THEREFORE, BE IT RESOLVED:

That the City of Hamilton formally request an amendment to the Section 6.0.1 in Part II of the *Environmental Assessment Act*, to require private proponents to obtain municipal support for any landfill expansion applications.

CITY OF HAMILTON MOTION

Council: October 25, 2023

MOVED BY COUNCILLOR B. CLARK.....

SECONDED BY COUNCILLOR J. BEATTIE.....

Waste Collection Fees for Condominium Communities located on Cul de Sacs

WHEREAS, there is a policy directing City waste vehicle staff to not reverse from cul de sacs, etc;

WHEREAS, several condo communities in Ward 9 are required to retain private waste collectors due to this policy;

WHEREAS, the City’s selected private waste company, GFL, has willingly entered into private agreements with these condo communities to remove their waste enabling GFL to reverse from any cul de sac with a safety person;

WHEREAS, condo communities were denied City pick-ups due to the no reversing rule;

WHEREAS, condo communities still pay the taxes for a City waste collection service as well as paying their private contractor given that the City has denied them this service; and

WHEREAS, the City’s own contractor, GFL, is willing to safely pick up waste by reversing from cul de sacs with a safety person;

THEREFORE, BE IT RESOLVED:

That staff report back to the Public Works Committee with a preferred option to either have the City compensate such condo boards for the denied service through tax credits which GFL then provides privately or to permit the City’s contracted waste company, GFL, to reverse from cul de sacs with a safety person.

CITY OF HAMILTON MOTION

Council: October 25, 2023

MOVED BY COUNCILLOR M. WILSON.....

SECONDED BY COUNCILLOR

Request for the RCMP Investigation to Include the Decision to Expand the City of Hamilton’s Urban Boundary by 2200 Hectares

WHEREAS the Auditor General of Ontario has stated that public trust and confidence relies on governments being able to demonstrate transparency in decision-making;

WHEREAS the Auditor General of Ontario determined that the decision-making process used by the Government of Ontario in the removal of lands from the Greenbelt in 2022 was not transparent, fair, objective or fully informed;

WHEREAS on late Friday afternoon, November 4, 2022, the same day the Government of Ontario announced that it would remove 2994 hectares in 15 different areas of the Greenbelt including the hectares from Hamilton, it also made public its decision to extend Hamilton’s urban boundary by 2200 hectares

WHEREAS the unilateral decision by the Government of Ontario to extend Hamilton’s urban boundary by 2200 hectares will result in the permanent loss of 1,630 to 2,190 hectares of largely prime agricultural areas, as well as impacts to natural heritage and water systems;

WHEREAS in July 2021, the City of Hamilton completed a city-wide survey of potential growth scenarios to accommodate forecasted population and employment growth and over 90% of approximately 18,000 survey responded supported a firm urban boundary;

WHEREAS in November 2021, Hamilton City Council directed staff to implement the firm Urban Boundary scenario through official plan amendments which resulted in Official Plan Amendment No.167 to the Urban Hamilton Official Plan (“OPA 167”) and Official Plan Amendment No. 34 to the Rural Hamilton Official Plan (“OPA 34”);

WHEREAS J. David Wake, K.C. Integrity Commissioner of Ontario (Re: The Honourable Steve Clark, Minister of Municipal Affairs and Housing and Member of Provincial Parliament for Leeds–Grenville–Thousand Islands and Rideau Lakes Toronto, Ontario August 30, 2023) described the Government of Ontario’s decision to open up Greenbelt lands to development as a “rushed and flawed process” that “paints a picture of a process marked by misinterpretation, unnecessary hastiness and deception”;

WHEREAS the former Minister of Municipal Affairs and Housing's decision which consisted of 77 modifications to the Urban Hamilton Official Plan, and 25 modifications to the Rural Hamilton Official Plan is final and not subject to appeal;

WHEREAS Integrity Commissioner Wake's report details how a select group of lawyers and land development consultants were invited to a private meeting in Toronto and given the opportunity to sign off on the amendments to OPA 167 (and ROPA 34) but that Hamilton City staff were not consulted on the changes nor were city staff given an opportunity to review and respond to the proposed amendments;

WHEREAS the Provincial amendments to OPA 167 are not limited to OPA 167 but extend to changes never contemplated or considered by Hamilton City Council in approving OPA 167 and ROPA 34; and

WHEREAS on October 10, 2023, the public was notified that the RCMP has launched an investigation into the Greenbelt land swap;

THEREFORE, BE IT RESOLVED:

That Hamilton City Council request that our Head of Council communicate with the Commissioner of the RCMP and any other necessary or appropriate body to request that the scope of the RCMP investigation into the Government of Ontario's decision to open up the Greenbelt lands for development be extended to include the Government of Ontario's decision to expand the City of Hamilton's urban boundary by 2200 hectares.

CITY OF HAMILTON
MOTION

Council Date: October 25, 2023

MOVED BY COUNCILLOR M. TADESON.....

SECONDED BY COUNCILLOR

Appointments to the Climate Change Advisory Committee - REVISED

That Councillor Cameron Kroetsch and Councillor Alex Wilson be appointed as Council’s representatives on the Climate Change Advisory Committee, for the remainder of the 2022-2026 Term of Council, effective immediately.

CITY OF HAMILTON

MOTION

Council Date: October 25, 2023

MOVED BY COUNCILLOR T. HWANG.....

SECONDED BY COUNCILLOR

Consideration For Non-Profit Child Care Centres To Be Exempted From Development Charges

WHEREAS, the Development Charges Stakeholder Sub-Committee is actively considering exemptions for the 2024 Development Charges By-Laws;

WHEREAS, non-profit child care centres that are operating under the *Child Care and Early Years Act, 2014*, are mostly dependent on outside and government funds and will typically not have built in reserves to fund development charges;

WHEREAS, many government grants and funds do not include development charges as an eligible expense;

WHEREAS, the goals of the Canada-wide Early Learning and Child Care agreement align with the City’s Early Years Community plan focusing on equity, diversity, inclusion and belonging to ensure high quality, affordable and accessible child care is reflective of the children and families it serves;

WHEREAS, the Canada-wide Early Learning and Child Care agreement identified child care access as a priority and identified 1433 community-based licensed child care spaces as expansion targets for the City of Hamilton between the years 2022 to 2026;

WHEREAS, the Canada-wide Early Learning and Child Care agreement identifies an access rate goal of 37% (the ratio of child care spaces to children aged 0 to 5 years) by 2026 and current access rate for the City of Hamilton is 31%; and

WHEREAS, the Canada-wide Early Learning and Child Care funding guidelines state that municipalities are required to maintain the Ministry of Education threshold for child care spaces which is currently 80% non-profit and 20% for-profit in the City of Hamilton.

THEREFORE, BE IT RESOLVED:

That staff be directed to consider an exemption for non-profit child care centres, operating under the *Child Care and Early Years Act, 2014* in the City’s 2024 Development Charges By-laws.

CITY OF HAMILTON

MOTION

Council Date: October 25, 2023

MOVED BY COUNCILLOR C. KROETSCH.....

SECONDED BY COUNCILLOR

Ward 2 Community Grants - Q4 2023 (Ward 2)

WHEREAS City Council approved a motion to allocate Ward 2 Community Grants on August 18, 2023;

WHEREAS the Ward 2 Community Grants program closed for Q4 on September 30, 2023 with a total of 17 applications;

WHEREAS City staff in Financial Planning, Administration and Policy and Community Engagement - Grants reviewed the recommendations from the Ward 2 Community Grants program and found that they were all eligible; and

WHEREAS the following \$29,000 in 7 individual grants is the first part of the fulfillment of this round of the Ward 2 Community Grants program with additional grant recommendations coming forward in motions to City Council meetings in November 2023 from applications that are still under review.

THEREFORE, BE IT RESOLVED:

- (a) That up to \$3,500 be allocated from the Ward 2 Special Capital Reinvestment Discretionary Fund (3302109200) to the Central Neighbourhood Association for costs associated with the Rejuvenation of the Central Neighbourhood Association community event;
- (b) That up to \$2,000 be allocated from the Ward 2 Special Capital Reinvestment Discretionary Fund (3302109200) to Central Presbyterian Church for artist fees for a free and accessible recital series and for website creation and hosting to stream concerts for those unable to attend;
- (c) That up to \$5,000 be allocated from the Ward 2 Special Capital Reinvestment Discretionary Fund (3302109200) to Centre[3] for the costs associated with the creation of a mural by a local artist in their makerspace and digital studio;

- (d) That up to \$5,000 be allocated from the Ward 2 Special Capital Reinvestment Discretionary Fund (3302109200) to Fratellanza Racalmutese to assist with the purchase of a new sign to advertise community events in the Central neighbourhood;
- (e) That up to \$5,000 be allocated from the Ward 2 Special Capital Reinvestment Discretionary Fund (3302109200) to the Mark Preece Family House for new mattresses for out of town families of patients being treated in Hamilton;
- (f) That up to \$5,000 be allocated from the Ward 2 Special Capital Reinvestment Discretionary Fund (3302109200) to the Steel City Inclusive Softball Association for their Health & Safety Program for equipment that improves the health, safety, and communication of players and officials;
- (g) That up to \$3,500 be allocated from the Ward 2 Special Capital Reinvestment Discretionary Fund (3302109200) to UNSHELTERED the Zine for publication costs and costs associated with a series of arts based drop in sessions with participants at the YWCA's Carole Anne's Place to prepare a winter issue of the zine;
- (h) That any funds allocated and distributed through the Ward 2 Community Grants Program be exempt on a one-time basis and not be counted toward any formula that restricts regular funding from the City including the City Enrichment Fund or the One-Time Enhancement Grant (e.g. the City's 30% formula); and
- (i) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

CITY OF HAMILTON

NOTICE OF MOTION

Council: October 25, 2023

MOVED BY COUNCILLOR N. NANN.....

Public Notice respecting A By-Law to Authorize the Undertaking of Climate Change Mitigation and Adaptation Works on Private Residential Property as Local Improvements Under the Better Homes Hamilton Program

WHEREAS, City of Hamilton staff have completed engagement with a variety of community organizations, citizens and subject matter experts throughout 2022 and 2023 on the development of the Better Homes Hamilton residential energy efficiency retrofit pilot program, and delegations were provided in support during General Issues Committee's May 3, 2023 meeting;

WHEREAS, the Better Homes Hamilton Pilot Program ("Program" was approved by the General Issues Committee (Report PED23106) on May 3, 2023 with a recommendation stating: "That staff be directed to prepare and bring forward for Council approval a municipal by-law authorizing the Program (the "By-law") including the details on eligibility and providing authority to launch the energy efficiency works on private residential property as local improvements under the program";

WHEREAS, Part III of Ontario Regulation 586/06, Local Improvement Charges - Priority Lien Status, enacted under the *Municipal Act, 2001*, S.O. 2001, c. 25, authorizes a municipality to pass a by-law to undertake work on private property as a local improvement for the purpose of raising all or any part of the cost of the work by imposing special charges on lots upon which all or some part of the local improvement is or will be located;

WHEREAS, Section 36.5(2) of O. Reg. 586/06 states that the by-law may authorize the undertaking of works which satisfy the requirements of a municipal program for which the municipality has given notice under Section 36.6(2)(b) O. Reg. 586/06; WHEREAS, Part VI, Section 270 (1)(4) of *Municipal Act, 2001*, S.O. 2001 gives the authority to a municipality to determine "the circumstances in which the municipality shall provide notice to the public and, if notice is to be provided, the form, manner and times notice shall be given;"

WHEREAS, the City of Hamilton's Public Notice By-law No. 07-351 Schedule A states: "Public notice required to advise of a minimum of one Committee meeting to consider the enactment of a fee or charge by-law. The notice shall specify when and where information in regard to such a by-law may be obtained;"; and further provides that the form, manner and time of the notice shall be "one notice published in a newspaper a minimum of 14 days prior to the Committee meeting";

WHEREAS, staff inadvertently recommended that the By-law be brought forward to Council for approval without first being considered by Council and Council approved this recommendation;

WHEREAS if the By-law is brought directly to Council for consideration notice cannot be provided in accordance with the requirements of By-law No. 07-351; and

WHEREAS, alternative notice can be provided because sub-clause 2(b)(iii) of Hamilton's Public Notice By-law No. 07-351 provides that Council can direct that other notice is to be given as Council considers adequate.

THEREFORE, BE IT RESOLVED:

That Council under the authority of Hamilton's Public Notice By-law No. 07-351 sub-clause 2(b)(iii) direct staff in regard to the Better Homes Hamilton by-law to publicly post notice published in a newspaper and on the City's website a minimum of 14 days prior to the Council meeting, and that this be deemed adequate.

Attachment:

Appendix A - A By-Law to Authorize the Undertaking of Climate Change Mitigation and Adaptation Works on Private Residential Property as Local Improvements Under the Better Homes Hamilton Program

Authority: Item 2, General Issues Committee
Report 23-015 (PED23106)
CM: May 10, 2023
Ward: City Wide
Written approval of this by-law was
given by Mayoral Decision dated
November 22, 2023

Bill No.

CITY OF HAMILTON

BY-LAW NO. 23-

A By-Law to Authorize the Undertaking of Climate Change Mitigation and Adaptation Works on Private Residential Property as Local Improvements Under the Better Homes Hamilton Program

WHEREAS Part III of Ontario Regulation 586/06, Local Improvement Charges - Priority Lien Status, enacted under the *Municipal Act, 2001*, S.O. 2001, c. 25 ("O. Reg. 586/06"), authorizes a municipality to pass a by-law to undertake work on private property as a local improvement for the purpose of raising all or any part of the cost of the work by imposing special charges on lots upon which all or some part of the local improvement is or will be located;

AND WHEREAS Section 36.5(2) of O. Reg. 586/06 states that the by-law may authorize the undertaking of works which satisfy the requirements of a municipal program for which the municipality has given notice under Section 36.6(2)(b) of O. Reg. 586/06;

AND WHEREAS at its meeting of May 10, 2023, City Council adopted the Better Homes Hamilton program.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Council authorizes the undertaking of Climate Change Mitigation and Adaptation Works on private residential property as local improvements under the Better Homes Hamilton Program, as set out in Schedule "A" to this by-law, for the purpose of raising all or any part of the cost of the work by imposing special charges on lots upon which all or some part of the local improvement is or will be located.
2. Schedule "A" is attached to and forms part of this by-law.
3. Council authorizes the City to enter into Property Owner Agreements as provided for in Schedule "A" hereto with such terms and conditions consistent with Schedule "A" hereon, such additional terms and conditions as required by the Ontario Regulation 586/06 and such additional terms and conditions required by the General Manager of Planning and Economic Development or their designate and the City Solicitor and

in a form acceptable to the City Solicitor and that the General Manager of Planning and Economic Development or their designate be authorized to execute the Property Owner Agreements and such ancillary documents as necessary to facilitate the program described in Schedule "A" hereto.

4. This by-law may be referred to as the "Better Homes Hamilton By-law"
5. This by-law comes in to force on the day of its passing.

PASSED this 22nd day of November, 2023

A. Horwath
Mayor

Janet Pilon
Acting City Clerk

Schedule "A" Better Homes Hamilton Program

1.0. Overview

The Better Homes Hamilton Program (the "BHH Program") is currently designed to extend municipal financing to participating homeowners for the installation of climate mitigation retrofit measures, including building envelope, mechanical systems and supporting energy efficiency retrofit infrastructure, as well as home energy assessments and permits, as applicable, and to secure payment by imposing a local improvement charge ("**LIC**") on the property, as authorized by Ontario Regulation 586/06, Local Improvement Charges - Priority Lien Status, enacted under the *Municipal Act, 2001*, S.O. 2001, c. 25 (the "**Regulation**"). The BHH Program will begin as a pilot, offering a maximum of fifty (50) loans to be provided to homeowners during the pilot program. Loans will be a maximum of \$20,000 each over a ten (10) to fifteen (15) year term with zero (0) percent interest over the term of the loan. The City of Hamilton (the "**City**") will administer the program alone or in conjunction with a third-party Program Administrator to be selected at a later date.

1.1. Program Eligibility

Registered owners of eligible properties within the geographic boundaries of the City of Hamilton can participate in the BHH Program.

The following residential building types within the City of Hamilton are eligible for the BHH Program:

- Detached houses,
- Semi-detached houses, and
- Townhomes.

All registered owner(s) of the property must consent to participation in the BHH Program.

The property must have a property tax account with the City and the registered owner(s) are responsible for tax payments directly to the City. All property taxes and other payment obligations to the City must also be in good standing.

1.2. Geographic Scope

Any homeowner of an eligible building outlined in Section 1.1 in the City of Hamilton can participate in the BHH program. Marketing for the BHH program may be prioritized to those homes:

- That were built prior to 1990;
- That have above average utility heating fuel costs (natural gas, propane or oil),

- including in rural areas; and/or
- Are located within neighbourhoods that were identified as having high rates of energy poverty through the Canadian Urban Sustainability Practitioners (CUSP) Energy Poverty Mapping Tool.

The City may work with existing community initiatives or organizations interested in being aligned with the BHH program to achieve efficiencies in terms of program delivery (i.e. marketing and outreach support, education and training).

1.3. Stacking Home Energy Incentives

Homeowners who apply to the BHH program will be encouraged to consider existing incentive programs offered by Enbridge Gas Inc. and the Federal Government and other existing and future programs which may become available

To be eligible for the Enbridge Gas Inc. and the Federal Government Rebates (with some exceptions), homeowners are required to arrange a home energy assessment through the EnerGuide Rating System.

1.4. Optional Home Energy Assessment

The BHH Program does not require applicants to submit a home energy assessment; however, it is strongly encouraged so that participants can maximize government grants and incentives, as described in Section 1.3.

If participants decide to undertake a home energy assessment that provides a standard measure of a home's energy and greenhouse gas ("GHG") emissions performance, the participant shall provide to the City of Hamilton a copy of both the pre- and the post-retrofit energy assessment report that has been conducted and verified by a Registered Energy Advisory (the "REA"), or equivalent, as Registered by Natural Resources Canada ("NRCan").

1.5. Qualifying Retrofit Measures

Financing is designated for capital costs (not maintenance costs) with an expected useful life of ten (10) to twenty (20) years and for measures that are permanently affixed to a property. The average expected useful life of the retrofit measures implemented within a participating property shall not be less than the ten (10) to fifteen (15) year term of the loan extended to the homeowner.

The following are the current categories of eligible measures, which are subject to change:

- Optional Home Energy Assessments and Applicable Permits: Including pre- and post-retrofit energy assessments and building permits.
- Building Envelope: Including air-sealing/draft proofing, insulation (attic, basement and walls).

- Mechanical Systems: Air Source Heat Pumps (ASHP), including cold-climate air sources heat pumps (ccASHP), ductless mini-splits, and high efficiency gas furnaces for hybrid ASHP systems, and supporting smart thermostat/controller.
- Supporting Infrastructure: Including breaker panel upgrades and ductwork only when required to support installation of ASHP.

Ineligible retrofits include equipment or products not permanently affixed to the property, previously installed in another home and/or are deemed general maintenance.

By recommending categories of retrofit improvements and associated measures, the City makes no guarantees of the materials, performance, cost-effectiveness or any warranty of the measures supported by the BHH Program.

1.6. Completing the Retrofit through Contractor Engagement

The City of Hamilton will provide LIC financing to homeowners for eligible measures covered by the BHH Program that have been:

- Recommended or identified through the energy pre-assessment completed by a REA, if one was completed;
- Verified by the City or the assigned Program Administrator; and
- Installed by contractors hired by the homeowner after verification and approval from the City or the assigned Program Administrator.

Homeowners must provide to the City all documentation, including all quotes and all invoices, in order to receive the initial and final disbursements respectively.

The City will not procure contractors to perform home improvements in connection with this program. The homeowner will use the funds disbursed by the City to pay contractors directly. Where contractors require an upfront deposit prior to completing the retrofit, up to 30% of the total LIC financing may be released by the City prior to the contractor starting the work only after the proposed retrofit and renovation quotes have been approved by the City or Program Administrator and after the Property Owner Agreement has been signed by both parties and deemed final and binding, as described in Step 6.A.

The City is not responsible for the work quality of any contractors hired in connection with the BHH Program and assumes no liability for the works undertaken. All retrofit improvements and renovations must adhere to all applicable permitting requirements, codes, laws and by-laws.

The homeowner is responsible for ensuring that hired contractors are licensed, bonded and insured for the applicable work they will be undertaking. Any issues that may arise relating to the quality of workmanship or post-installation

performance of retrofit measures must be dealt with between the homeowner and the contractor.

1.7. Better Homes Hamilton Program Coach

The BHH Program will include access to a Program Coach. The BHH Program Coach is not a REA but rather serves as a source of support to provide guidance to the homeowner throughout the BHH process, in order to improve overall satisfaction with program effectiveness. BHH applicants are solely responsible for the retrofit choices made, and the City does not take any responsibility for the advice provided to the applicant or any work potentially recommended by the BHH Program Coach.

1.8. BHH Program Application Process

The application process is set out below. City staff will periodically review this process to ensure effective program implementation and, where deemed appropriate, the City may make changes to this process, in its sole discretion.

Step 1: BHH Program Application

The property owner must apply online through the BHH website, which includes a self-directed pre-application screening checklist to determine eligibility for the BHH program. Program eligibility requirements include the following:

- Eligible building type
- Property address to confirm location is within the City of Hamilton;
- Property assessment roll number to confirm that all property tax payments are in good standing; and
- Signed attestation that all registered owner(s) consent to program participation.

If a homeowner has one or more outstanding mortgage(s) associated with the property, then the homeowner must inform via mail or email the mortgage lender(s) of its intention to participate in the BHH Program using the City's prescribed letter template form (copying the City). City must receive proof of delivery (e.g. copied on email to lender or received carbon copy of letter mailed to lender) as part of the applicant's funding request package.

Once the homeowner's application has been reviewed and accepted by the City, the City will provide the homeowner with a Notice to Proceed with obtaining an optional pre-retrofit energy assessment and energy efficiency retrofit quotes.

Step 2: Identifying Energy Retrofit Improvements

A. Home Energy Assessment Process (Optional)

If the homeowner decides to proceed with this option, the homeowner will complete the pre-retrofit home energy assessment in accordance with this Section and Section 1.4 - Home Energy Assessments and submit a copy of the REA's NRCan

EnerGuide home assessment (Home Energy Assessment report with recommended retrofits) to the City.

The home energy assessment report must include:

- The current NRCan EnerGuide rating for the home, including the rated energy consumption in gigajoules per year (GJ/yr.) and GHG emissions in tonnes per year (GHG(T)/yr.);
- Recommended improvements that have been customized for the home based on existing conditions, which are projected to improve its NRCan EnerGuide rating, including a reduction in energy consumption and/or GHG emissions;
- EnerGuide Homeowner Information Sheet that summarizes the residential building's details, including envelope, mechanical systems, and heated floor area;
- Estimated useful life of the proposed improvement(s); and,
- Potential eligibility for utility existing rebates and incentives offered (e.g. Enbridge Gas, Hydro One, Alectra Utilities, and other applicable programs that may become available to Hamilton residents).

Applicants may wish to review the NRCan EnerGuide Renovation Upgrade Report and Homeowner Information Sheet with the BHH Program Coach provided by the City. This step may help homeowners choose which energy retrofit improvements to undertake based on estimated energy savings that may be realized after installing the recommended improvements, as well as the estimated useful life of the proposed improvements.

A. Homeowner-identified Energy Retrofit Improvements

If the homeowner chooses not to undertake an NRCan EnerGuide home energy efficiency assessment with a REA, the homeowner must identify and propose eligible retrofit measures to the City or Program Administrator. The City of Hamilton or Program Administrator must approve the eligible retrofit measures with a formal Notice to Proceed as described in Step 3.

Step 3: Obtaining Contractor Quotes

Upon approval of the application and after the City or the Program Administrator has issued the Notice to Proceed with Quotes, homeowners will then be responsible for obtaining contractor quotes. The homeowner must engage qualified and licensed, where applicable, contractors selected by the homeowner to implement any mechanical systems and "supporting infrastructure" retrofit measures, as well as a REA, if applicable. Work and materials installed by homeowners will not be eligible for the loan.

Using the Contractor Quote Template provided to homeowners by the BHH Program Coach, homeowners should contact contractors to obtain estimates. The BHH

Program Coach will be available to provide assistance to homeowners, if necessary. Homeowners who completed a pre-retrofit home energy assessment should provide the contractor the NRCan Energuide Homeowner Information Sheet.

Homeowners will be required to submit at least one (1) contractor quote; however, it is strongly encouraged that all homeowners obtain three (3) contractor quotes. All quotes submitted to the City must, as outlined in the prescribed Contractor Quote Template, at minimum include:

- Estimated cost of the retrofits and Specification Sheets, if applicable, for inclusion in the Funding Request Form;
- Quotes must be itemized by costs for all labour, parts and equipment, relevant permit fees and energy assessment fees, if applicable, applicable taxes, and include estimated useful life of the work;
- Registered HST Number;
- Proof of Liability Insurance that covers all employees;
- WSIB Certificate of Compliance; and
- Any and all applicable licenses and/or qualification for the prescribed work to be undertaken (e.g. municipal Heating, Cooling, Air Conditioning and Ventilation license; Electrical Contractor License from ESA; Sheet Metal Mechanic License number; G2 Gas Ticket, etc.)

Step 4: Funding Request Form

Within three (3) months of receiving the Notice to Proceed with Quotes, the applicant must submit a completed Funding Request Package that includes:

- Proof of delivery of prescribed Mortgage Lender Notification Letter;
- All copies of the contractor quotes containing the items set out in Step 3 above, including the Contractor Quote Table;
- If, applicable, all documentation from the pre-retrofit home energy assessment; and,
- The amount of contractor prepayment (as indicated in Section 1.6. - Completing the Retrofit through Contractor Engagement) being requested from the City.

Following receipt of the Funding Request Form, the City or its Program Administrator, will:

- Confirm the eligibility of the works in accordance with the criteria set out in Section 1.5. - Qualifying Retrofit Measures;
- Review the work proposed in the Contractor Quote Table and verify the reasonableness of retrofit costs and labour costs by consulting manufacturer pricing and prevailing labour rates; and,
- Render a decision on the acceptability of the applicant's Funding Request Package.

Step 5: Property Owner Agreement (the "POA")

After the City of Hamilton or Program Administrator has confirmed acceptability of the Funding Request Package, the Program Administrator will prepare the Property Owner Agreement ("POA") for the homeowner(s) to review and sign, and the General Manager of Planning and Economic Development or his designate to sign.

Upon signing of the POA, the homeowner will commence with providing the City with (access to) utility usage and bills or other applicable fuel receipts for the time period commencing two calendar years prior to the date of signing of the POA and ending five (5) years thereafter, in order to assist staff calculating GHG emission and energy savings.

Step 6: Completing Retrofit Measures and Funding Disbursement

A. Initial Funding Disbursement

Following execution by both parties and certification of the POA by the City Clerk as final and binding and verification that the property is free of construction liens and writs of execution, the City will provide the homeowner with the initial disbursement agreed upon and pursuant to the terms outlined in the POA. A maximum disbursement of 30% of the total amount approved by the City, which must be used by the homeowner to pay any upfront deposits required by the contractor.

Following the release of any upfront deposits, the homeowner shall begin work within three (3) months of receiving the funds from the City. Pursuant to the terms of the POA, the homeowner will be obligated to repay the initial disbursement to the City, should the homeowner not begin the retrofits within the time specified.

B. Project Completion Package

The agreed upon retrofits must be completed within six (months) upon signing the POA. The homeowner can request an extension, if required. The extension will be granted at the sole discretion by the City of Hamilton or Program Administrator.

Within fourteen (14) days upon completion of the agreed upon retrofits, the applicant must prepare and submit the City's prescribed Project Completion Package, which includes:

- Details of the actual eligible energy retrofit measures implemented and actual costs incurred;
- All copies of contractor invoices (and receipts) for the approved work(s) completed; and,
- If, applicable, all documentation from the post-retrofit home energy assessment.

C. Final Funding Disbursement

As detailed in the POA, the City will provide the final disbursement after:

- The homeowner has provided the City with (access to) utility usage and bills or other applicable fuel receipts for the time period commencing two calendar years prior to the date of signing of the POA.
- If applicable, the homeowner has provided the City with the post-retrofit home energy assessment documentation from the REA; and,
- The homeowner has submitted the Project Completion Package to the City's satisfaction following completion of the Work, for determination by the City, in accordance with the POA, of any Final Disbursement for which the Property qualifies.

Step 7: Local Improvement Charge Repayment

Following the City Treasurer's, Deputy Treasurer (or delegated authority) periodic certification of the local improvement roll (which occurs after the improvements on a given set of properties are complete and the final amounts of funding are confirmed), a by-law will be presented to City Council pursuant to Section 36.14 of O.Reg. 586/06 that imposes the special charges on the participating properties.

For each property included in the by-law, the Treasurer, Deputy Treasurer (or delegated authority) will then add to the City of Hamilton's tax account for that property each year that portion of the imposed special charge that is due in that year. These collective steps will provide priority lien status for the annual amount that the Treasurer, Deputy Treasurer (or delegated authority) adds to the tax account and will ensure that any subsequent property, who was not a party to the POA is bound to pay that amount.

At any time, a homeowner can make a one-time payment of the total outstanding commuted value of the LIC charge. Failure to make payments is treated with the same remedy as uncollected property taxes which may include penalties and interest charges. Unpaid LIC will be subject to the City's tax collection policy.

1.9. Local Improvement Charge Disclosure

As stated in O.Reg 518/06, the special charge imposed on the homeowner's property constitutes a special lien that is binding on all future owners, even though future owners are not parties to the original POA. In addition to the notice that the City of Hamilton will be providing in accordance with the provisions of O.Reg. 586/06, the POA will require an assignment agreement when a property with an LIC loan is transferred. The City of Hamilton may also update the Tax Certificate to include the amount payable in the current year and outstanding amounts owing. The City maintains the option to post information on their website to communicate the special charge by-law.

1.10. Quality Control

As a means of additional oversight to confirm that the funded improvements have been completed as approved, the POA will indicate that the City reserves the right to have a City official or third-party contractor enter the property to inspect the completion of the work for up to five (5) years following completion. The homeowner is responsible for keeping original copies of contractor invoices and also photos of installed measures (particularly for measures that are difficult to inspect, such as insulation), and shall disclose this information to the City upon request.

1.11. Measurement and Verification

Pursuant to the POA, the homeowner must agree to provide the City with access to the property's utility usage data, or other fuel purchases as applicable, in order to monitor results and evaluate the program's effectiveness for a period of up to five (5) years after completion of the retrofit. The homeowner must also agree to participate in surveys and other follow-up activities to help the City evaluate the effectiveness and improve the program process and outcomes.

CITY OF HAMILTON

NOTICE OF MOTION

Council: October 25, 2023

MOVED BY COUNCILLOR B. CLARK.....

Financial Impact of the Hamilton Renewable Power Inc.'s Losses on the City of Hamilton

That City staff be directed to investigate the financial impact to the City of Hamilton should Hamilton Renewable Power Inc.'s losses continue, which would result in a wind up of the corporation and report back to the Audit, Finance and Administration Committee in Q1 2024.

CITY OF HAMILTON

NOTICE OF MOTION

Council: October 25, 2023

MOVED BY COUNCILLOR N. NANN.....

Opposition to the Ministry of the Environment, Conservation and Parks Proposed Changes to its Approvals and Permissions Procedures for Waste Management Systems, Stormwater Management, and Water-Taking

WHEREAS, the Ministry of the Environment, Conservation and Parks (MECP) is proposing changes to its approvals and permissions procedures for waste management systems, stormwater management, and water-taking that are anticipated to weaken its regulatory oversight on activities which have the potential to cause significant adverse impacts to the natural environment and human health;

WHEREAS, the City of Hamilton is committed partner in the protection and stewardship of the natural environment;

WHEREAS, the proposed changes are relevant to activities taking place in Hamilton such as transportation of biomedical, liquid industrial and hazardous waste. Under the proposed changes, hauling of some types of hazardous waste would be deemed a less complex activity and no longer require stricter oversight by the MECP via an Environmental Compliance Approval (ECA) and instead only require self-registration with the Environmental Activity and Sector Registry (EASR);

WHEREAS, the ECA process involves MECP review and approval; meanwhile the EASR program shifts this responsibility completely to the facility;

WHEREAS, waste facilities in Hamilton are often located in clusters so while individually they may be seen to have lower potential impact, according to a past Environmental Commissioner report “low-risk facilities still produce impacts to the environment. Indeed the cumulative impacts of several low risk facilities located closely together (as they commonly are) can be significant”;

WHEREAS, the proposed changes include increased impacts on stormwater management due to more exemptions to drainage works for roadway and railway construction projects;

WHEREAS, the proposed changes would remove certain water-taking limits for construction dewatering projects that could compromise responsible management of Hamilton’s natural waterways;

WHEREAS, the proposed changes would remove the requirement for the MECP to notify Conservation Authorities, which monitor water budget and work with City of Hamilton to protect water, of water-taking activities that could affect their conservation areas;

WHEREAS, the Canadian Environmental Law Association has stated that “having a 700% increase of allowable water-taking without permits could have serious implications to watershed sustainability”; and

WHEREAS, the proposed changes to reclassify specific permissions procedures will no longer include the right to public participation or appeals via the Environmental Bill of Rights or to public scrutiny via the Environmental Registry of Ontario;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to submit comments to the Environmental Registry of Ontario (ERO) at permissions.modernization@ontario.ca outlining concerns, impacts of the Ministry of the Environment, Conservation and Parks’ proposed changes to its approvals and permissions procedures for waste management systems, stormwater management, and water-taking (ERO 019-6951; ERO 019-6853 ERO 019-6963 and ERO 019-6928) to the City of Hamilton and Hamilton residents by October 30, 2023;
- (b) That the submission to the ERO be available on the City’s website; and
- (c) That Mayor Horwath write to the Minister of the Environment, Conservation and Parks on behalf of Council to express opposition to the proposed changes to its approvals and permissions procedures for waste management systems, stormwater management, and water-taking, as they would negatively impact all residents of Hamilton.

CITY OF HAMILTON

NOTICE OF MOTION

Council: October 25, 2023

MOVED BY COUNCILLOR T. JACKSON.....

Emergency Grant for the Emergency Food Strategic Planning Committee

WHEREAS, Staff were directed to prepare an emergency grant of \$625k to the Emergency Food Strategic Planning Committee, for the October 25, 2023 meeting of Council meeting.

THEREFORE, BE IT RESOLVED:

- (a) That an emergency grant in the amount of \$ 625k to the Emergency Food Strategic Planning Committee be funded from the Tax Stabilization Reserve, 110046, be approved; and
- (b) That the General Manager of Healthy and Safe Communities be authorized to enter into and execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

CITY OF HAMILTON

NOTICE OF MOTION

Council: October 25, 2023

MOVED BY COUNCILLOR T. HWANG.....

ROMA 2024 Conference – January 21, 2024 to January 23, 2024

- (a) That Councillors T. Hwang and M. Tadeson be selected as the City of Hamilton’s representative at the ROMA 2024 Conference from January 21, 2024 to January 23, 2024; and,
- (b) That Council assumes all costs associated with Councillors T. Hwang’s and M. Tadeson’s attendance at ROMA 2024 Conference from the General Legislative Budget (300100).

CITY OF HAMILTON

NOTICE OF MOTION

Council: October 25, 2023

MOVED BY COUNCILLOR B. CLARK.....

198 First Road West Subdivision Phase 1 - Picardy Parkland Restoration Works

WHEREAS Paletta International (2000) Inc. is the developer of the 198 First Road West Subdivision (Phase 1) which includes an important new community amenity known as Picardy Park;

WHEREAS to advance the construction of Picardy Park, restoration works are required including the removal of excess soil, grading, and placing of No. 1 nursery sod;

WHEREAS an opportunity may exist for the City to work with the developer to expedite the restoration works and the delivery of the park, through which the developer would undertake the restoration works and the City would contribute a City share cost; and

WHEREAS the Growth Management Construction Section and Public Works Landscape Architectural Services will perform an inspection after the completion of all works to determine and confirm that all works have been completed to the satisfaction of the Director of Growth Management & Chief Development Engineer and the Director of Environmental Services;

THEREFORE, BE IT RESOLVED:

- (a) That Council authorize staff to single source Paletta International (2000) Inc, pursuant to Procurement Policy #11 – Non-competitive Procurements, to complete the City share of park restoration; and
- (b) That staff be directed to endorse and oversee the restoration works for the Picardy Park located within 198 First Road West Subdivision, Phase 1, and further, that City share costs up to a maximum amount of \$130,000.00 as related to the works be authorized to be paid to the developer, Paletta International (2000) Inc, to be funded through the S.C. Compensation Royalties (GFL Landfill) Reserve 117036.

CITY OF HAMILTON

NOTICE OF MOTION

Council: October 25, 2023

MOVED BY COUNCILLOR B. CLARK.....

Reconsideration of a decision that was approved at the May 10, 2023 Council meeting respecting Item 2 of the General Issues Committee Report 23-015, Better Homes Hamilton - Home Energy Retrofit Program (PED23106)

That Item 2 of General Issues Committee Report 23-015, respecting Better Homes Hamilton - Home Energy Retrofit Program (PED23106), which was approved by Council on May 10, 2023 and reads as follows, be reconsidered:

- 2. Better Homes Hamilton - Home Energy Retrofit Program (PED23106) (City Wide) (Item 8.2)**
 - (a) That the “Better Homes Hamilton” program, based on the terms outlined in Appendix “A” to General Issues Committee Report 23-015, and subject to minor revisions authorized by the General Manager of Planning and Economic Development, be approved as the ‘Incubation Stage’ of Hamilton’s first home energy retrofit program;
 - (b) That the “Better Homes Hamilton Detailed Study Design” attached as Appendix “B” to Report PED23106 be received;
 - (c) That Planning and Economic Development Staff be directed to launch the ‘Incubation Stage’ of the Better Homes Hamilton program with a target to retrofit up to 50 homes before the end of 2024;
 - (d) That staff be directed to establish a loan receivable on the City’s balance sheet, not exceeding \$1,000,000 to record the corresponding liabilities regarding the long-term financing for the ‘Incubation Stage’ of the Better Homes Hamilton program;
 - (e) That the costs for program administration, including loan loss provisions for the ‘Incubation Stage’ of the Better Homes Hamilton program as described in Report PED23106 and in Appendix “A” to General Issues Committee Report 23-015 be funded through the Climate Change Reserve Account 108062 with an upset limit of \$275,000 over two years;
 - (f) That staff be directed to prepare and bring forward for Council approval a municipal by-law authorizing the Better Homes Hamilton program

including the details on eligibility and providing authority to launch the energy efficiency works on private residential property as local improvements under the program; and,

- (g) That Staff be directed to report back to the General Issues Committee within 2 years of implementation of the 'Incubation Stage' of the Better Homes Hamilton Program with results and feasibility for scaling the program in terms of number of homes and expansion into the high-rise, commercial and/or industrial sectors.

COUNCIL COMMUNICATION UPDATES


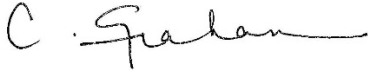
October 6, 2023 to October 19, 2023

Council received the following Communication Updates during the time period listed above, the updates are also available to the public on City's website, as per Section 5.18 of By-law 21-021 (A By-Law To Govern the Proceedings of Council and Committees of Council) a member of Council may refer any of the items listed below, to a Standing Committee by contacting the Clerk and it will be placed on the next available agenda of the respective Standing Committee.

Item Number	Date	Department	Subject
1	October 13, 2023	Public Works	Update #5 – Gage Park Tropical Greenhouse Reopening and Results of Roof Panel Investigation (CFEM2310) (ES23015) (Ward 3)
2	October 13, 2023	Planning and Economic Development	Licensing Short-Term Rental Accommodations (City Wide)
3	October 17, 2023	Planning and Economic Development	Enbridge Gas Inc. - Notice of Upcoming Project - Hamilton Light Rail Transit Pipeline Relocation Project (City Wide)
4	October 17, 2023	Corporate Services	City of Hamilton 'AAA' Credit Rating (City Wide)
5	October 17, 2023	Planning and Economic Development	Vacant Residential Land Area – 2023 Update (City Wide)
6	October 18, 2023	Planning and Economic Development	Sonic Runway at Pier 8 (Ward 2)
7	October 18, 2023	Planning and Economic Development	Introduction of Bill 136, Greenbelt Statute Law Amendment Act, 2023 – Reinstatement of 15 Sites Back into the Greenbelt Plan Area
8	October 19, 2023	Public Health	Air Monitoring On-Site Assessment at Green for Life Stoney Creek Regional Facility (Ward 9)
9	October 19, 2023	Planning and Economic Development	Downtown Cleanliness Service Level Enhancements Update Number 2 (Ward 2)



COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	October 13, 2023
SUBJECT:	Update #5 – Gage Park Tropical Greenhouse Reopening and Results of Roof Panel Investigation (CFEM2310) (ES23015) (Ward 3)
WARD(S) AFFECTED:	Ward 3
SUBMITTED BY:	Indra Maharjan Director, Corporate Facilities & Energy Management Public Works Department
SIGNATURE:	 Cynthia Graham Director, Environmental Services Public Works Department 

UPDATE:

The Gage Park Tropical Greenhouse will reopen to the public on Monday, October 16, 2023, and will resume normal operating hours for public access.

The Fall Garden and Mum Show, held in the Gage Park Production Greenhouse, takes place from October 20 to 29, 2023 from 9 a.m. to 7 p.m. daily. In preparation for the show, the Gage Park Tropical Greenhouse will need to be closed to the public on October 19, 2023 but will reopen on October 20, 2023 and remain open throughout the event. This one-day closure is a normal part of Mum Show preparation. With the Tropical Greenhouse open, the route for the public to attend the Mum Show will be the same as in recent years, with the entrance at the Tropical Greenhouse doors.

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HISTORICAL BACKGROUND:

As communicated on July 19, 2023, a structural consultant was retained to complete an assessment of the Gage Park Tropical Greenhouse, as there have been issues related to the roofing panels being dislodged from their frames during inclement weather.

The investigative work, which required the greenhouse to be closed to the public, commenced July 24, 2023, and continued through to July 31, 2023. The investigation resulted in the need to complete emergency repairs to the Tropical Greenhouse roof to ensure the health and safety of the public and staff. The West side of the Tropical Greenhouse was fenced off to protect the public, and the Tropical Greenhouse remained closed while emergency repairs were completed. As the work progressed, areas of the Tropical Greenhouse were reopened to staff to facilitate maintenance and care of the plants and the fencing was removed, but the facility as a whole remained closed to the public.

The emergency repairs are complete and all immediate safety concerns have been addressed, and so the Tropical Greenhouse will reopen to the public on October 16, 2023 following several days of work to get the facility ready for the visitors.

Staff will report back to the Mayor and Members of Council with the extent of the permanent repairs and the time frame to complete the permanent repairs, pending receipt of a 3rd party Engineering report, scope of work and associated costing.

Staff worked throughout the closure to minimize impacts to those that had rented the space for events including photos, wedding ceremonies and showers by offering reduced fees and alternative locations including the Gage Park Rose Gardens as a wedding venue. Staff want to acknowledge the effort of all who were involved in pursuing alternatives and ensuring events occurred with minimal disruptions and thank those that had booked events for their understanding of the closure and working with staff to find alternatives.

Staff also worked closely with the organizers of the Festival of Friends, August 4-6, 2023, located at Gage Park, to achieve a new booth layout required to keep the public safe. Thanks to the successful collaboration, the festival was able to proceed, while also accounting for safety considerations. Staff want to acknowledge the efforts of organizers of the Festival of Friends who went above and beyond to pivot their layout with very short notice and thank you to the vendor for their understanding. The festival proceeded successfully with a different layout and some additional equipment and support, including support provided by the City of Hamilton Staff.

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SUBJECT: Gage Park Tropical Greenhouse Reopening and Results of Roof Panel Investigation (CFEM2310) (ES23015) (Ward 3) – Page 3 of 3

Looking back on previous Communication Updates to Council:

- June 30: Communication Update #1
- July 7: Communication Update #2
- July 19: Communication Update #3
- July 27: Communication Update #4

Staff efforts to respond to both protect public safety and minimize impacts to the public are appreciated.


If you require further information on the above matter, please contact Robyn Pollard, Manager of Forestry & Horticulture at Robyn.Pollard@hamilton.ca or Extension 3919 or Janet Warner, Senior Project Manager of Capital Projects at Janet.Warner@hamilton.ca or Extension 7041.

APPENDICES AND SCHEDULES ATTACHED

N/A



COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	October 13, 2023
SUBJECT:	Licensing Short-Term Rental Accommodations (City Wide)
WARD(S) AFFECTED:	City Wide
SUBMITTED BY:	Monica Ciriello Director, Licensing and By-law Services Planning and Economic Development Department
SIGNATURE:	

The purpose of this Communication Update is to provide the Mayor and Members of Council with information regarding the revised timeline for the roll-out of the City's new Short-Term Rental licensing regime.

On May 25, 2023, a Communication Update was provided to the Mayor and Members of Council which identified that the priorities of Licensing & By-law Services would need to pivot to address Council's direction to *prepare a suite of options to halt renovations*. As a result, the implementation of the Short-Term Rental licensing program would be delayed until December 2023. Licensing staff will begin to accept licence applications for Short-Term Rental Operators and Brokers on December 1st, 2023, with enforcement of the By-law beginning January 2nd, 2024.

In November 2023, Licensing staff will facilitate a month-long education phase to inform the community of the revised implementation timeline and communicate application requirements. A website dedicated to the new Short-Term Rental licensing regime will launch November 1st, 2023, and can be accessed at: www.Hamilton.ca/ShortTermRentals.

If you require any further information on the above matter, please contact Dan Smith, Manager of Licensing by e-mail at Daniel.Smith@Hamilton.ca or at (905) 546-2424 Ext. 6435.

APPENDICES AND SCHEDULES ATTACHED

Not applicable.


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COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	October 17, 2023
SUBJECT:	Enbridge Gas Inc. - Notice of Upcoming Project - Hamilton Light Rail Transit Pipeline Relocation Project (City Wide)
WARD(S) AFFECTED:	City Wide
SUBMITTED BY:	Abdul Shaikh Director, Hamilton LRT Project Office Planning and Economic Development Department
SIGNATURE:	

The purpose of this Communication Update is to advise Council of upcoming Enbridge Gas Inc. pipeline relocation projects on the Hamilton LRT corridor. Council received a direct communication from Enbridge on Wednesday, September 27, 2023, regarding this work.

When Enbridge Gas Inc. installs a new pipeline above \$2M and when the pipe size is changed and additional land is required in excess of the municipal right of way, they are required by their regulator to submit a Leave-to-Construct application. These works are not part of the Metrolinx enabling works program. Consultation between the City's LRT project team, Enbridge and Metrolinx is ongoing regarding Enbridge pipeline relocation.

There will be another notice in 2024 for other Enbridge works as part of the project. The City's LRT office will seek to receive this notice in advance of it being distributed publicly.

Should you have any questions related to these works, please feel free to contact Abdul Shaikh, Director, Hamilton LRT Project Office at Abdul.Shaikh@hamilton.ca or (905) 546-2424 Ext. 6559.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" – Hamilton LRT Pipeline Relocation Project Notice from Stantec

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Enbridge Gas Inc. Notice of Upcoming Project Hamilton Light Rail Transit Pipeline Relocation Project

This notice is to inform you of an upcoming Enbridge Gas Inc. (Enbridge Gas) project in the City of Hamilton called the Hamilton Light Rail Transit Pipeline Relocation Project (the Project). The purpose of the Project is to relocate an existing Enbridge Gas pipeline to accommodate the construction of the proposed Hamilton Light Rail Transit Project, while maintaining existing service to Enbridge Gas customers.

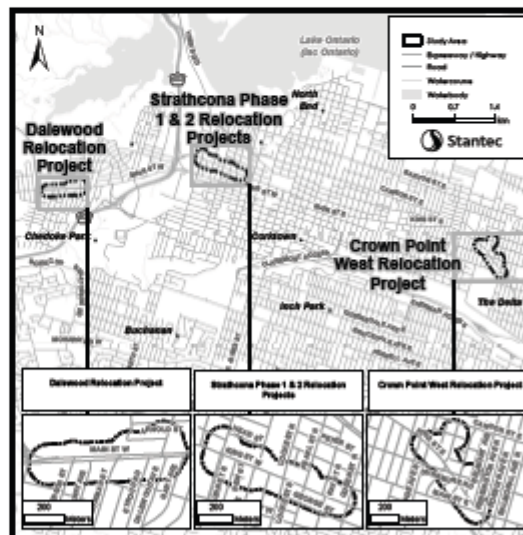
The Project will be undertaken at three locations, referred to as Crown Point West, Dalewood and Strathcona. The Strathcona location will be completed over two phases. The Project will tentatively be located within the existing municipal road right-of-way, and may also require permanent easements, temporary working space and lay-down areas during construction.

Enbridge Gas has hired a third-party environmental consultant, Stantec Consulting Ltd. (Stantec), to complete an Environmental Study for the Project. The study will be conducted in accordance with the Ontario Energy Board's (OEB) "Environmental Guidelines for the Location, Construction, and Operation of Hydrocarbon Projects and Facilities in Ontario, 8th Edition (2023)" and will include a consultation program, impact assessment and a cumulative effects assessment.

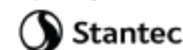
The Environmental Report based on the study is scheduled to be completed in December 2023, after which Enbridge Gas plans to file an application for the Project with the OEB. The OEB's review and approval is required before the proposed project can proceed. If approved, construction could begin in 2024.

Enbridge Gas is committed to undertaking consultation and engagement with stakeholders and Indigenous communities as an integral component of the planning process. Additional details regarding the Project and how to become involved during the consultation and engagement process will be provided in future correspondence. If you have any questions or comments during the development stages of this project, please contact the undersigned.

Kristin Kimpinski
Environmental Advisor
Enbridge Gas Inc.
Telephone: (647) 649-8150
Email: HamiltonLRTEA@stantec.com




Note: The potential project location has been developed for purposes of an assessment of potential environmental and socioeconomic impacts and does not represent the final project scope/design that will provide access to natural gas to end-use customers.





COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	October 17, 2023
SUBJECT:	City of Hamilton 'AAA' Credit Rating (City Wide)
WARD(S) AFFECTED:	City Wide
SUBMITTED BY:	Mike Zegarac General Manager, Finance and Corporate Services Corporate Services Department
SIGNATURE:	

On October 17, 2023, S&P Global Ratings released its Credit Rating for the City of Hamilton at 'AAA' with Stable outlook, as part of its annual credit rating review. The rating of 'AAA' is the highest possible rating on S&P Global Ratings' rating scale.

The City of Hamilton has maintained its credit rating of 'AAA' since June 1, 2022, when S&P Global Ratings raised the credit rating to 'AAA' from 'AA+'.

In today's published report, the rating agency said that over its forecast period from 2023 to 2025 it expects the City to have a relatively modest and stable debt burden and to continue to implement prudent long-term financial planning policies such that its budgetary performance remains strong.

S&P Global Ratings cite that Hamilton continues to show characteristics of a resilient economy, including diversification and continues to have very high liquidity as a key strength.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" – S&P Global Ratings City of Hamilton, October 17, 2023

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OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

City of Hamilton

October 17, 2023

This report does not constitute a rating action.

Credit Highlights

Overview

Credit context and assumptions	Base-case expectations
Population growth and a broad and diverse economy will continue to foster stability in the city's property tax base.	The city will continue generating modest after-capital deficits as it proceeds with its capital plan, supported by its strong operating balances.
The city's long-term financial management practices will allow Hamilton to continue posting healthy operating balances.	Despite issuance plans, the city's debt burden will remain relatively stable.
We believe the city's relationship with the Province of Ontario will remain extremely predictable and supportive.	Hamilton's robust liquidity will continue to support its creditworthiness.

S&P Global Ratings' long-term issuer credit rating on the City of Hamilton is 'AAA.' Despite the risks stemming from extant macroeconomic headwinds, we believe that its strong local economy will allow the city to continue posting healthy operating balances and modest after-capital deficits as it proceeds with its capital plan. Hamilton will issue some debt to fund part of its capital plan, but we expect that the debt burden will remain modest over the outlook horizon; similarly, we expect that debt service coverage will remain greater than 100% in our forecast.

Primary contact

Sabrina J Rivers
New York
1-212-438-1437
sabrina.rivers
@spglobal.com

Secondary contact

Hector Cedano, CFA
Toronto
1-416-507-2536
hector.cedano
@spglobal.com

Research contributor

Hardik Dilip Dhabalia
CRISIL Global Analytical Center,
an S&P Global Ratings affiliate
Pune

Outlook

The stable outlook reflects S&P Global Ratings' expectations that, in the next two years, the city will continue to implement prudent long-term financial planning policies such that its budgetary performance remains strong, generating modest after-capital deficits. We expect the debt burden will remain relatively stable and will represent about 20% of operating revenues at year-end 2025. In addition, we estimate that Hamilton's liquidity position will remain very high, with the debt service coverage ratio staying well above 100% over the next two years.

Downside scenario

We could lower the rating in the next two years if flat or declining revenues or higher spending led to sustained after-capital deficits of more than 5% of total revenues and we expected additional borrowing to increase the debt burden to more than 30% of operating revenues.

Rationale

Supportive institutions and prudent financial management practices will bolster the City of Hamilton's creditworthiness.

We believe Hamilton demonstrates characteristics of a resilient economy, including diversification. Although historically rooted in steel production, the economy has expanded into other sectors, including advanced manufacturing, aerospace, agribusinesses, food processing, life sciences, digital media, and goods transport. The city's accessible location on the edge of the Greater Toronto Area supports its ability to attract business and investment. Although municipal GDP data are unavailable, we believe that Hamilton's GDP per capita is in line with the national level, which we estimate will be about US\$54,000 in 2023.

In our view, Hamilton demonstrates prudent financial management policies. Its planning is facilitated by a four-year budget outlook and multiyear business plans. These plans complement the city's thorough and transparent disclosure; long-term financial sustainability plans; long-term operating and spending forecasts; and robust policies for investments, debt, and risk management.

As do other Canadian municipalities, Hamilton benefits from an extremely predictable and supportive local and regional government framework that has demonstrated high institutional stability and evidence of systemic extraordinary support in times of financial distress. Most recently through the pandemic, senior levels of government provided operating and transit-related grants to municipalities, in addition to direct support to individuals and businesses. Although provincial governments mandate a significant proportion of municipal spending, they also provide operating fund transfers and impose fiscal restraint through legislative requirements to pass balanced operating budgets. Municipalities generally have the ability to match expenditures well with revenues, except for capital spending, which can be intensive. Any operating surpluses typically fund capital expenditures and future liabilities (such as postemployment obligations) through reserve contributions. Municipalities have demonstrated a track record of strong budget results and, therefore, debt burdens, on average, are low relative to those of global peers and growth over time has been modest.

Budgetary performance will remain strong and debt will remain manageable.

Despite macroeconomic pressures, we believe the city's budgetary performance will not deteriorate. In our base-case scenario for 2021-2025, we expect operating balances to remain high at about 13% of operating revenues, on average. This will be undergirded by Hamilton's stable property tax base. The city expects to see a surplus in its tax-supported results for 2023 and a small deficit in its rate-supported operations. We expect an after-capital deficit of 1% of

City of Hamilton

total revenues, on average, in 2021-2025 as Hamilton carries out its capital plan. The capital spending associated with the C\$3.4 billion Hamilton light rail transit (LRT) project will be equally funded by the provincial and federal governments, allowing the city to focus on infrastructure requirements and asset maintenance capital projects. With the project set to begin construction in 2024, the city will be financially responsible for the operating costs associated with the LRT system.

In 2023-2025, Hamilton plans to issue about C\$200 million of debt to fund part of its capital projects, including C\$140 million in debentures. Nevertheless, we expect tax-supported debt will remain relatively stable and will represent about 20% of operating revenues at year-end 2025 as debt repayment will help to offset new debt issuance. In 2022, interest costs accounted for about 1% of operating revenues, which we expect will remain stable during our outlook horizon.

In our view, Hamilton's liquidity is a key credit strength. We estimate total free cash in the next 12 months will be enough to cover more than 12x the estimated debt service for the period. We expect this ratio will remain well above 100% during the outlook horizon.

City of Hamilton Selected Indicators

Mil. C\$	2020	2021	2022	2023bc	2024bc	2025bc
Operating revenue	1,697	1,826	1,892	1,935	1,999	2,062
Operating expenditure	1,394	1,585	1,648	1,689	1,730	1,784
Operating balance	302	241	244	246	269	278
Operating balance (% of operating revenue)	17.8	13.2	12.9	12.7	13.5	13.5
Capital revenue	131	139	123	152	152	147
Capital expenditure	488	447	320	433	432	419
Balance after capital accounts	(55)	(67)	46	(35)	(10)	6
Balance after capital accounts (% of total revenue)	(3.0)	(3.4)	2.3	(1.7)	(0.5)	0.3
Debt repaid	48	52	52	46	48	49
Gross borrowings	55	17	4	4	179	18
Balance after borrowings	(47)	(102)	(2)	(78)	121	(25)
Direct debt (outstanding at year-end)	436	401	353	311	442	410
Direct debt (% of operating revenue)	25.7	22.0	18.7	16.1	22.1	19.9
Tax-supported debt (outstanding at year-end)	436	401	353	311	442	410
Tax-supported debt (% of consolidated operating revenue)	25.7	22.0	18.7	16.1	22.1	19.9
Interest (% of operating revenue)	0.7	0.6	0.5	0.5	0.5	0.9
Local GDP per capita (\$)	--	--	--	--	--	--
National GDP per capita (\$)	43,349.7	52,358.6	54,917.7	54,414.8	55,764.6	58,226.4

The data and ratios above result in part from S&P Global Ratings' own calculations, drawing on national as well as international sources, reflecting S&P Global Ratings' independent view on the timeliness, coverage, accuracy, credibility, and usability of available information. The main sources are the financial statements and budgets, as provided by the issuer. bc--Base case reflects S&P Global Ratings' expectations of the most likely scenario. C\$--Canadian dollar. \$--U.S. dollar.

Ratings Score Snapshot

Key rating factors	Scores
Institutional framework	1
Economy	1
Financial management	2
Budgetary performance	2
Liquidity	1
Debt burden	1
Stand-alone credit profile	aaa
Issuer credit rating	AAA

S&P Global Ratings bases its ratings on non-U.S. local and regional governments (LRGs) on the six main rating factors in this table. In the "Methodology For Rating Local And Regional Governments Outside Of The U.S.," published on July 15, 2019, we explain the steps we follow to derive the global scale foreign currency rating on each LRG. The institutional framework is assessed on a six-point scale: 1 is the strongest and 6 the weakest score. Our assessments of economy, financial management, budgetary performance, liquidity, and debt burden are on a five-point scale, with 1 being the strongest score and 5 the weakest.

Key Sovereign Statistics

1. Sovereign Risk Indicators, July 10, 2023, . An interactive version is available at <http://www.spratings.com/sri>

Related Criteria

- General Criteria: Environmental, Social, And Governance Principles In Credit Ratings, Oct. 10, 2021
- Criteria | Governments | International Public Finance: Methodology For Rating Local And Regional Governments Outside Of The U.S., July 15, 2019
- General Criteria: Methodology For Linking Long-Term And Short-Term Ratings, April 7, 2017
- General Criteria: Principles Of Credit Ratings, Feb. 16, 2011

Related Research

2. Economic Outlook Canada Q4 2023: Sluggish Growth Ahead, Sept. 25, 2023
3. S&P Global Ratings Definitions, June 9, 2023
4. Institutional Framework Assessments For International Local And Regional Governments, Sept. 13, 2022

City of Hamilton

5. Various Rating Actions Taken On Canadian Municipal Governments On Improved Institutional Framework Assessment, June 1, 2022
6. Institutional Framework Assessment: Canadian Municipalities, June 1, 2022

Ratings Detail (as of October 17, 2023)*

Hamilton (City of)

Issuer Credit Rating	AAA/Stable/--
Senior Unsecured	AAA

Issuer Credit Ratings History

01-Jun-2022	AAA/Stable/--
16-Jun-2017	AA+/Stable/--
24-Jun-2016	AA/Positive/--

*Unless otherwise noted, all ratings in this report are global scale ratings. S&P Global Ratings credit ratings on the global scale are comparable across countries. S&P Global Ratings credit ratings on a national scale are relative to obligors or obligations within that specific country. Issue and debt ratings could include debt guaranteed by another entity, and rated debt that an entity guarantees.

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COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	October 17, 2023
SUBJECT:	Vacant Residential Land Area – 2023 Update (City Wide)
WARD(S) AFFECTED:	City Wide
SUBMITTED BY:	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

The purpose of this Communication Update is to advise Council of the City's current amount of vacant residential land and projected number of dwellings based on existing land use permissions for the pre Official Plan Amendment 167 urban areas. This update also provides an update on additional work being undertaken by the Planning Division related to residential growth and monitoring.

The Planning Division maintains an inventory of vacant residential land by dwelling type which is used to project residential development potential for both intensification and designated greenfield areas. The vacant residential land inventory is updated annually. Attached as Appendix "A" to this Communication Update is the most recent projection for the period ending June, 2023. It is important to note that the table has not yet been updated to include lands added to the urban boundary through Official Plan Amendment 167. A breakdown by community is provided in the table below which combines both residential land within the City's built-up area and Pre Official Plan Amendment 167 designated greenfield areas.

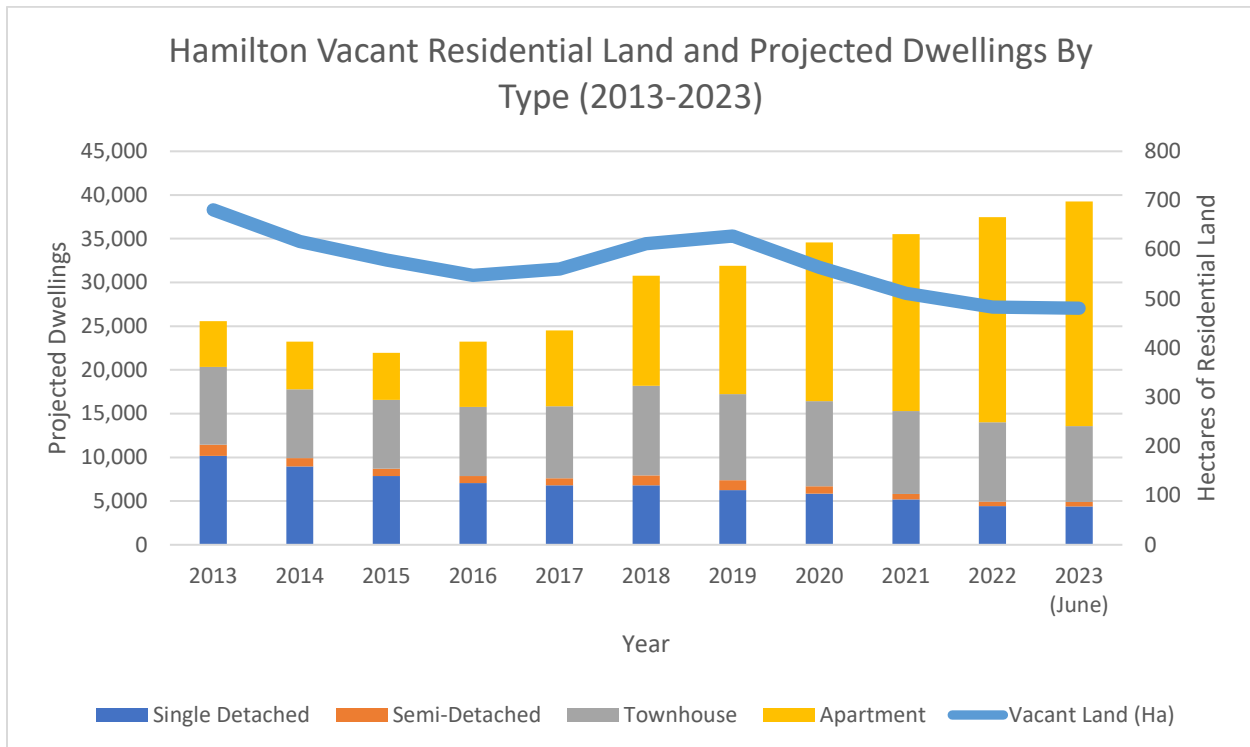
Community	Land Area (Hectares)	Projected Dwellings
Ancaster	41.2	1,459
Dundas	5.2	377
Flamborough	39.4	40,998
Glanbrook	79.9	3,057
Hamilton	126.8	17,562
Stoney Creek	188.7	12,718
TOTAL	481.2	39,271

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As shown in the chart below, the amount of vacant residential land has generally decreased in the past ten years as lands are developed; however, as a result of amendments to the Urban Hamilton Official Plan and Zoning By-law to expand and increase residential land use permissions, in particular for multiple dwellings, the total projected number of dwellings has steadily increased. The increase in vacant residential land between 2017-2018 is attributed to the Fruitland-Winona Secondary Plan area which previously had not been included in the assessment.



Based on the preliminary analysis of the urban boundary expansion areas, the new growth area can accommodate at least 28,000 new residential units.

Annual Housing Monitoring

Official Plan Amendment 167 established new policies in the Urban Hamilton Official Plan (Policies F.3.5.1 and F.3.5.2) for the City to monitor and report annually on the following:

- The residential intensification rate;
- The planned density of the designated greenfield area;
- The planned density of the urban growth centre and other urban nodes;
- Construction activity including the range and mix of housing types;
- The Vacant Residential Land Inventory;

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SUBJECT: Vacant Residential Land Area – 2023 Update (City Wide) - Page 3 of 3

- Comparison of the City’s actual population and employment growth to the forecasted population growth identified in policy A.2.3.1 and employment growth identified in Policy A.2.3.2;
- Employment and land absorption;
- Housing affordability; and,
- Housing and land development costs, including social housing development costs.

Note that these policies were not modified by the Ministry of Municipal Affairs and Housing. The Planning Division retained Dillon Consulting to prepare a framework for preparing the annual housing monitoring report which is currently under review. The Planning Division estimates that the first annual housing report will be submitted to Planning Committee in Q2:2024 using year end 2023 data.

For further information please contact Charlie Toman, Program Lead, Policy Planning & Municipal Comprehensive Review by phone at (905) 546-2424 Ext. 5863, or by email at Charlie.Toman@hamilton.ca.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – Vacant Residential Land Inventory – June 2023

Vacant Urban Residential Land Area & Unit Potential, June 2023

Planning Status	Single Detached		Semi-Detached		Townhouse		Apartment		City Total	
	Units	Area (ha)	Units	Area (ha)	Units	Area (ha)	Units	Area (ha)	Units	Area (ha)
Registered/Final Approved										
Ancaster	109	6.9	2	0.1	3	0.0	151	3.4	265	10.4
Dundas	3	0.3	2	0.2	29	0.6	0	0.0	34	1.1
Flamborough	18	1.0	0	0.0	26	0.9	658	4.5	702	6.5
Glanbrook	45	1.9	0	0.0	343	7.5	132	5.0	520	14.4
Hamilton	21	0.8	2	0.0	128	2.0	4,175	8.0	4,326	10.8
Stoney Creek	17	1.3	0	0.0	124	2.4	827	0.7	968	4.3
Total	213	12.2	6	0.3	653	13.4	5,943	21.5	6,815	47.4
Draft Approved										
Ancaster	93	4.1	0	0.0	41	0.8	0	0.0	134	4.9
Dundas	0	0.0	0	0.0	0	0.0	127	0.5	127	0.5
Flamborough	100	3.7	2	0.0	307	4.8	257	1.3	666	9.8
Glanbrook	926	29.2	0	0.0	579	13.7	135	0.9	1,640	43.9
Hamilton	746	34.1	62	1.3	451	10.8	4,685	13.7	5,944	59.9
Stoney Creek	161	7.9	24	0.5	736	15.1	1,349	8.4	2,270	31.9
Total	2,026	79.1	88	1.8	2,114	45.2	6,553	24.8	10,781	150.9
Pending										
Ancaster	40	2.8	0	0.0	104	3.4	170	0.7	314	6.8
Dundas	0	0.0	0	0.0	21	0.5	159	1.0	180	1.5
Flamborough	0	0.0	0	0.0	205	4.0	2,272	13.9	2,477	17.9
Glanbrook	196	6.6	44	0.9	472	9.4	148	2.5	860	19.4
Hamilton	168	6.5	0	0.0	452	8.2	3,967	8.8	4,587	23.5
Stoney Creek	331	12.4	0	0.0	1,502	30.6	3,268	6.6	5,101	49.6
Total	735	28.3	44	0.9	2,756	56.1	9,984	33.5	13,519	118.8
Potential Development										
Ancaster	230	11.6	32	1.1	224	4.7	260	1.7	746	19.1
Dundas	21	1.4	0	0.0	15	0.7	0	0.0	36	2.1
Flamborough	110	4.0	0	0.0	0	0.0	143	1.2	253	5.3
Glanbrook	37	2.1	0	0.0	0	0.0	0	0.0	37	2.1
Hamilton	304	15.7	24	0.6	448	9.7	1,929	6.6	2,705	32.6
Stoney Creek	705	34.8	326	9.2	2,476	47.1	872	11.8	4,379	102.8
Total	1,407	69.7	382	10.8	3,163	62.2	3,204	21.3	8,156	164.0
City Total										
Ancaster	472	25.4	34	1.1	372	8.9	581	5.8	1,459	41.2
Dundas	24	1.7	2	0.2	65	1.8	286	1.5	377	5.2
Flamborough	228	8.8	2	0.0	538	9.6	3,330	21.0	4,098	39.4
Glanbrook	1,204	39.9	44	0.9	1,394	30.7	415	8.4	3,057	79.9
Hamilton	1,239	57.1	88	1.9	1,479	30.7	14,756	37.0	17,562	126.8
Stoney Creek	1,214	56.4	350	9.7	4,838	95.2	6,316	27.4	12,718	188.7
Total	4,381	189.3	520	13.8	8,686	176.9	25,684	101.1	39,271	481.2

Source: City of Hamilton Planning and Economic Development Department GIS, Data as of June 30, 2023

1. Data derived from the City of Hamilton Planning Property Inventory containing various assumptions. Although the data has been captured as accurately as possible, some errors may be present due to insufficient or outdated information.


2. Totals may differ due to rounding.

3. The Urban Area does not include recent OPA167 expansion lands from the November 2022 Provincial approval.

Data as of June 30, 2023



COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	October 18, 2023
SUBJECT:	Sonic Runway at Pier 8 (Ward 2)
WARD(S) AFFECTED:	Ward 2
SUBMITTED BY:	John Summers Acting Director, Tourism and Culture Planning and Economic Development Department
SIGNATURE:	

The purpose of this Communication Update is to advise Council of the temporary art installation that will be at Pier 8 from November 1 through 26, 2023 called Sonic Runway.

Sonic Runway is a light-art installation that translates audio signals into patterns of light that shoot down a 432-foot (132 meter) corridor of 25 LED lined arches at the speed of sound. Sonic Runway will be activated with light and sound from 5:00-10:00pm as it is best experienced in the evening.

In addition to Sonic Runway, four temporary art installations created by local artists will be on display. On select evenings, special programming is planned featuring performances by local dancers, live music and DJ sets as well as a group bicycle ride with the Hamilton Glowriders.

To help kick off Sonic Runway at Pier 8, there will be a Hamilton Day celebration on November 3 in collaboration with the Hamilton Chamber of Commerce. Staff from the Tourism and Culture Division are available to tour members of Council around the Sonic Runway event site the evening of November 3 or by appointment.

Sonic Runway at Pier 8 is an outdoor experience and is free to attend. People who are sensitive to strobe lights should use caution attending this event.

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SUBJECT: Sonic Runway at Pier 8 (Ward 2) - Page 2 of 2

Sonic Runway was created by Rob Jensen, Warren Trezevant and is tour produced by Creos.

Sections of the Waterfront Trail by the Discovery Centre at Pier 8 will be unavailable on October 30 and 31 to allow for assembly of Sonic Runway and on November 27 when the artwork is dismantled.

More information on this project can be found at www.hamilton.ca/SonicRunway. Up to date programming information, including any delays or cancellation due to weather, will be posted on the City of Hamilton's Public Art Instagram account @publicarthamilton. Promotional materials including social media content is available upon request.


If you have any questions regarding this communication, please contact Sarah Ehmke, Senior Project Manager – Placemaking and Animation by email at Sarah.Ehmke@hamilton.ca or by phone at (905) 546-2424 Ext. 7505 or Peter Fortune, Manager of Placemaking, Public Art and Projects by email at Peter.Fortune@hamilton.ca or by phone at (905) 546-2424 Ext. 6281.

APPENDICES AND SCHEDULES ATTACHED

Not Applicable.



COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	October 18, 2023
SUBJECT:	Introduction of Bill 136, <i>Greenbelt Statute Law Amendment Act, 2023</i> – Reinstatement of 15 Sites Back into the Greenbelt Plan Area
WARD(S) AFFECTED:	City Wide
SUBMITTED BY:	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

The purpose of this Communication Update is to provide Council with an update on legislation introduced by the Government of Ontario, the *Greenbelt Statute Law Amendment Act, 2023*, to reinstate the 15 sites back into the Greenbelt Plan Area which had been removed in December 2022. The Premier of Ontario had announced the Province's intention to reinstate these lands on September 22, 2023.

In the Environmental Registry of Ontario posting (www.ero.ontario.ca/notice/019-7739) the Government of Ontario acknowledges that the process for the 2022 Greenbelt Plan removals was too fast and not sufficiently transparent, stating that the legislation is in response to feedback from Indigenous communities, the public, municipalities and stakeholders.

Background

In December 2022 the Government of Ontario made amendments to the Greenbelt Plan which included the removal of three sites within the City of Hamilton totalling 795 hectares of land. The Government of Ontario had stated the lands they removed from the Greenbelt Plan were intended for residential use to support the goal of building 1.5 million homes over the next 10 years. City Council passed a motion in February 2023 opposing the removal.

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The Government of Ontario had directed the Provincial Land and Development Facilitator to engage with the City of Hamilton and advised that the City would have an opportunity to provide input on how these lands are developed and to negotiate certain “community benefits” above and beyond the standard *Planning Act* requirements. It had been staff’s understanding that this input would be considered prior to a Minister’s Zoning Order being issued by the Minister of Municipal Affairs and Housing for these lands.

The City’s Greenbelt Plan Engagement Initiatives

On July 17, 2023 City Council provided direction that staff be directed to provide input, under protest, and that a special meeting of Planning Committee be scheduled to receive public input respecting these lands, to be provided to the Province, which was held on September 14, 2023. The City also held an Open House on September 6, 2023 and provided an online survey for public input.

The City’s consultation respecting these lands received significant public interest and input with over 1,000 residents attending the City’s Open House and special meeting of Planning Committee together with hundreds of written submissions and survey responses. Staff will report in greater detail on the engagement results through a separate report to Planning Committee scheduled for October 31, 2023.

Proposed Legislation

On October 16, 2023, the Government of Ontario introduced Bill 136, *Greenbelt Statute Law Amendment Act, 2023* on its Environment Registry of Ontario website, requesting public comments by November 30, 2023. The legislation received First Reading in the Legislature on October 16, 2023. If passed, the legislation would add all 15 sites back to the Greenbelt Plan Area that were removed in December 2022 by incorporating the description of the Greenbelt Area and Oak Ridges Moraine Area boundaries directly into the proposed legislation. This includes the three sites removed from the Greenbelt Area in Hamilton.

The legislation would eliminate Provincial authority to remove lands from the Greenbelt Area and Oak Ridges Moraine Area by regulation, meaning that the Government of Ontario would have to pass new legislation to make future amendments to boundaries. Note that the legislation would maintain the 3,804 hectares of land added to the Greenbelt Plan Area in 2022 in Wellington County.

**SUBJECT: Introduction of Bill 136, *Greenbelt Statute Law Amendment Act, 2023*
– Reinstatement of 15 Sites Back into the Greenbelt Plan Area (City
Wide) - Page 3 of 3**

The commenting period on the proposed legislation will be open for 45 days, from October 16, 2023 to November 30, 2023. A report on the proposed legislation and staff comments is scheduled for the November 14, 2023 Planning Committee meeting with Council ratification on November 22, 2023. This will ensure Council comments can be included as part of the City's submission to the Province.


If you require any further information on the above matter, please contact Anita Fabac, Acting Director of Planning and Chief Planner by email at Anita.Fabac@hamilton.ca or at (905) 546-2424 Ext. 1258, or, Charlie Toman, Program Lead – Policy Planning & Municipal Comprehensive Review by e-mail at Charlie.Toman@Hamilton.ca or at (905) 546-2424 Ext. 5863.

APPENDICES AND SCHEDULES ATTACHED

Not applicable.



COMMUNICATION UPDATE

TO:	Mayor and Members Board of Health
DATE:	October 19, 2023
SUBJECT:	Air Monitoring On-Site Assessment at Green for Life Stoney Creek Regional Facility (Ward 9)
WARD(S) AFFECTED:	Ward 9
SUBMITTED BY:	Dr. Elizabeth Richardson, MD, MHSc, FRCPC Medical Officer of Health Public Health Services
SIGNATURE:	

This communication provides the Board of Health with a second update concerning the Ministry of Environment Conservation and Parks' (Ministry) actions including air monitoring onsite assessment at the Green For Life Environmental Stoney Creek Regional Facility (Facility) located at 65 Green Mountain Road West in Stoney Creek (Ward 9) to address public complaints concerning air quality and odours specifically during evening and early morning time periods emanating from the Facility and impacting nearby residences.

Summary

Subsequent to the Ministry's August 2023 Air Monitoring On-Site Assessment at Green for Life Stoney Creek Regional Facility and community-raised concerns regarding odours emanating from the Facility during evening and early morning time periods not measured in the Ministry's first assessment, the second Ambient Air Monitoring Assessment Survey conducted by the Ministry in September 2023 incorporated both evening and early morning monitoring periods.

Ministry staff identified odours on each of the six survey days with the leachate pond and the Facility as the likely source of odours. Furthermore, measurements taken by the Ministry indicate a total of twenty-nine exceedances of the Total Reduced Sulfur 10-minute odour-based O. Reg. 419/05 Standard of $13 \mu\text{g}/\text{m}^3$. Since hydrogen sulphide (H_2S) was the only pollutant that was seen with any degree of regularity in the study it was assumed that Total Reduced Sulfur was composed entirely of hydrogen sulfide (H_2S) which allowed for comparison to applicable Total Reduced Sulfur air standards.

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: Air Monitoring On-Site Assessment at Green for Life Stoney Creek Regional Facility (Ward 9) - Page 2 of 6

Based on the location of measured Total Reduced Sulfur exceedances, Facility operations and wind conditions during exceedances, the Ministry identified that the Facility and leachate pond as the most likely Total Reduced Sulfur source and cause of exceedances. Given the frequency, magnitude and widespread nature of 10-minute Total Reduced Sulfur exceedances measured on select days by the Ministry, there is acknowledgement that exceedances may have occurred at other times when air monitoring was not being conducted by the Ministry. Therefore, the Ministry has identified the need for continuous Total Reduced Sulfur monitoring in the general area around the Facility to be evaluated to ensure the 24-hour Total Reduced Sulfur O. Reg 419/05 health-based standard of $7 \mu\text{g}/\text{m}^3$, is not being exceeded. Public Health Services is supportive of this latter initiative. On October 17, 2023, the Ministry issued an Order to the Facility; the order is to be posted on the company's website.

Ministry Inspectors continue daily on-site monitoring at the Facility. Furthermore, the Hamilton District Office of the Ministry has referred this matter to their Investigations and Enforcement Branch for appropriate follow-up. As well, the Ministry has asked the Facility to enhance public communications via weekly written status updates on the Green For Life Environmental Stoney Creek Regional Facility website and monthly virtual Community Update Meetings for members the public hosted by Green For Life Environmental.

Moreover, Public Health Services is preparing a Recommendation Report in response to Council's direction at its September 27, 2023 meeting:

“That staff be directed to explore the ways and means to provide independent third party air monitoring for a minimum seven day period at GFL Stoney Creek Landfill to be funded by the Stoney Creek Compensation Royalties (GFL Landfill) Reserve 117036 and report back to the Public Health Committee.”

Background

In response to residents' odour complaints and concerns regarding potential contaminants and impacts from odour, Public Health Services staff have continued to meet with Ministry staff to discuss their findings from additional evening and early morning air monitoring, as requested by the community, on-site and around the Facility in Stoney Creek conducted in September 2023.

The Technical Support Section of the Ministry completed an air monitoring assessment in the vicinity of the Facility over six different days from September 1, 14, 15, 22, 28, and 29, 2023. The Ministry measured the following compounds: benzene, trichloroethylene, toluene, tetrachloroethylene, chlorobenzene, ethylbenzene, styrene, 1,2,4 trimethylbenzene, naphthalene, nitrogen oxides (NO_x), including nitric oxide (NO) and nitrogen dioxide (NO₂), Total Reduced Sulfur compounds, and sulfur dioxide (SO₂).

SUBJECT: Air Monitoring On-Site Assessment at Green for Life Stoney Creek Regional Facility (Ward 9) - Page 3 of 6

It is important to point out that based on the Ministry's previous observations of elevated contaminant concentrations and likely contaminants of interest, as shared in the first Communication Update on September 15, 2023, the Ministry prioritized Total Reduced Sulfur compounds and sulfur dioxide (SO₂) measurements. Although Total Reduced Sulfur compounds can include dimethyl disulfide, dimethyl sulfide, hydrogen sulfide (H₂S) and mercaptans, for the purposes of this assessment, based on the Ministry's finding in the August 2023 Air Monitoring On-Site Assessment at Green for Life Stoney Creek Regional Facility, it was assumed that Total Reduced Sulfur was composed entirely of hydrogen sulfide (H₂S) and allowed for comparison to applicable Total Reduced Sulfur air standards. Hence, hydrogen sulphide (H₂S) was the only pollutant that was seen with any degree of regularity in the study.

Additionally, to further address the odour concerns, the Technical Support Section used a St. Croix Sensory Nasal Ranger (Nasal Ranger) for the measurement and quantification of odour strength in the ambient air.

As was completed with the first set of Ministry data collected from the Facility and received by Public Health Services in August 2023, this second set of Ministry findings received by Public Health Services on October 11, 2023, were independently reviewed by Public Health Services' Environmental Health Consultant.

Odours described as raw sulphur, leachate, herb, garbage, solvent, chemical, burnt, rotten eggs, and odour masking agents (Febreeze, sweet, mouthwash, fluoride, perfume) were identified on all six survey days by Ministry staff. Over the course of all sampling days, the data collection suggests that the leachate pond and the Facility as a likely source of odours.

Toluene, ethylbenzene and 1,3-dimethylbenzene were detected at 10:55 a.m. on September 1, 2023. The Ministry found, these compounds to be well below their respective O. Reg. 419/05 Guidelines; hence these measurements were within the parameters to limit exposure that can affect human health and the environment.

On September 22, 2023 from 4:40 a.m. to 4:50 a.m., the Ministry found that the maximum 10-minute Total Reduced Sulfur concentration to be 266.5 µg/m³ which was above the Total Reduced Sulfur 10-minute odour-based O. Reg. 419/05 Standard of 13 µg/m³. This 10-minute standard is based on odour and, therefore, comfort for residents. The Ministry measured this maximum concentration along the Facility western property line approximately 500m from the nearest residence. Additionally, the Ministry measured a total of twenty-nine 10-minute Total Reduced Sulfur O. Reg. 419/05 Standard exceedances over the following dates: September 14, 15, 22, 28 and 29, 2023. These Total Reduced Sulfur exceedances were measured by the Ministry at many locations surrounding the Facility including residential areas. Hence, exceedances above the standard may understandably decrease comfort for residents

SUBJECT: Air Monitoring On-Site Assessment at Green for Life Stoney Creek Regional Facility (Ward 9) - Page 4 of 6

within the vicinity of the Facility particularly on September 22, 2023 when the measurement was considerably above the standard.

By taking into account the location of measured Total Reduced Sulfur exceedances, Facility operations and wind conditions during exceedances, the Ministry has identified the Facility and leachate pond as the most likely Total Reduced Sulfur source and cause of exceedances. Further, the Ministry brings attention to the fact it is likely that exceedances occurred at other times when air monitoring was not being done given the frequency, magnitude and widespread nature of 10-minute Total Reduced Sulfur exceedances measured during the survey period.

Although hydrogen sulfide (H₂S) has not been known to cause cancer¹, prolonged exposure to low concentrations of Total Reduced Sulfur compounds such as hydrogen sulfide (H₂S) may cause headaches, tiredness, and nausea.¹ This is consistent with community concerns raised regarding their lived experience with the odour emanating from the Facility impacting their quality of life^{2,3,4,5}, which research confirms can trigger an individual's stress response.⁶

Therefore, based on the fact that elevated 10-minute Total Reduced Sulfur concentrations were measured on five of the six survey days, the Ministry has pointed

¹ Canadian Centre for Occupational Health and Safety (CCOHS), 2023. Hydrogen Sulfide. Available from:

https://www.ccohs.ca/oshanswers/chemicals/chem_profiles/hydrogen_sulfide.html

² Aatamila M., Verkasalo P. K., Korhonen M. J., Suominen A. L., Hirvonen M. R., Viluksela M. K., et al. 2011 Odour annoyance and physical symptoms among residents living near waste treatment centres Environ Res 111 1 164 -170 Available from:

<https://pubmed.ncbi.nlm.nih.gov/21130986/>

³ Baldacci S., Maio S., Martini F., Silvi P., Sarno G., Cerrai S., et al. 2015 Odor annoyance perception and health effects in an Italian general population sample Eur Respir J PA1115 Available from:

https://erj.ersjournals.com/content/46/suppl_59/PA1115

⁴ Blanes-Vidal V. 2015 Air pollution from biodegradable wastes and non-specific health symptoms among residents: Direct or annoyance-mediated associations? Chemosphere 120 371 -377 Available from:

<https://pubmed.ncbi.nlm.nih.gov/25192839/>

⁵ Hooiveld M., van Dijk C. E., van der Sman-De Beer F., Smit L. A. M., Vogelaar M., Wouters I. M., et al. 2015 Odour annoyance in the neighbourhood of livestock farming – Perceived health and health care seeking behaviour Ann Agric Environ Med 22 1 55 -61 Available from: <https://pubmed.ncbi.nlm.nih.gov/25780829/>

⁶ Hirasawa Y., Shirasu M., Okamoto M., and Touhara K. 2019 Subjective unpleasantness of malodors induces a stress response Psychoneuroendocrinology 106 206 -215 Available from:

<https://www.sciencedirect.com/science/article/abs/pii/S0306453018312125>

SUBJECT: Air Monitoring On-Site Assessment at Green for Life Stoney Creek Regional Facility (Ward 9) - Page 5 of 6

out the need for continuous Total Reduced Sulfur monitoring in the general area around the Facility to be evaluated to ensure the 24-hour Total Reduced Sulfur O. Reg 419/05 health-based standard of $7 \mu/m^3$, is not being exceeded. Consequently, on October 17, 2023, the Ministry issued an order to the Facility; the order is to be posted on the company's website.

Public Health Services has been informed that Ministry Inspectors continue to conduct daily on-site monitoring at the facility ensuring agreed to measures are being taken such as daily application of "foam treatment" to leachate pods. Furthermore, the Hamilton District Office of the Ministry has referred this matter to their Investigations and Enforcement Branch for appropriate follow-up. As well, the Ministry is working with the Facility to enhance public communications via weekly written status updates on the Facility's website and monthly virtual Community Update Meetings for members the public organized by Green For Life Environmental. These meetings will be hosted on Zoom where community members will have the opportunity to hear how Green For Life is addressing odour issues at the Stoney Creek Regional Facility landfill and pose questions to Green For Life and the Ministry of the Environment, Conservation and Parks representatives.

To register, please click on the zoom meeting links below. You may register at any time for the meetings.

- Wednesday, October 18, 2023: 6:00 p.m. – 7:00 p.m.
<https://us06web.zoom.us/meeting/register/tZcofuGgqDItE9aQxmSg-XS263c8PCL-rS-9>
- Thursday, November 16, 2023: 6:00 p.m. – 7:00 p.m.
https://us06web.zoom.us/meeting/register/tZwpdeivrT0oG93zTTGILLJqR_clncNqizIA
- Thursday, December 14, 2023: 6:00 p.m. – 7:00 pm
https://us06web.zoom.us/meeting/register/tZErdiprj4oEtfCiEAFiwVhl_kGDEhw9-Dg

Next steps for Public Health Services include preparing a Recommendation Report, tentatively scheduled for the November 13, 2023 Public Health Committee Meeting, in response to Council's direction at its September 27, 2023 meeting:

"That staff be directed to explore the ways and means to provide independent third party air monitoring for a minimum seven day period at GFL Stoney Creek Landfill to be funded by the Stoney Creek Compensation Royalties (GFL Landfill) Reserve 117036 and report back to the Public Health Committee."

SUBJECT: Air Monitoring On-Site Assessment at Green for Life Stoney Creek Regional Facility (Ward 9) - Page 6 of 6

Additionally, Public Health Services recognizes that landfill impacts to the environment not only include air but also involve soil and water.⁷ Therefore, Public Health Services staff have connected with both the City's Waste and Water Management staff who have indicated that they are continuously monitoring and following-up with the Facility as appropriate.

Should you require further information about this Communication Update, please do not hesitate to contact Matthew Lawson, Manager, Health Hazards and Vector Borne Diseases Program at Ext. 5823 or matthew.lawson@hamilton.ca.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Board of Health Communication Update: (2023-10-19) Green for Life Environmental September 2023 Ambient Air Monitoring Assessment Survey, Stoney Creek, Ontario (Ministry of the Environment, Conservation and Parks)

⁷ Vaverkova M.D. 2019 Landfill Impacts on the Environment – Review Available from: <https://www.mdpi.com/2076-3263/9/10/431>

**Ministry of the Environment,
Conservation and Parks
Drinking Water and Environmental
Compliance Division
West Central Region**

119 King Street West, 12th Floor
Hamilton, Ontario L8P 4Y7
Tel.: 905 521-7640
Fax: 905 521-7820

**Ministère de l'Environnement de la
Protection de la nature et des Parcs
Division de la conformité en matière
d'eau potable et d'environnement
Direction régionale du Centre-Ouest**

119 rue King Ouest, 12^e étage
Hamilton (Ontario) L8P 4Y7
Tél.: 905 521-7640
Télééc.: 905 521-7820



October 5, 2023

MEMORANDUM

**RE: GFL Environmental September 2023 Ambient Air Monitoring Assessment Survey,
Stoney Creek, Ontario**

This memorandum serves as an update to the previously issued memorandum dated September 1, 2023, which reported the results of air monitoring surveys that took place in August 2023. This update reports on air monitoring measurements completed in September 2023.

At the request of the Hamilton District Office of the Ontario Ministry of the Environment, Conservation and Parks, the Technical Support Section of West Central Region (WCR) conducted an odour and air quality monitoring assessment of the Green for Life (GFL) Environmental Stoney Creek Regional Facility (the Facility) in Stoney Creek, Ontario on September 1, 14, 15, 22, 28 and 29, 2023.

Complaints had been received from nearby locations regarding odour impacts on their properties. The purpose of the monitoring survey was to address complaints and identify any potential air quality impacts from the Facility at nearby residences. The Technical Support Section (TSS) was on-site on September 1, 14, 15, 22, 28 and 29, 2023. The results collected during these sampling days are presented in this memo.

Summary of Activities

The Technical Support Section deployed their mobile air monitoring vehicle equipped with a portable Gas Chromatograph/Mass Spectrometer (GC/MS) unit for the measurement of volatile organic compounds (VOCs), the HAPSITE ER Chemical Identification System (HAPSITE). The HAPSITE is a discrete sampling system that draws a known volume of air (250 mL) into the GC/MS over two minutes, followed by analysis for approximately ten minutes. Once the analysis is complete, another discrete sample is taken. The HAPSITE was calibrated to identify and quantify the following VOCs:

- Benzene
- Trichloroethylene
- Toluene
- Tetrachloroethylene

- Chlorobenzene
- Ethylbenzene
- Styrene
- 1,2,4-trimethylbenzene
- Naphthalene

As the concentrations measured by the HAPSITE are based on samples collected over a two-minute period, the results are not directly comparable to air standards with longer averaging times. However, these measurements can be used for reference purposes to gain an understanding of the range of concentrations being measured compared to various air standards and benchmarks.

Other compounds that were measured during the air monitoring surveys in September include nitrogen oxides (NO_x), including nitric oxide (NO) and nitrogen dioxide (NO₂), total reduced sulphur compounds (TRS) and sulphur dioxide (SO₂) which are measured continuously with individual analyzers. Due to the power capabilities of the air monitoring vehicle, and the length of time of each air monitoring event, it was not possible to monitor for all contaminants on every occasion. Based on previous observations of elevated contaminant concentrations and likely contaminants of interest, priority was given to TRS and SO₂ measurements. While TRS compounds can include dimethyl disulphide, dimethyl sulphide, hydrogen sulphide and mercaptans, for the purpose of conversion from ppb to µg/m³ it was assumed that TRS was composed entirely of hydrogen sulphide to allow for comparison to the applicable TRS air standards, which are expressed in µg/m³.

The Technical Support Section used a St. Croix Sensory Nasal Ranger (Nasal Ranger) for the measurement and quantification of odour strength in ambient air. The Nasal Ranger measures and quantifies odour strength via the "Dilution-to-Threshold" (D/T) ratio in ambient air. All odour measurements were reported in D/T, which is a measure of the number of dilutions needed to make the odorous ambient air "not detectable". The operator records the D/T ratio from the Nasal Ranger and described the odour at each sampling location. The D/T ratios used by the Nasal Ranger are as follows ranging from least odorous to most odorous: No odour, <2, 2, 4, 7, 15, 30 and >60. Results are presented in ranges.

The method for odour measurement with the Nasal Ranger involves starting with highest dilution setting and noting if an odour is detected using the Nasal Ranger. If no odour is detected, then successive dilutions are performed at progressively lower dilution settings until an odour is detected. If the lowest dilution setting is reached and an odour is still not detected with the Nasal Ranger, then a dilution ratio of <2 is recorded which means an odour was detected by the operator without equipment but was not quantifiable by the Nasal Ranger.

Staff were trained before the start of the odour assessment. The pre-calibration involves determining an individual's olfactory sensitivity by using several odour pens, which contain different amounts of a standard odorant, n-butanol. The combination of standard presentation methods and statistical analysis makes this test a reliable method of measuring individual olfactory sensitivity. Individuals who have a hypersensitive odour threshold or conversely individuals who have an underwhelming odour threshold would not qualify to use the Nasal Ranger with accuracy.

Data from the on-site meteorological tower STN29247 was used to determine wind data.

The GFL Facility and surrounding area are shown in Figure 1.

Survey Results

Odour measurements and wind roses generated from station STN29247 for each of the sampling days are shown in Figures 2-7. Figures 8-11 plot the running 10-minute TRS average concentration time series. A summary of 10-minute TRS exceedance locations is shown in Figure 12. In the summary below, only compounds with significant concentrations are reported.

September 1, 2023 (9:50 – 12:33)

VOC Measurements

Toluene, ethylbenzene and 1,3-dimethylbenzene were detected at 10:55. All three VOCs were well below their respective O. Reg. 419/05 Guidelines. A summary of measured concentrations is provided in Table 1 below.

TRS Measurements

Other compounds were not detected except for Total Reduced Sulphur (TRS) which measured a maximum 10-minute concentration of $4.9 \mu\text{g}/\text{m}^3$ which is below the 10-minute odour-based O. Reg. 419/05 Standard of $13 \mu\text{g}/\text{m}^3$. A summary of measured concentrations is provided in Table 1 below.

Odour Survey

Raw sulphur, rotten egg, leachate, herb and garbage odours were also detected throughout the sampling period. The odour levels could not be quantified using the nasal ranger ($D/T < 2$). Odours were detected north of the leachate pond when winds were blowing from the southwest and southeast where the leachate pond and the GFL facility were upwind and likely sources.

Figure 2 summarizes the odour survey for this day.

Table 1: Summary of Measurements on Sept 1, 2023

Contaminant	Sample @10:55	Limit or Benchmark	Emergency Screening Value (ESV) Thresholds		
			1-hr ESV	8-hr ESV	Odour Threshold
	$\mu\text{g}/\text{m}^3$	$\mu\text{g}/\text{m}^3$	$\mu\text{g}/\text{m}^3$	$\mu\text{g}/\text{m}^3$	$\mu\text{g}/\text{m}^3$
Toluene	27.68	2000 (24-hr Odour) ^B	793090	396545	7336
Ethylbenzene	11.52	1900 (10-min Odour) ^B	150781	75391	2239
1,3-dimethylbenzene (m-Xylene)	10.97	3000 (10-min Odour) ^B	130000	65000	350
Total Reduced Sulphur ^A	4.9	13 (10-min Odour) ^C	---	---	---

Notes:

A - Maximum running 10-minute concentration between 9:50-12:33. Conversion of TRS from ppb to $\mu\text{g}/\text{m}^3$ assumed TRS was composed entirely of hydrogen sulphide

B – Guideline value when section 19 or 20 applies under O. Reg 419/05 – Air Pollution – Local Air Quality
The concentrations measured are over a two-minute period and are therefore not directly comparable to standards with longer averaging periods. However, they can be compared for reference purposes to gain an understanding of the range of concentrations being measured compared to these guidelines.

C – O. Reg. 419/05 10-minute TRS Standard

September 14, 2023 (19:00) to September 15, 2023 (00:30)

VOC Measurements

No VOCs were detected in this period.

TRS Measurements

A maximum 10-minute TRS concentration of $55.6 \mu\text{g}/\text{m}^3$ was measured on September 15, 2023, from 00:17 to 00:27 which exceeds the 10-minute TRS O. Reg. 419/05 Standard of $13 \mu\text{g}/\text{m}^3$. The maximum measured concentration occurred approximately 275m from the nearest residence. A total of four (4) exceedances of the TRS 10-minute O. Reg. 419/05 Standard were measured over this 5.5-hour period. Exceedances were generally measured northeast of the GFL facility, including residential areas. Winds were blowing from the west to southwest where the GFL facility was upwind and a potential source of odours. A summary of measured TRS exceedances is shown in Table 8. Figure 8 plots the running 10-minute TRS average concentration time series.

Odour Survey

Table 2: Odour Survey Sept 14 – Sept 15, 2023

Date	Time	Odour Observations	D/T Ratio	General Comments
14-Sep-23	19:19	Yes	2 - 4	Masking agent - Febreeze, sweet smell
	19:55	No	-	No odour detected
to	20:15	No	-	No odour detected
	20:30	Yes	2 - 4	Rotten Eggs, Sulphur odour
15-Sep-23	20:52	Yes	2 - 4	Masking agent - Febreeze, sweet smell

Date	Time	Odour Observations	D/T Ratio	General Comments
	21:18	No	-	No odour detected
	21:45	No	-	No odour detected
	22:00	No	-	No odour detected
	22:20	No	-	No odour detected
	23:16	No	-	No odour detected
	23:45	No	-	No odour detected
	00:00	Yes	4 - 7	Rotten Eggs, Sulphur odour
	00:17	Yes	4 - 7	Rotten Eggs, Sulphur odour

Winds were blowing from the west to southwest where the GFL facility and leachate pond was upwind and a potential odour source. The odour survey is summarized in Figure 3.

September 15, 2023 (04:45 - 09:57)

VOC Measurements

No VOCs were detected in this period.

TRS Measurements

A maximum 10-minute TRS concentration of 39.5 µg/m³ was measured on September 15, 2023, from 05:12 to 05:22, in a residential area, which exceeds the 10-minute TRS O. Reg. 419/05 Standard of 13 µg/m³. A total of twelve (12) exceedances of the TRS 10-minute O. Reg. 419/05 Standard were measured over this 5-hour period. Exceedances were measured at many locations surrounding the GFL facility, including residential areas. It is possible the relatively low wind speeds resulted in temporary stagnant conditions resulting in the inability for contaminants to disperse. A summary of measured TRS exceedances is shown in Table 8. Figure 8 plots the rolling 10-minute TRS average concentration time series.

Odour Survey

Table 3: Odour Survey Sept 15, 2023

Date	Time	Odour observations	D/T Ratio	General Comments
15-Sep-23	4:50	Yes	4 - 7	Strong Odour - Leachate - Rotten Eggs - Very low wind speeds (Calm)
	5:12	Yes	2 - 4	Odour - Leachate - Rotten Eggs
	5:30	Yes	2	Odour - Leachate - Rotten Eggs
	5:49	Yes	2 - 4	Odour - Leachate
	6:04	Yes	2 - 4	Odour - Leachate - Rotten Eggs
	6:27	Yes	<2	Odour - Leachate
	6:43	Yes	<2	Odour - Leachate
	7:06	Yes	<2	Whiffs - very faint leachate
	7:22*	Yes	4 - 7	Odour - Leachate - Rotten Eggs - sweet
	7:24	Yes	<2	Odour - Leachate

Date	Time	Odour observations	D/T Ratio	General Comments
	7:30	Yes	<2	Odour - Leachate
	7:56	Yes	4 - 7	Odour - Leachate + Deodorizer Smell is Sweet / Mouthwash / Fluoride - As Deodorizer Fan System Rotates the intensity of each smell changes
	8:13	Yes	2 - 4	Odour - Leachate + Deodorizer Smell is Sweet / Mouthwash / Fluoride
	8:38	No	-	No odour detected
	8:55	No	-	No odour detected
	9:20	No	-	No odour detected
	9:44	No	-	No odour detected

Winds were relatively calm during this period. Winds were generally blowing from the northwest where the GFL facility was upwind of a few locations and was the likely source. However, a few locations were upwind of the GFL facility. It is possible the relatively low wind speeds resulted in temporary stagnant conditions resulting in the inability for odours to disperse. The odour survey is summarized in Figure 4.

September 22, 2023 (0:00 – 05:16)

VOC Measurements

No VOCs were detected in this period.

TRS Measurements

A combination of mobile and stationary TRS concentrations were measured in this sampling period. Their results are presented here separately. Figure 9 plots the rolling 10-minute TRS average concentration time series (combination of stationary and mobile measurements). A summary of measured TRS exceedances is shown in Table 8.

- *Stationary TRS Measurements*
 - Stationary TRS concentrations consist of 1-minute TRS measurements when the monitoring van was parked (the same approach used for other sampling days) and can be compared directly to the O. Reg. 419/05 Standard.
 - A maximum 10-min TRS concentration of 266.5 µg/m³ was measured on September 22, 2023, from 04:40 to 04:50 which exceeds the 10-minute TRS O. Reg. 419/05 Standard of 13 µg/m³. A total four (4) exceedances of the TRS 10-minute O. Reg. 419/05 Standard were measured. These exceedances were measured on First Road W, immediately adjacent to the western boundary of the GFL facility and approximately 500m from the nearest residence. Relatively low wind speeds likely resulted in temporary stagnant conditions resulting in the inability for contaminants to disperse.
- *Mobile TRS Measurements*

- Mobile TRS concentrations consist of 1-minute TRS measurements while the monitoring van was in motion. Mobile TRS concentrations cannot be compared directly to the O. Reg. 419/05 Standard but are included for context to highlight areas where elevated concentrations were measured.
- A maximum 10-minute TRS concentration of 108 $\mu\text{g}/\text{m}^3$ was measured on September 22, 2023 from 04:54 to 05:02 which is greater than 13 $\mu\text{g}/\text{m}^3$ (8 continuous minutes is sufficient data recovery for a 10-min period). A total of six (6) TRS 10-minute concentrations were above 13 $\mu\text{g}/\text{m}^3$. Elevated concentrations were measured all around the GFL facility including residential areas. Relatively low wind speeds likely resulted in temporary stagnant conditions resulting in the inability for contaminants to disperse.

Odour Survey

Table 4: Odour Survey Sept 22, 2023

Date	Time	Odours observations	D/T Ratio	General Comments
22-Sep-23	0:10	No	-	Complainant House #1
	0:20	Yes	<2	Complainant House #2 - Sour smell
	0:30	Yes	4 - 7	Inside GFL Facility - Reference only - Rotten eggs
	0:40	Yes	4 - 7	Inside GFL Facility - Reference only - Rotten eggs
	0:55	Yes	4 - 7	Inside GFL Facility - Reference only - Rotten eggs
	1:28	Yes	<2	GFL mist machine - deodorizer/ sweet
	1:43	No	-	Complainant House #3
	1:54	No	-	Complainant House #4
	2:06	No	-	Complainant House #5
	2:13	No	-	Complainant House #6
	2:30	No	-	Complainant House #7
	2:52	Yes	<2	GFL mist machine - deodorizer/ sweet
	3:15	Yes	<2	Sour smell
	3:32	Yes	2 - 4	Sour smell
	4:08	Yes	<2	Sour smell
	4:25	Yes	2 - 4	Leachate/ waste
	4:43	Yes	4 - 7	Rotten Eggs
4:51	Yes	7 - 15	Rotten Eggs	
4:58	Yes	2 - 4	Rotten Eggs	

Winds were calm during this period. It is possible the relatively low wind speeds resulted in temporary stagnant conditions resulting in the inability for odours to disperse. The odour survey is summarized in Figure 5.

September 28, 2023 (10:30 – 14:30)

VOC Measurements

No VOCs were detected in this period.

TRS Measurements

A maximum 10-minute TRS concentration of 17.2 µg/m³ was measured on September 28, 2023 from 13:58 - 14:08, which exceeds the 10-minute TRS O. Reg. 419/05 Standard of 13 µg/m³. The maximum was measured approximately 250m from the nearest residence. A total of two (2) exceedances of the TRS 10-minute O. Reg. 419/05 Standard were measured over this six-hour period. Both exceedances were measured southwest of the leachate pond which is a potential source of odours. Relatively low wind speeds likely resulted in temporary stagnant conditions resulting in the inability for contaminants to disperse. A summary of measured TRS exceedances is shown in Table 8. Figure 10 plots the rolling 10-minute TRS average concentration time series.

Odour Survey

Table 5: Odour Survey Sept 28, 2023

Date	Time	Odour observations	D/T Ratio	General Comments
28-Sep-23	10:30	No	-	No odour detected
	10:45	No	-	No odour detected
	11:00	No	-	No odour detected
	11:05	No	-	No odour detected
	11:20	No	-	No odour detected
	11:45	No	-	No odour detected
	12:15	No	-	No odour detected
	12:35	No	-	No odour detected
	12:55	No	-	No odour detected
	13:00	No	-	No odour detected
	13:15	No	-	No odour detected
	13:30	No	-	No odour detected
	13:45	Yes	7 - 15	Perfume/ landfill gas
14:05	Yes	7 - 15	Perfume/ landfill gas	

Winds were calm during this period. It is possible the relatively low wind speeds resulted in temporary stagnant conditions resulting in the inability for odours to disperse. The odour survey is summarized in Figure 6.

September 29, 2023 (04:00 – 9:15)

VOC Measurements

No VOCs were detected in this period.

TRS Measurements

A maximum 10-minute TRS concentration of 42.5 µg/m³ was measured on September 29, 2023, from 06:22 – 06:32, which exceeds the 10-minute TRS O. Reg. 419/05 Standard of 13 µg/m³. This measured exceedance occurred approximately 100m from the nearest residence. A total of seven (7) exceedances of the TRS 10-minute O. Reg. 419/05 Standard were measured over this approximately 5-hour period. Exceedances were measured southwest of the leachate pond and southeast of the GFL facility which are both potential sources. Further, relatively low wind speeds likely resulted in temporary stagnant conditions resulting in the inability for contaminants to disperse away. A summary of measured TRS exceedances is shown in Table 8. Figure 11 plots the running 10-minute TRS average concentration time series.

Odour Survey

Table 7: Odour Survey Sept 29, 2023

Date	Time	Odour observations	D/T Ratio	General Comments
29-Sep-23	4:00	No	-	No odour detected
	4:23	Yes	<2	Deodorizer + Leachate
	4:39	No	-	No odour detected
	5:05	Yes	<2	Leachate
	5:22	Yes	<2	Leachate
	5:37	Yes	2 - 4	Leachate, Sour, Garbage
	5:54	Yes	<2	Leachate, Burnt
	6:12	Yes	<2	Leachate, Deodorizer
	6:27	Yes	4 - 7	Leachate, Deodorizer, Burnt, Rotten Eggs
	6:44	Yes	<2	Leachate, Deodorizer, Burnt
	7:20	No	-	No odour detected
	7:37	Yes	<2	Faint Leachate
	7:59	Yes	<2	Leachate, Deodorizer
	8:15	Yes	2 - 4	Leachate, Deodorizer, Rotten Eggs
	8:45	Yes	<2	Solvent, Burnt, Chemical
9:06	Yes	<2	Solvent, Burnt, Chemical	

Winds were calm during this period. It is possible the relatively low wind speeds resulted in temporary stagnant conditions resulting in the inability for odours to disperse. The odour survey is summarized in Figure 7.

Table 8 summarizes the 10-minute TRS measured concentrations that exceeded the O. Reg. 419/05 Standard in September 2023. The locations of these exceedances are also displayed in Figure 12.

Table 8: Summary of 10-minute TRS Exceedances – September 2023

Date	Time (Time Ending)	10-minute Average Measured TRS Concentrations Exceeding the 10-min O. Reg. 419/05 Standard ($\mu\text{g}/\text{m}^3$) *
14-Sep-23 – 15-Sep-23	20:45	13.6
	23:59	26.6
	00:09	24.5
	00:27	55.6
15-Sep-23	05:02	30.6
	05:12	38.9
	05:22	39.5
	05:32	30.5
	05:42	20.2
	06:00	35.8
	06:10	35.5
	06:20	13.8
	06:48	21.4
	06:58	17.2
	07:21	39.1
07:31	36.7	
22-Sep-23	04:17	75.3
	04:27	82.7
	04:40	172.3
	04:50	266.5 **
28-Sep-23	14:08	17.2
	14:18	14.2
29-Sep-23	05:39	18.6
	05:49	15.3
	06:32	42.5
	06:42	41.2
	06:52	18.7
	08:14	23.7
	08:24	14.3

* 10-minute TRS O. Reg. 419/05 Standard = $13 \mu\text{g}/\text{m}^3$

** Maximum 10-minute average TRS concentration

Conclusion

The WCR Technical Support Section completed an air monitoring assessment in the vicinity of the GFL Stoney Creek Regional Facility on September 1, 14, 15, 22, 28 and 29, 2023. Odours were identified each day and were described as raw sulphur, leachate, herb, garbage, solvent, chemical, burnt, rotten eggs and odour masking agents (Febreeze, sweet, mouthwash, fluoride, perfume). The Nasal Ranger identified dilution ratios as high as D/T < 15. Over the course of all sampling days, the survey suggests that the leachate pond and the GFL facility are likely sources of odours.

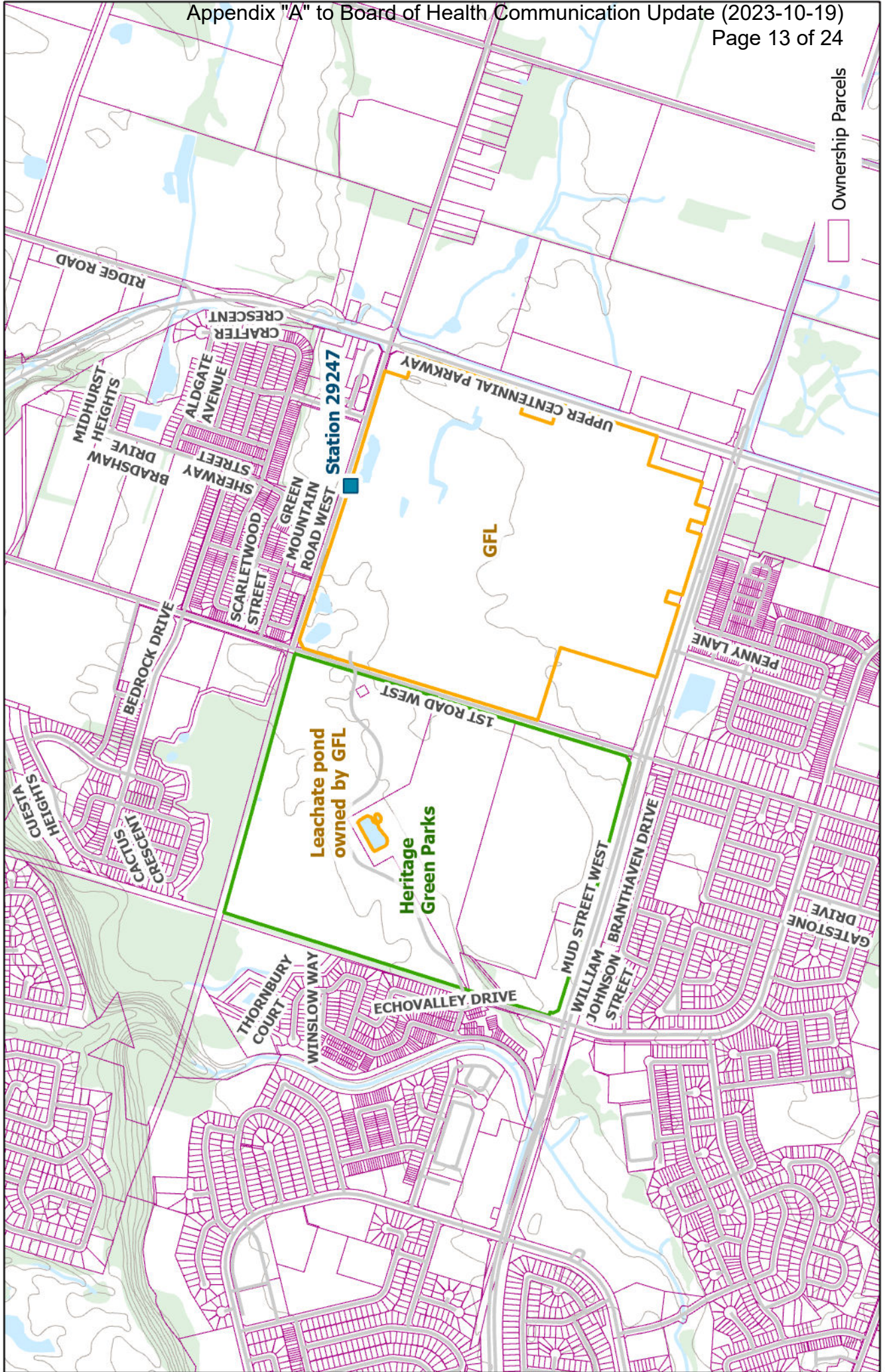
Toluene, ethylbenzene and 1,3-dimethylbenzene were detected at 10:55 on September 1, 2023. Although not directly comparable to criteria due to differing averaging periods, these compounds were well below their respective O. Reg. 419/05 Guidelines.

The maximum 10-minute TRS concentration of 266.5 µg/m³ was measured on September 22, 2023 from 04:40 to 04:50, which was above the TRS 10-minute odour-based O. Reg. 419/05 Standard of 13 µg/m³. The maximum measured concentration occurred along the GFL western property line approximately 500m from the nearest residence. A total of twenty-nine (29) 10-minute TRS O. Reg. 419/05 Standard exceedances were measured over the following dates; September 14, 15, 22, 28 and 29, 2023. TRS exceedances were measured at many locations surrounding the GFL facility, including residential areas.

Measured 10-minute TRS exceedances have been widespread around the GFL facility including residential areas with the highest 10-minute TRS concentrations measured immediately west of the GFL facility. Considering the location of measured TRS exceedances, GFL operations and wind conditions during exceedances, the GFL facility and leachate pond are the most likely TRS source and cause of exceedances. Although 24-hour measurements were not collected during the ministry's air monitoring assessments, considering elevated 10-minute TRS concentrations were measured on some days, continuous TRS monitoring should be evaluated to ensure the 24-hour TRS O. Reg 419/05 Standard, based on health effects, is not being exceeded.

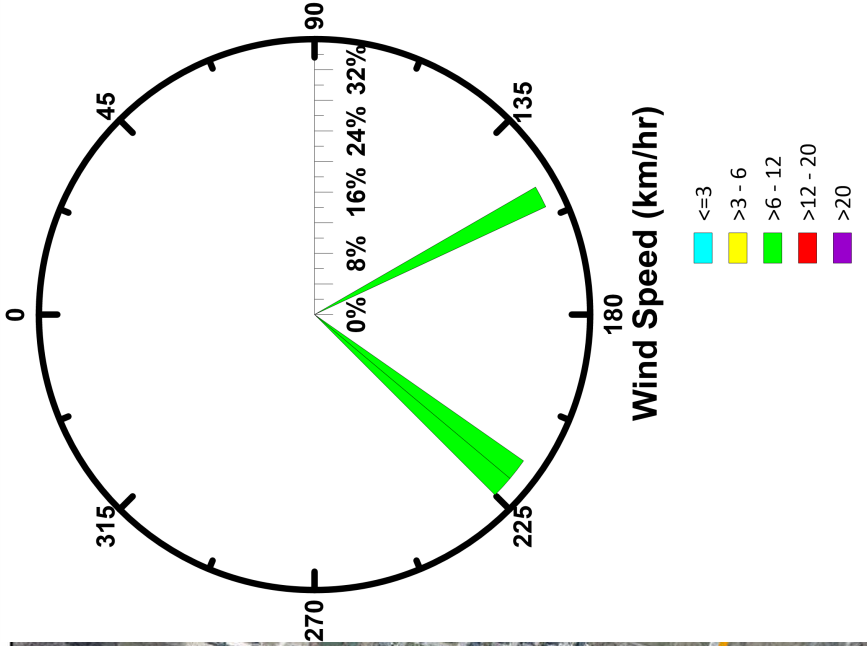
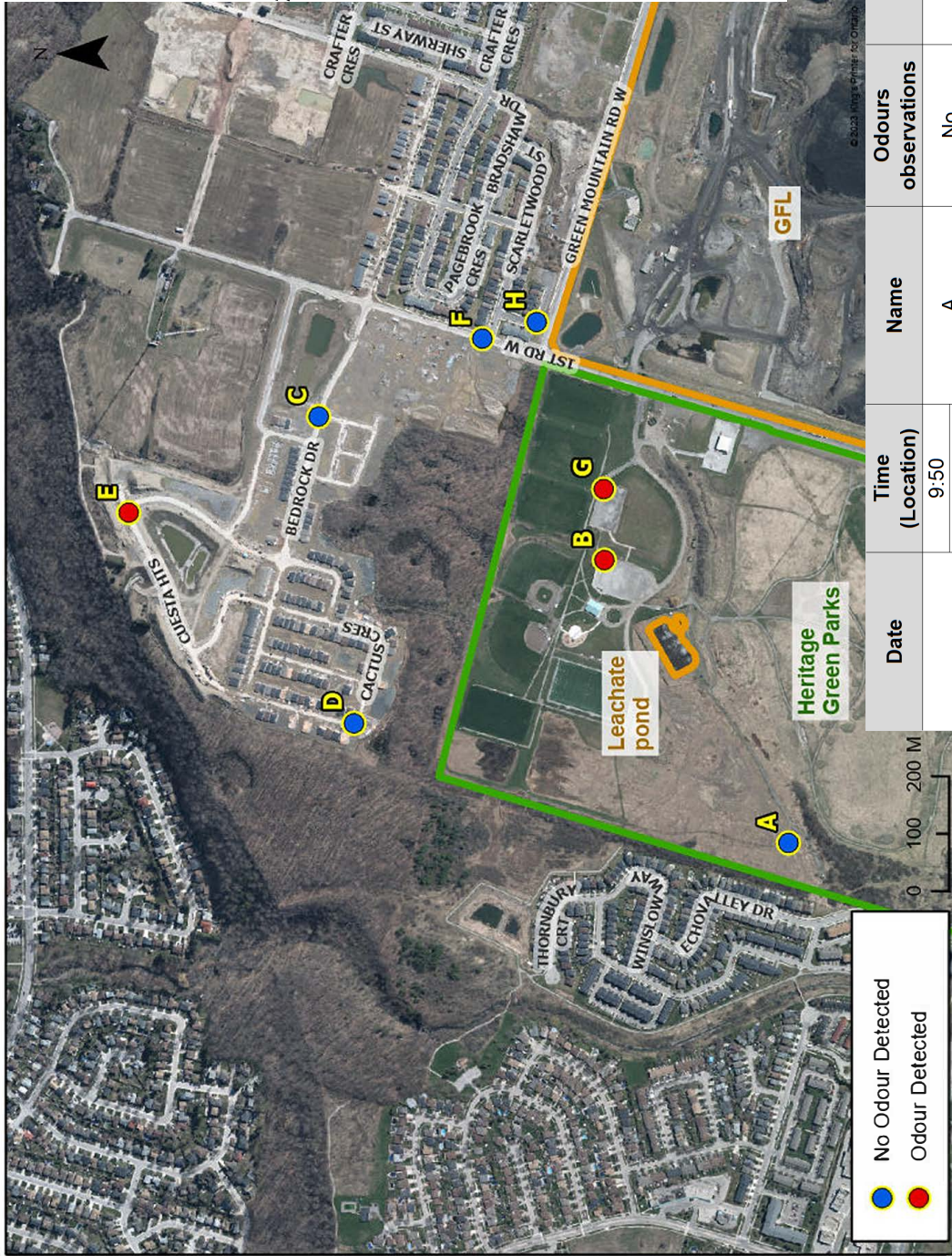
Considering the frequency, magnitude and widespread nature of 10-minute TRS exceedances measured during the select days that the monitoring vehicle collected measurements, it is likely that exceedances occurred at other times when air monitoring was not being done. Therefore, it would be reasonable to perform ongoing TRS monitoring in the general area around the GFL facility to gain a better understanding of TRS concentrations. Any continuous TRS monitoring plan should be developed in consultation with MECP and follow the guidance provided in MECP's *Operations Manual for Air Quality Monitoring in Ontario*.

Figures

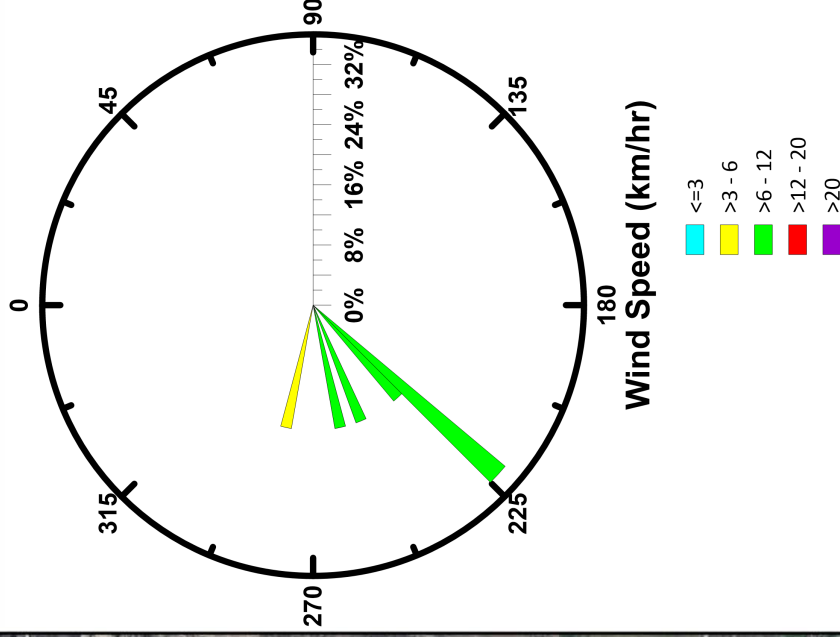
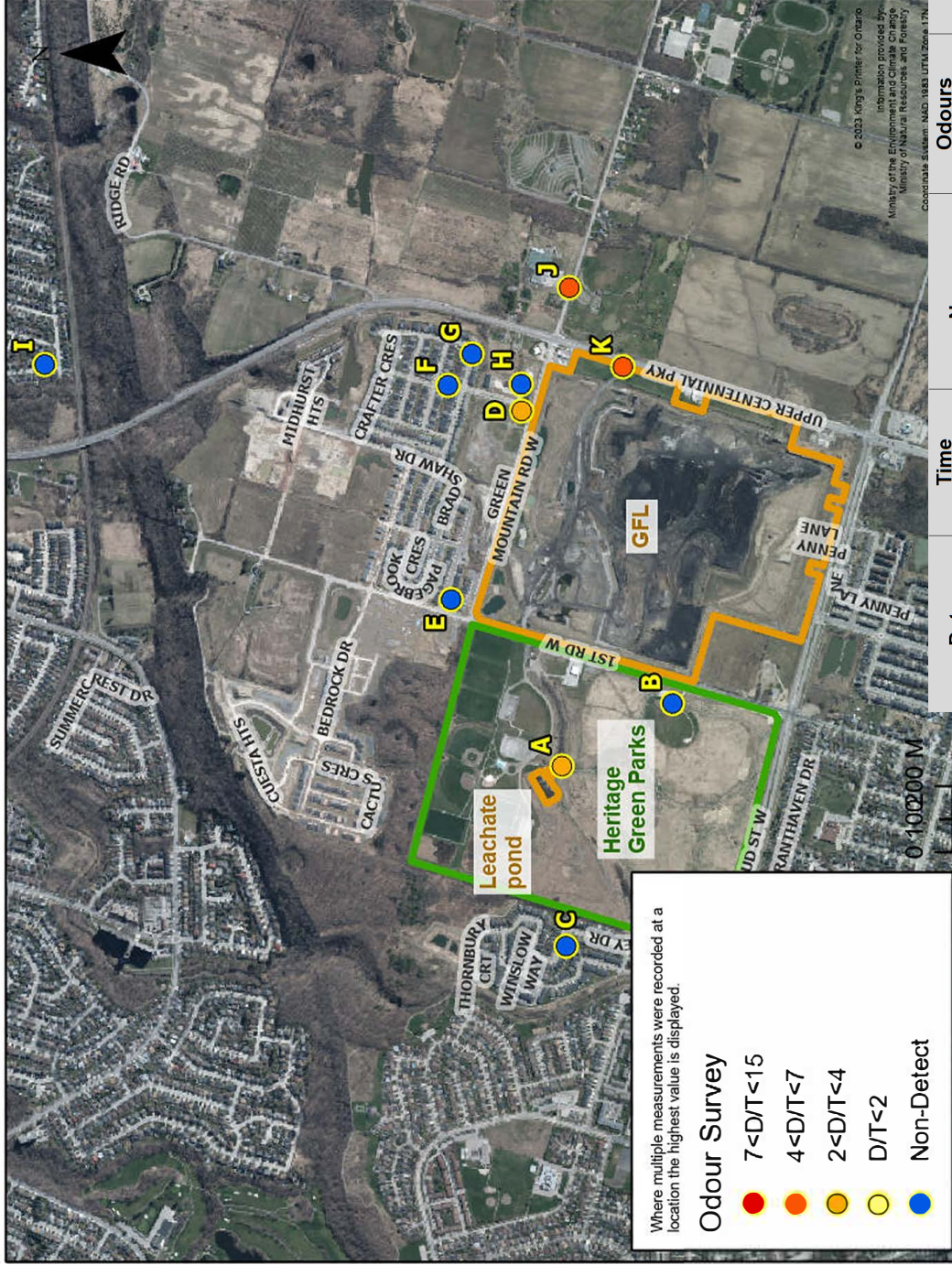


Information provided by:
Ministry of the Environment and Climate Change
Ministry of Natural Resources and Forestry
Coordinate System: NAD 1983 UTM Zone 17N
Projection: Transverse Mercator
Datum: North American 1983

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Date	Time (Location)	Name	Odours observations	D/T Ratio	General Comments
01-Sep-23	9:50	A	No	-	Non Detect Odour - Very Low wind Speeds
	10:06		No	-	No odour detected
	10:20		No	-	No odour detected
	10:39	B	Yes	D/T<2	Odour detected with nose only - Raw Sulfur, Rotten Egg, Leachate, Herb smell.
	10:55		No	D/T<2	Same odour as above. Odour seems stronger when wind gusts
	11:13	C	No	-	No odour detected
	11:28	D	No	-	No odour detected
	11:44	E	Yes	D/T<2	Garbage odour
	11:59	F	No	-	Non Detect Odour
	12:17	G	Yes	D/T<2	Odour detected with nose only - Raw Sulfur, Rotten Egg, Leachate, Herb Smell
	12:33	H	No	-	No odour detected



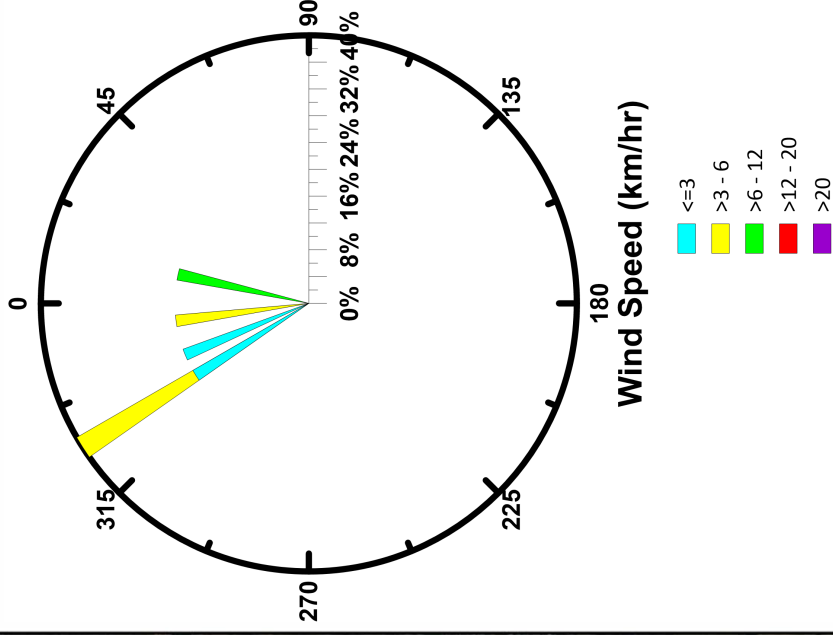
Date	Time (Location)	Name	Odours observations	D/T Ratio	General Comments
14-Sep-23	19:19	A	Yes	2<D/T<4	Masking agent - Febreeze, sweet smell
	19:55	B	No	-	No odour detected
	20:15	C	No	-	No odour detected
14-Sep-23	20:30	D	Yes	2<D/T<4	Rotten Eggs, H2S odour
	20:52	D	Yes	2<D/T<4	Masking agent - Febreeze, sweet smell
Overnight to	21:18	E	No	-	No odour detected
	21:45	F	No	-	No odour detected
15-Sep-23	22:00	G	No	-	No odour detected
	22:20	H	No	-	No odour detected
	23:16	I	No	-	No odour detected
	23:45	I	No	-	No odour detected
	00:00	J	Yes	4<D/T<7	Rotten Eggs, H2S odour
	00:17	K	Yes	4<D/T<7	Rotten Eggs, H2S odour

Where multiple measurements were recorded at a location the highest value is displayed.

Odour Survey

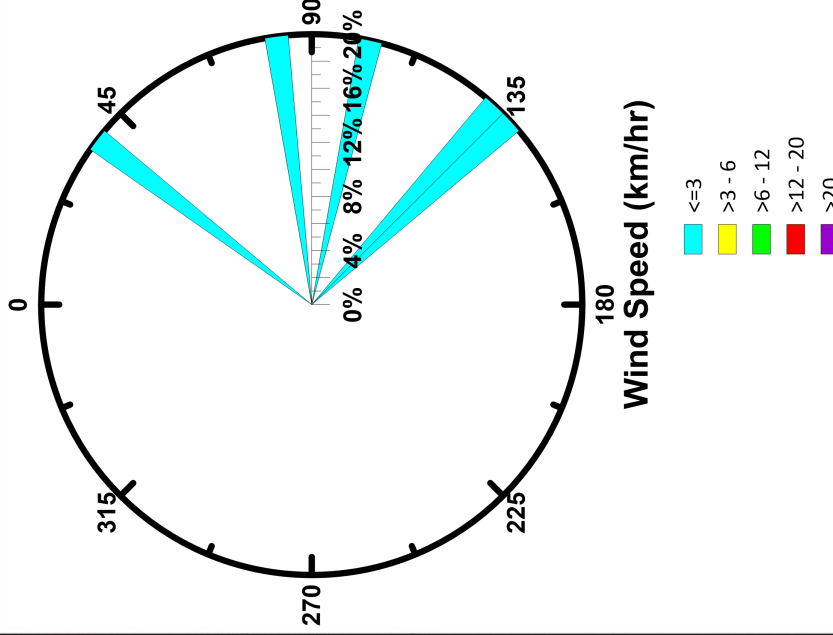
- 7<D/T<15
- 4<D/T<7
- 2<D/T<4
- D/T<2
- Non-Detect

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Information provided by:
Ministry of the Environment and Climate Change
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Coordinate System: NAD 1983 UTM Zone 17N



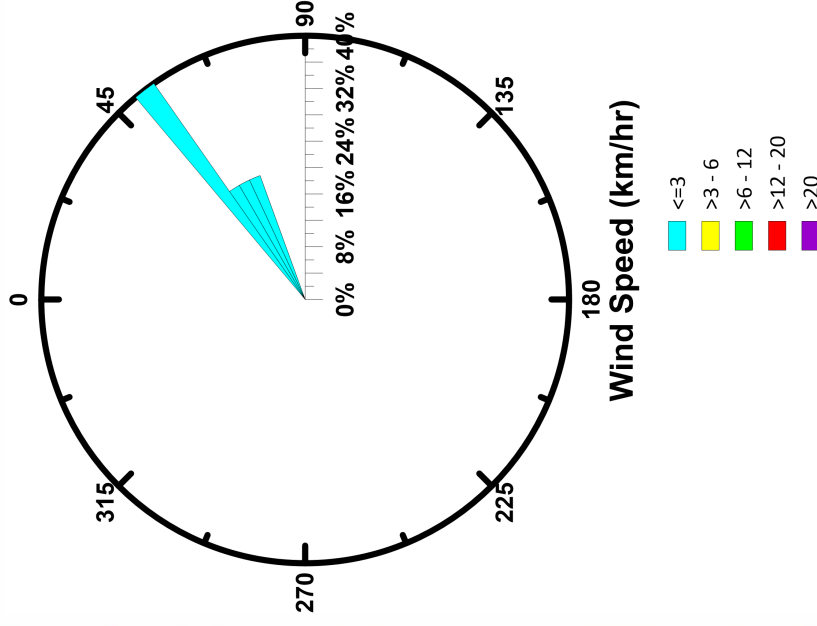
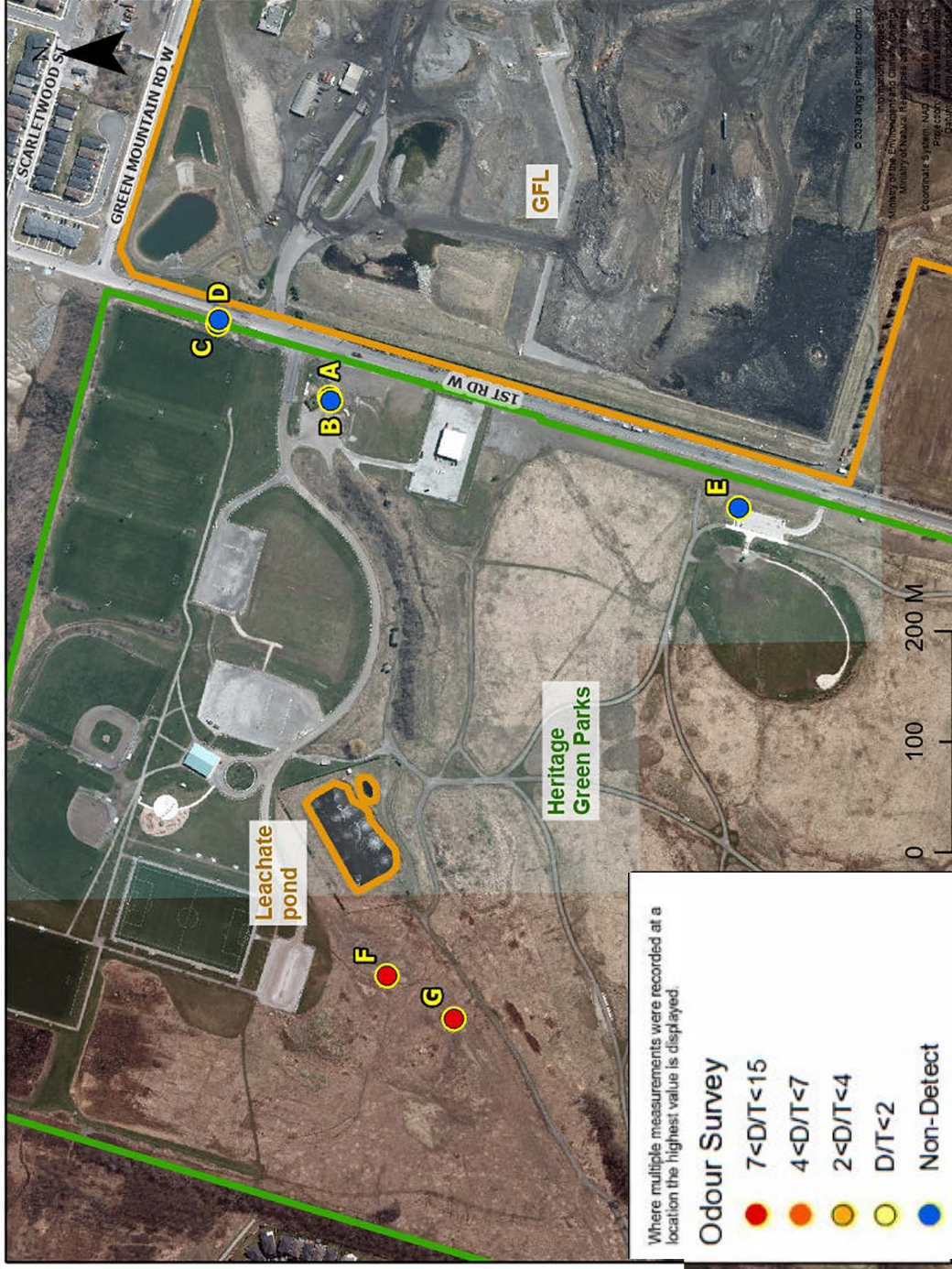
Due to equipment limitations, wind directions with wind speeds $< 3 \text{ km/hr}$ are unreliable

Date	Time (Location)	Name	Odours observations	D/T Ratio	General Comments
15-Sep-23	4:50	A	Yes	4 <math>D/T < 7</math>	Strong Odour - Leachate - Rotten Eggs - Very low wind speeds (Calm)
	5:12		Yes	2 <math>D/T < 4</math>	Odour - Leachate - Rotten Eggs
	5:30		Yes	$D/T < 2</math>$	Odour - Leachate - Rotten Eggs
	5:49	B	Yes	2 <math>D/T < 4</math>	Odour - Leachate
	6:04		Yes	2 <math>D/T < 4</math>	Odour - Leachate - Rotten Eggs
	6:27	C	Yes	$D/T < 2</math>$	Odour - Leachate
	6:43		Yes	$D/T < 2</math>$	Odour - Leachate
	7:06		Yes	$D/T < 2</math>$	Whiffs - very faint leachate
	7:22*		Yes	4 <math>D/T < 7</math>	Odour - Leachate - Rotten Eggs - sweet
	7:24		Yes	$D/T < 2</math>$	Odour - Leachate
	7:30	E	Yes	$D/T < 2</math>$	Odour - Leachate
		F	Yes	4 <math>D/T < 7</math>	Odour - Leachate + Deodorizer Smell is Sweet / Mouthwash / Fluoride - As Deodorizer Fan System Rotates the intensity of each smell changes
		G	Yes	2 <math>D/T < 4</math>	Odour - Leachate + Deodorizer Smell is Sweet / Mouthwash / Fluoride
		H	No	-	No odour detected
		I	No	-	No odour detected
			No	-	No odour detected



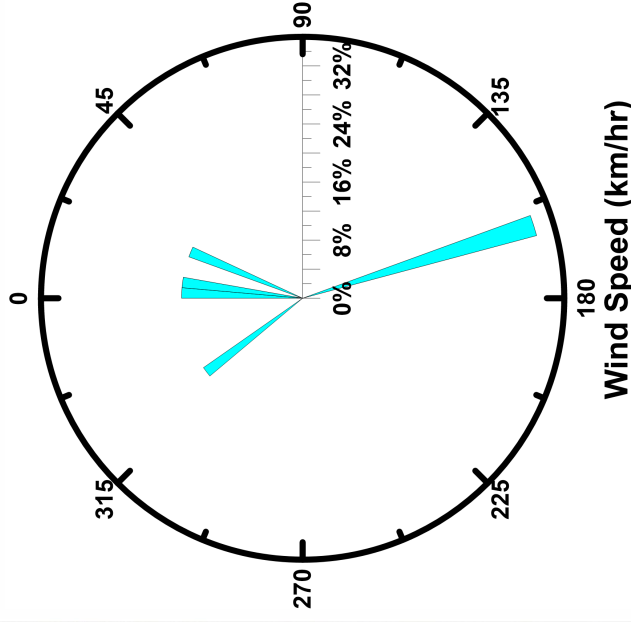
Due to equipment limitations, wind directions with wind speeds <3km/hr are unreliable

Date	Time (Location)	Name	Odours observations	D/T Ratio	General Comments
22-Sep-23	0:10	A	No	-	Complainant House #1
	0:20	B	Yes	D/T<2	Complainant House #2 - Sour smell
	0:30	C	Yes	4<D/T<7	Inside GFL Facility - Reference only - Rotten eggs
	0:40	D	Yes	4<D/T<7	Inside GFL Facility - Reference only - Rotten eggs
	0:55	E	Yes	4<D/T<7	Inside GFL Facility - Reference only - Rotten eggs
	1:28	F	Yes	D/T<2	GFL mist machine - deodorizer/ sweet
	1:43	G	No	-	Complainant House #3
	1:54	H	No	-	Complainant House #4
	2:06	I	No	-	Complainant House #5
	2:13	J	No	-	Complainant House #6
	2:30	K	No	-	Complainant House #7
	2:52	L	Yes	D/T<2	GFL mist machine - deodorizer/ sweet
	3:15	M	Yes	D/T<2	Sour smell
	3:32	N	Yes	2<D/T<4	Sour smell
	4:08	O	Yes	D/T<2	Sour smell
	4:25	P	Yes	2<D/T<4	Leachate/ waste
	4:43	Q	Yes	4<D/T<7	Rotten Eggs
	4:51	R	Yes	7<D/T<15	Rotten Eggs
	4:58	S	Yes	2<D/T<4	Rotten Eggs



Due to equipment limitations, wind directions with wind speeds <3km/hr are unreliable

Date	Time (Location)	Name	Odours observations	D/T Ratio	General Comments
28-Sep-23	10:30		No	-	No odour detected
	10:45	A	No	-	No odour detected
	11:00		No	-	No odour detected
	11:05		No	-	No odour detected
	11:20	B	No	-	No odour detected
	11:45		No	-	No odour detected
	12:15	C	No	-	No odour detected
	12:35		No	-	No odour detected
	12:55		No	-	No odour detected
	13:00		No	-	No odour detected
	13:15		No	-	No odour detected
	13:30		No	-	No odour detected
	13:45		Yes	7 < D/T < 15	Perfume/ landfill gas
	14:05		Yes	7 < D/T < 15	Perfume/ landfill gas



Due to equipment limitations, wind directions with wind speeds <3km/hr are unreliable

Date	Time (Location)	Name	Odours observations	D/T Ratio	General Comments
29-Sep-23	4:00	A	No	-	No odour detected
	4:23	B	Yes	<2	Deodorizer + Leachate
	4:39	B	No	-	No odour detected
	5:05	C	Yes	<2	Leachate
	5:22	C	Yes	<2	Leachate
	5:37	D	Yes	2<D/T<4	Leachate, Sour, Garbage
	5:54	E	Yes	<2	Leachate, Burnt
	6:12	E	Yes	<2	Leachate, Deodorizer
	6:27	F	Yes	4<D/T<7	Leachate, Deodorizer, Burnt, Rotten Eggs
	6:44	F	Yes	<2	Leachate, Deodorizer, Burnt
7:20	G	No	-	No odour detected	
7:37	H	Yes	<2	Faint Leachate	
7:59	I	Yes	<2	Leachate, Deodorizer	
8:15	I	Yes	2<D/T<4	Leachate, Deodorizer, Rotten Eggs	
8:45	J	Yes	<2	Solvent, Burnt, Chemical	
9:06	J	Yes	<2	Solvent, Burnt, Chemical	

Figure 8 – GFL Environmental - September 14-15, 2023 Ambient Air Monitoring Assessment Survey Running 10-minute Average TRS Concentrations

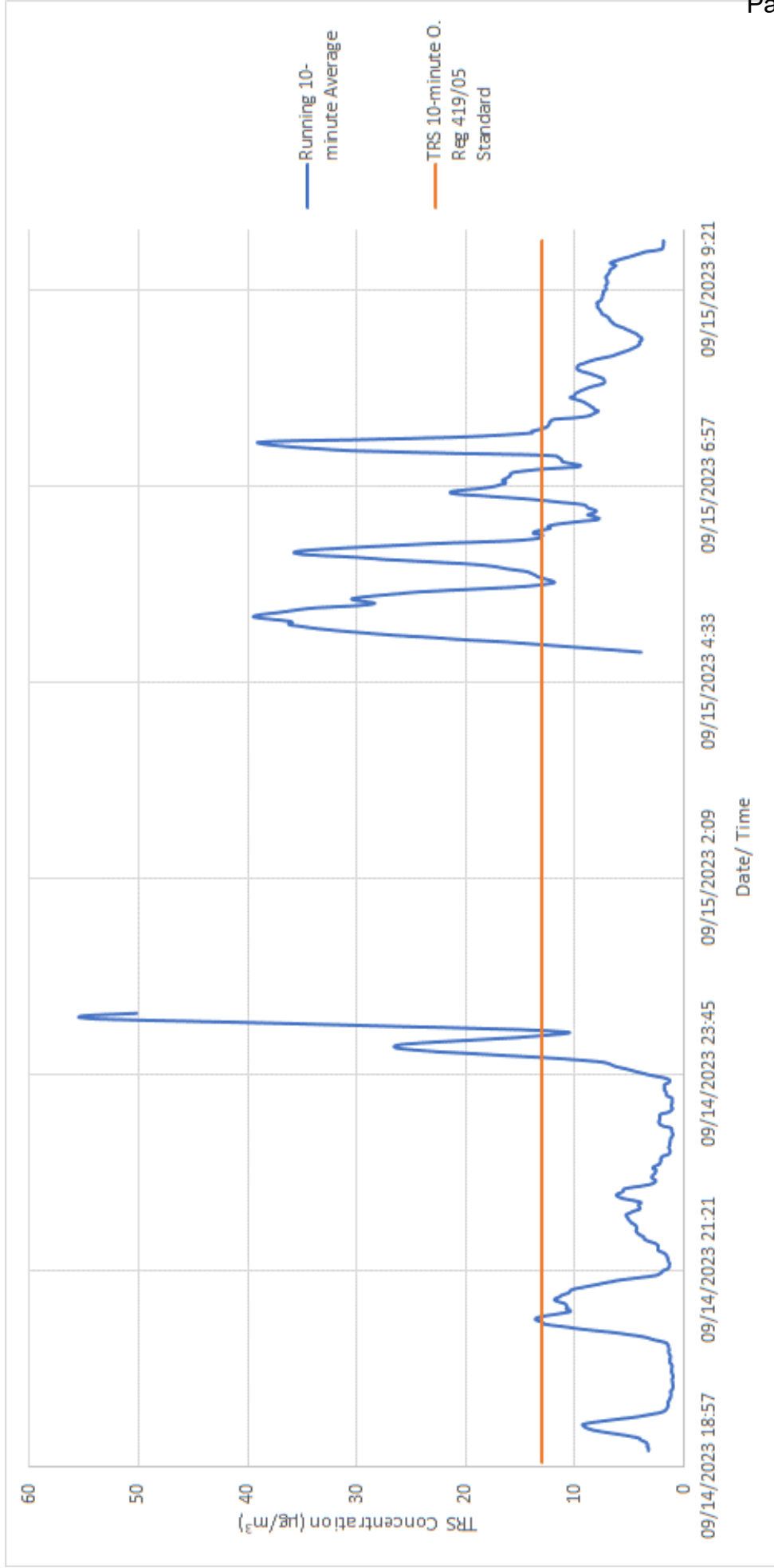


Figure 9 – GFL Environmental - September 22, 2023 Ambient Air Monitoring Assessment Survey Running 10-minute Average TRS Concentrations

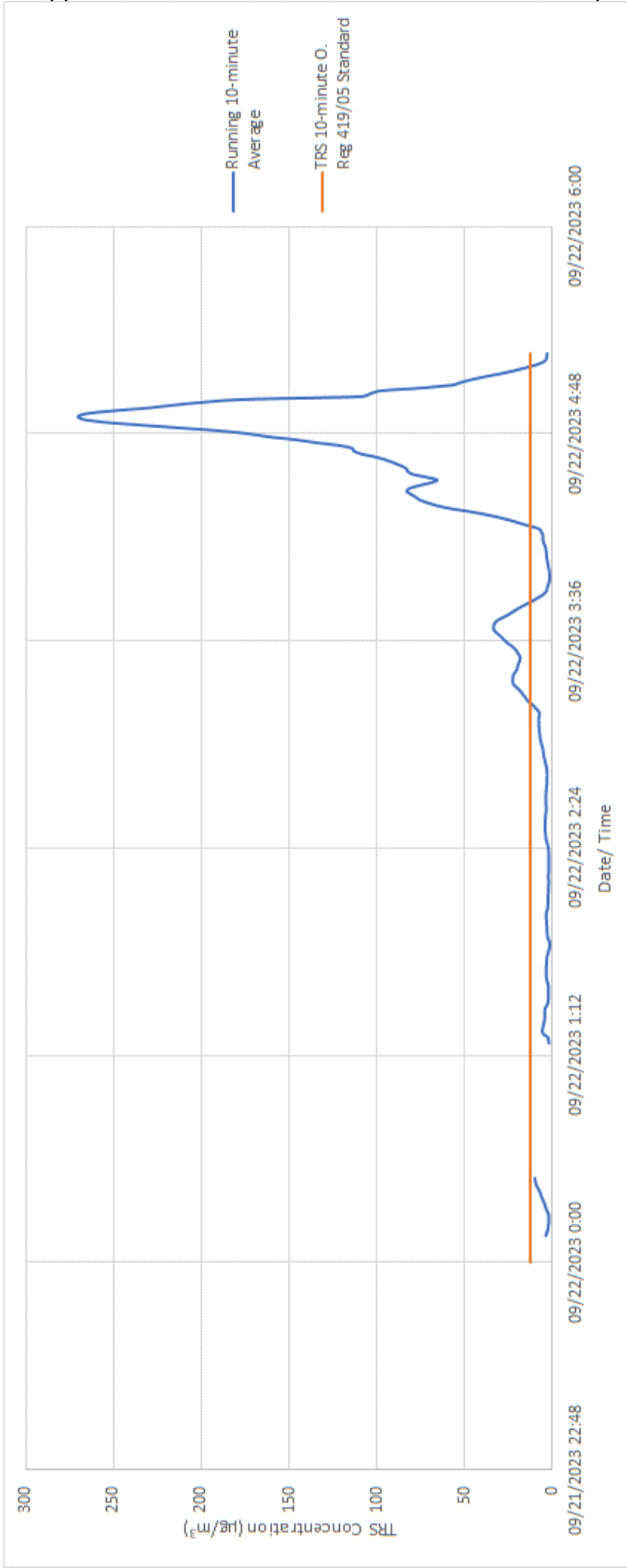


Figure 10 – GFL Environmental - September 28, 2023 Ambient Air Monitoring Assessment Survey Running 10-minute Average TRS Concentrations

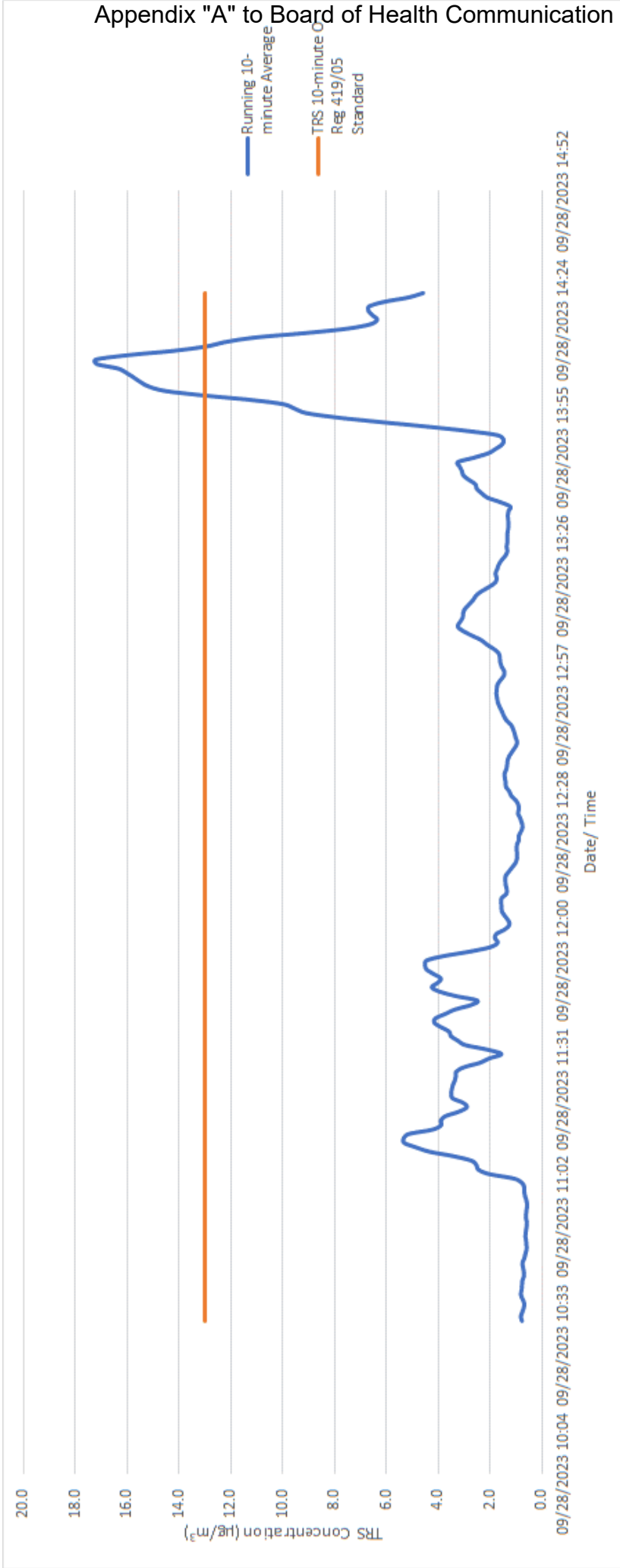
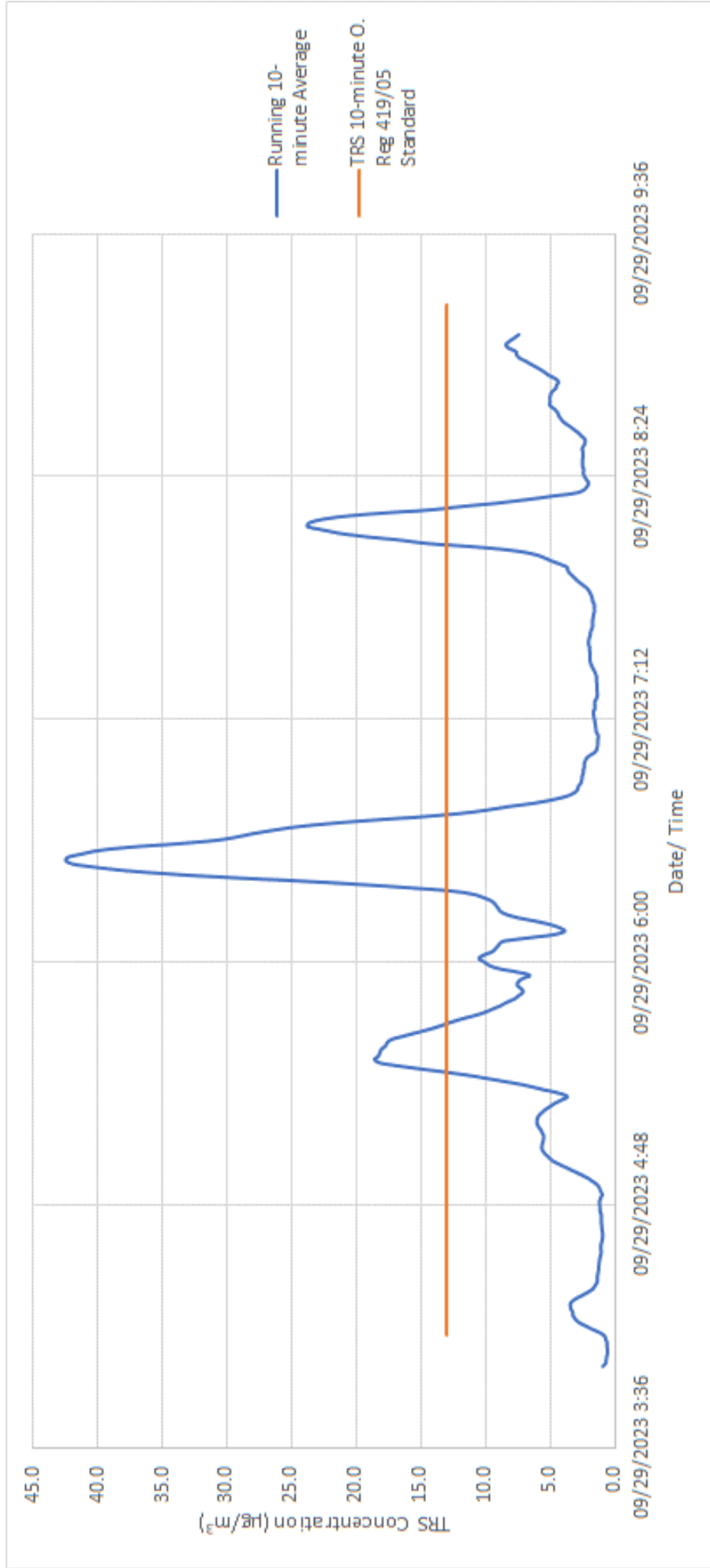


Figure 11 – GFL Environmental - September 29, 2023 Ambient Air Monitoring Assessment Survey Running 10-minute Average TRS Concentrations





Information provided by: Ministry of the Environment and Climate Change
Ministry of Natural Resources and Forestry

Coordinate System: NAD 1983 UTM Zone 17N
Projection: Transverse Mercator
Datum: North American 1983

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Multiple exceedances that were measured in the same location are displayed immediately adjacent to each other. In these cases, locations are approximate.



COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	October 19, 2023
SUBJECT:	Downtown Cleanliness Service Level Enhancements Update Number 2 (Ward 2)
WARD(S) AFFECTED:	Ward 2
SUBMITTED BY:	Steve Robichaud Acting General Manager Planning and Economic Development Department
SIGNATURE:	

The purpose of this Communication Update is to further advise City Council as to the status of service level enhancements being implemented by the Public Works and Planning and Economic Development Departments to improve the cleanliness and appearance of Downtown Hamilton.

On June 21, 2023 City Council approved the recommendations of Report PED23081 respecting the Downtown Hamilton Office market and general state of Downtown which included the following direction:

“That staff within the Commercial Districts and Small Business Section of the Economic Development Division be directed to work with local Business Improvement Areas and with the appropriate City departments and divisions to identify opportunities to introduce enhanced service levels within the Downtown Core for critical street level issues such as waste collection, street sweeping, graffiti removal and boulevard maintenance, and that the General Manager of Public Works be authorized to introduce temporary increased service levels where warranted, to be funded from the Economic Development Initiatives Capital Project (3621708900)”

Staff from the Planning and Economic Development and Public Works Departments have collaborated to identify opportunities for service level enhancements that could be implemented immediately/in short order to improve the overall cleanliness and appearance of Downtown in response to concerns raised by residents, businesses and property owners. Focus areas for service level enhancements have included litter

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: Downtown Cleanliness Service Level Enhancements Update Number 2 (Ward 2) - Page 2 of 3

collection, sidewalk sweeping, roadway and cycle lane sweeping, weed trimming, debris pickup and graffiti removal in the public right-of-way.

Previous Communication Update

On August 8, 2023, a Communication Update was provided to Council advising that:

- As of July 13, 2023, service level enhancements in the Downtown to establish a consistent seven day a week litter collection and sidewalk sweeping service by the Waste Management Division had commenced. The Planning and Economic Development Department committed \$280,000 in funding for the additional temporary staffing and equipment rental/purchase required to provide these enhanced service levels through to July 2024; and,
- Staff were in the midst of finalizing details respecting further service enhancements for roadway/cycle lane sweeping, weed trimming, debris pickup and graffiti removal in Downtown public rights-of-way in collaboration with the Road Maintenance Division with a further update to be provided once those enhancements were finalized and had begun to be implemented.

Additional Service Enhancements and Implementation To-Date

Since the August 8, 2023 Communication Update, staff have finalized details for additional service enhancements by the Roadway Maintenance Division for roadway/cycle lane sweeping, weed trimming, debris pickup and graffiti removal in Downtown public rights-of-way.

As of October 4, 2023, these service enhancements became operational with the addition of two new temporary staff and the acquisition of additional required equipment. Roadway Maintenance staff are currently working a Wednesday to Sunday schedule from 11:00 p.m. to 7:00 a.m. Up to four additional temporary staff will be hired in the coming weeks from an existing recruitment pool upon confirmation of pending winter operational needs.

The additional staffing and equipment will result in the following enhanced service levels being provided within the Downtown service area detailed in Appendix “A” to this Communication Update:

- 40 additional hours of roadway and cycle lane mechanical sweeping Thursdays through Mondays including the introduction of service on Sundays where none was previously being provided;
- Two dedicated crews for trimming vegetation (weeds) and bulk litter pick-up Monday through Friday; and,

SUBJECT: Downtown Cleanliness Service Level Enhancements Update Number 2 (Ward 2) - Page 3 of 3

- Deploying additional staff to respond to and remove graffiti in the public rights-of-way on an on-going basis in combination with existing contracted graffiti removal services.

The Planning and Economic Development Department has committed approximately \$537,206 to fund the staffing and equipment purchase/rentals required to maintain the above noted service level enhancements through to July 2024. This amount, combined with the already approved funding commitment of \$280,000 for enhanced waste/litter collection and sidewalk sweeping services currently in effect, will result in a total Planning and Economic Development Department funding commitment for enhanced service levels Downtown of \$817,206.

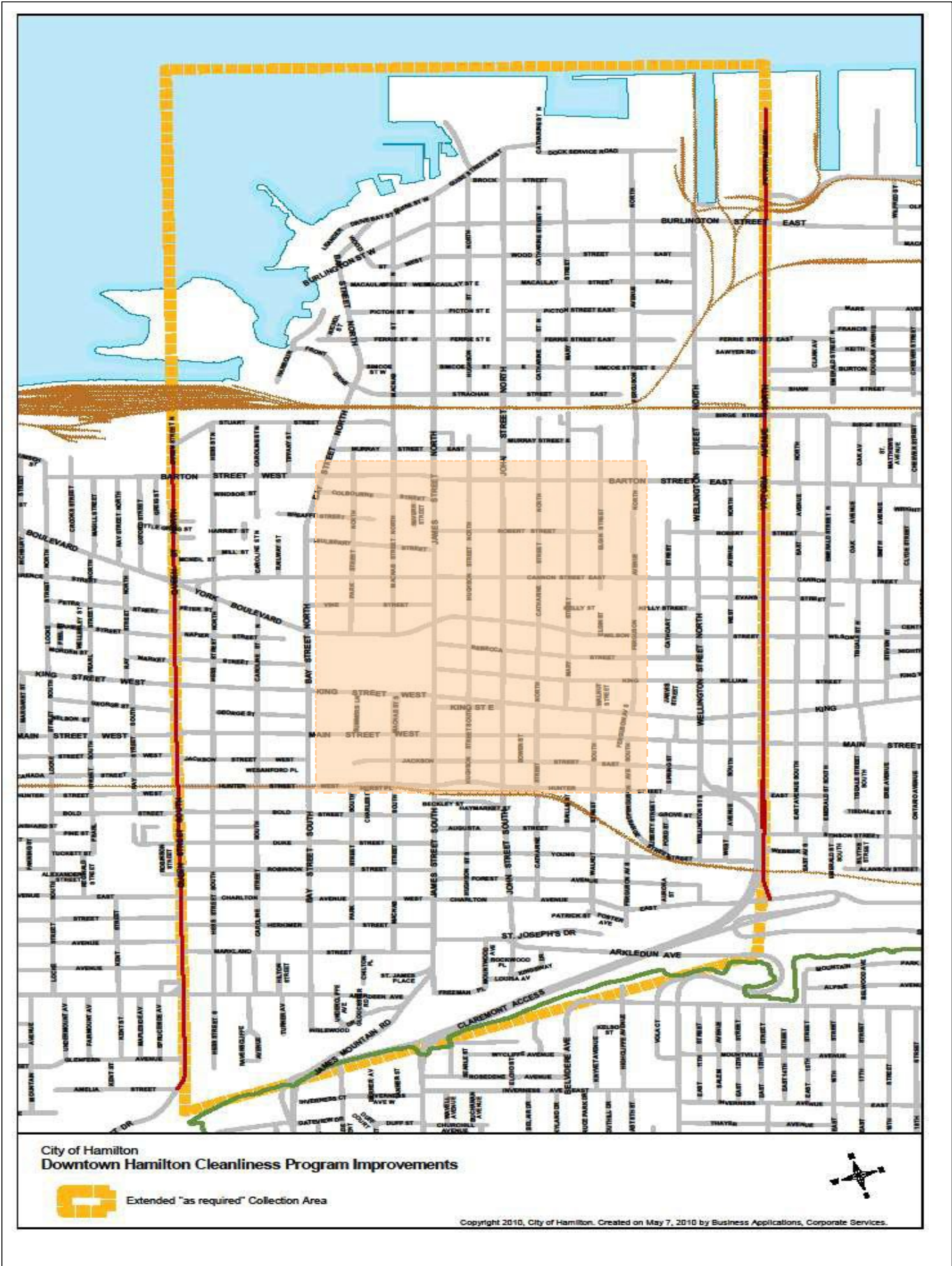
Funding commitments by Planning and Economic Development Department are intended to provide enhancements on an interim basis until such time as permanent funding request to maintain these, or any other alternate service levels, in the Downtown can be determined and submitted by the Public Works Department through the 2024 budget.

If you require any further information on the above matter, please contact Judy Lam, Manager Commercial Districts and Small Business, Economic Development Division at (905) 546-2424 Ext. 4178 or email Judy.Lam@hamilton.ca.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" - Downtown Hamilton Cleanliness Program Improvements Area Map

Downtown Hamilton Cleanliness Program Improvements Area Map



City of Hamilton
Downtown Hamilton Cleanliness Program Improvements



Extended "as required" Collection Area

Authority: Item 17(a), Planning Committee Report 23-011 (PED23124)

CM: July 14, 2023 Ward: 13

Written approval for this by-law was given by Mayoral Decision MDE-2023 05 dated October 25, 2023

Bill No. 200

**CITY OF HAMILTON
BY-LAW NO. 23-**

**To Designate Property Located at 64 Hatt Street, Dundas, City of Hamilton as
Property of Cultural Heritage Value**

WHEREAS section 29 of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18 authorizes Council of the municipality to enact by-laws to designate property, including all buildings and structures thereon, to be of cultural heritage value or interest;

AND WHEREAS Council of the City of Hamilton has received and considered the recommendations of its Hamilton Municipal Heritage Committee pertaining to this by-law, arising from the meeting of the Hamilton Municipal Heritage Committee held on June 22, 2023;

AND WHEREAS the Council of the City of Hamilton, at its meeting held on July 14, 2023, resolved to direct the City Clerk to take appropriate action to designate the Property described as 64 Hatt Street, Dundas, in the City of Hamilton, and more particularly described in Schedule "A" hereto (the "Property"), as property of cultural heritage value or interest, which resolution was confirmed by By-law No. 23-138;

AND WHEREAS in accordance with subsection 29(3) of the *Ontario Heritage Act*, Council of the City of Hamilton has caused to be served on the owner of the Property and upon the Ontario Heritage Trust, a Notice of Intention to Designate the Property as being of cultural heritage value or interest, and has caused a Notice of Intention to Designate to be published in a newspaper having general circulation in the municipality, a copy of which is attached hereto as Schedule "B";

AND WHEREAS no Notice of Objection to the proposed designation under section 29(5) of the *Ontario Heritage Act* has been served upon the Clerk of the municipality;

AND WHEREAS Council has decided to designate the Property in accordance with section 29(8) of the *Ontario Heritage Act*;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

To Designate Property Located at 64 Hatt Street, Dundas, City of Hamilton as
Property of Cultural Heritage Value

Page 2 of 8

1. A statement explaining the cultural heritage value or interest of the Property, and a description of the heritage attributes of the Property are set out in Schedule “C” hereto.
2. The Property, together with its heritage attributes listed in Schedule “C” hereto, is hereby designated as property of cultural heritage value or interest.
3. The City Clerk is hereby authorized and directed,
 - a. to cause a copy of this By-law, together with the statement of cultural heritage value or interest and description of heritage attributes of the Property, to be served on the Ontario Heritage Trust, the owner of the Property, and any person who served an objection to the Notice of Intention to Designate, by a method permitted by the *Ontario Heritage Act*; and,
 - b. to publish a notice of passing of this By-law in a newspaper having general circulation in the City of Hamilton. Once this By-law comes into force and effect in accordance with the applicable provisions of the *Ontario Heritage Act*, the City Solicitor is hereby authorized and directed to cause a copy of this By-law, together with its Schedules, to be registered against the whole of the Property described in Schedule “A” hereto in the proper registry office.

PASSED this 25th day of October, 2023.

A. Horwath
Mayor

J. Pilon
Acting City Clerk

To Designate Property Located at 64 Hatt Street, Dundas, City of Hamilton as
Property of Cultural Heritage Value

Page 3 of 8

Schedule "A"

To

By-law No. 23-200

**64 Hatt Street, Dundas
Hamilton, Ontario**

PIN: 17481-0322 (LT)

Legal Description:

LOT 21, REGISTRAR'S COMPILED PLAN 1442, SAVE AND EXCEPT PT 1 ON 62R-13987 AND PT 1 ON 62R-13814; DUNDAS CITY OF HAMILTON

Schedule “B”

To

By-law No. 23-200

**64 Hatt Street, Dundas
Hamilton, Ontario**

**Notice of Intention to Designate
64 Hatt Street, Dundas
(Former Valley City Manufacturing)**

The City of Hamilton intends to designate 64 Hatt Street, Dundas, under Section 29 of the *Ontario Heritage Act*, as being a property of cultural heritage value.

Statement of Cultural Heritage Value or Interest

The property is comprised of twelve vernacular buildings, constructed between the mid-nineteenth and mid-twentieth centuries. Two of the buildings are rare and unique examples of pre-Confederation architecture and two of the oldest extant industrial buildings in Dundas. The property is associated with its first owners, industrialists John Gartshore & James Bell Ewart, and Valley City Manufacturing, who occupied the building for over 120 years. The property helps define the character of Hatt Street and the community of Dundas, is visually, historically, and functionally linked to its surroundings, and is considered to be a local landmark.

The Statement of Cultural Heritage Value or Interest, Description of Heritage Attributes and supporting Cultural Heritage Assessment may be found online via

www.hamilton.ca or viewed at the Office of the City Clerk, 71 Main Street West, 1st Floor, Hamilton, Ontario, L8P 4Y5, during regular business hours.

Any person may, within 30 days after the date of the publication of the Notice, serve written notice of their objections to the proposed designation, together with a statement for the objection and relevant facts, on the City Clerk at the Office of the City Clerk.

Dated at Hamilton, this 30th day of August, 2023.

Andrea Holland



City Clerk
Hamilton, Ontario

CONTACT:

Meg Oldfield,
Planning Technician II – Cultural Heritage,
Phone: (905) 546-2424 ext. 7163,
E-mail: Meg.Oldfield@hamilton.ca

www.hamilton.ca/heritageplanning



Schedule “C”

To

By-law No. 23-200

**64 Hatt Street, Dundas
Hamilton, Ontario**

**STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST, AND
DESCRIPTION OF HERITAGE ATTRIBUTES**

Description of Property

The 1.09-hectare property at 64 Hatt Street is a former industrial complex comprised of 12 structures ranging from one- to two-and-a-half storeys, constructed between the mid-nineteenth and mid-twentieth centuries, located on the southeast corner of Hatt and McMurray Streets in the community of Dundas in the City of Hamilton.

Statement of Cultural Heritage Value or Interest

The property located at 64 Hatt Street, known as the former Dundas Foundry and Valley City Manufacturing, is comprised of 12 vernacular buildings constructed between the mid-nineteenth and mid-twentieth centuries. The physical value of the property lies in the fact that it is comprised of two rare and unique examples of pre-Confederation architecture in Upper Canada, which are two of the oldest extant industrial buildings in Dundas.

The historical value of the property lies in its direct association with several prominent figures in Dundas' history, including John Gartshore (1810-1873) and James Bell Ewart (1801-1853), and its association with the former Dundas Foundry and Valley City Manufacturing. In 1838, Gartshore established the Dundas Iron Foundry & Machine Shop in partnership with Ewart. The foundry produced internationally renowned large machinery, including steam engines and boilers for the Hamilton Water Works, the Great Western Railway, and Toronto Water Works. Gartshore was also well known for the training of apprentices at his foundry. Many apprentices went on to become industrialists in their own right, including John Inglis (1823-1899) of John Inglis & Co. (now Whirlpool Canada), and John Bertram (1829-1906) and Robert McKechnie (1835-1909), who founded McKechnie & Bertram, later known as Bertram & Sons Co., in Dundas. In addition to financing the Dundas Foundry & Machine Shop, Ewart opened the community's first bank and invested in transportation projects such

as the Desjardins Canal, the London and Gore Rail Road, and the Great Western Rail Road to increase access to Dundas' industries. Ewart was also a leading figure in Dundas' social and political circles, serving as a justice of the peace, the postmaster, and the president of the town council.

Additionally, the historical value of the property lies in its association with Valley City Manufacturing, which operated out of the property for more than 120 years, manufacturing furniture for schools, churches, and laboratories. In the 1910s, the company was contracted by architect John A. Pearson (1867-1940) to create furniture for Centre Block on Parliament Hill. In 1937, the company was taken over by Hamilton construction magnate Joseph M. Pigott (1885-1940). Under Pigott, the company was contracted by the Otis-Fensom Elevator Company in Hamilton during the Second World War to manufacture wooden cases for the Bofors anti-aircraft guns with shaped sockets for each part and tool so the guns could be assembled in the dark.

The contextual value of the property lies in its role in defining the character the area, serving as a reminder of Dundas' past as an industrial and manufacturing centre. The setting of the property defines the historic character of Hatt Street and the community of Dundas, with the north elevation and roofline featuring distinctive architectural details. The property is visually, functionally, and historically linked to its surroundings, comprised of a former industrial complex located along Spencer Creek, which provided power to the historic foundry, and near historic transportation corridors that were crucial to its early and continued success. The property is also considered to be a local landmark.

Description of Heritage Attributes

The key attributes that embody the cultural heritage value of the property as a unique, rare and early example an industrial complex and pre-Confederation architecture and its historical association with the Dundas Foundry and previous owners John Gartshore and James Bell Ewart, include the:

- Front (north) elevation and roofline of the circa 1846 central two-and-a-half storey stone structure including its;
 - Even coursed, cut sandstone construction;
 - Front gable roof with central stone chimney and date stone inscribed with "A.D. 1846";
 - Flat-headed window opening with stone lintels and sills;

- Two six-pane windows below the gable;
- Six-over-six hung wood windows in the second storey; and,
- Twelve-pane wood windows in the first storey;
- Front (north) elevation and roofline of the circa 1850s western central two-storey brick structure including its:
 - Brick construction laid in Common bond;
 - Side gable roof with corbelled brick chimney; and,
 - Three bays of segmentally-arched window opening with radiating brick voussoirs, stone sills and twelve-pane wood windows;
- Front (north) and side (west) elevations and roofline of the circa 1850s western end two-storey brick structure including its:
 - Six bays of flat-headed window openings in the front (north) elevation with stone lintels and sills;
 - Combination of flat-headed and segmentally-arched window openings in the side (west) elevation with their stone lintels, brick voussoirs and sills; and,
 - Twelve-pane wood windows in the front (north) and side (west) elevations;

The key attributes that embody the cultural heritage value of the property as a unique and rare example of an industrial complex and its association with Valley City Manufacturing include the:

- Front (north) elevation of the eastern central circa 1910 two-storey brick structure including its:
 - Corbelled brick course and pilasters;
 - Segmentally-arched window openings with brick voussoirs, stone sills and six-over-six hung wood windows;
 - Ground-floor entrance with decorative pilasters, entablature, leaf motif, and glass transom; and,
 - Ground-floor commercial entrance with nine-pane picture window, transoms, plain dentilated cornice and single entrance door;

To Designate Property Located at 64 Hatt Street, Dundas, City of Hamilton as
Property of Cultural Heritage Value

Page 8 of 8

- Front (north) elevation of the circa 1960 eastern end two-storey brick structure including its:
 - Flat-headed window openings with plain sills;
 - Brick corbelling; and,
 - Decorative concrete panel featuring a tree, set square, T-square, compass, and circular saw;

The key attributes that embody the contextual value of the property as a defining feature of the historical character of Hatt Street and as a local landmark include its:

- Location along Spencer Creek;
- Location fronting onto Hatt Street; and,
- Tall brick chimney.

Authority: Item 3, Public Works Committee Report 22-004 (PW22013)
CM: March 30, 2022 Ward: 4
Written approval for this by-law was given by Mayoral Decision MDE-2023 05
dated October 25, 2023

Bill No. 201

CITY OF HAMILTON

BY-LAW NO. 23-

**To Establish City of Hamilton Land
Described as Part of Lots 15 and 16, Block U, Registered Plan 395, designated as
Part 1 on Plan 62R-22214 as Part of Barton Street East**

WHEREAS sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

WHEREAS section 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The land, owned by and located in the City of Hamilton, described as **Part of Lots 15 and 16, Block U, Registered Plan 395, designated as Part 1 on Plan 62R-22214** is established as a public highway, forming part of **Barton Street East**.
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway.
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

PASSED this 25th day of October 2023.

A. Horwath
Mayor

J. Pilon
Acting City Clerk

Authority: Item 3, Planning Committee Report 22-017 (PED23207)

CM: October 25, 2023 Ward: 4

Written approval for this by-law was given by Mayoral Decision MDE-2023 05 dated October 25, 2023

Bill No. 202

CITY OF HAMILTON

BY-LAW NO. 23-

To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 851 Lawrence Road, Hamilton

WHEREAS Council approved Item 3 of Report 23-017 of the Planning Committee, at its meeting held on October 25, 2023;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan.

NOW THEREFORE Council amends Zoning By-law No. 05-200 as follows:

1. That Map No. 1195 of Schedule "A" – Zoning Maps is amended by:
 - a) Adding the Mixed Use Medium Density (C5, 877, H163) Zone to the lands known as 851 Lawrence Road and identified as Block 1, the extent and boundaries of which are shown on Schedule "A" attached to and forming part of this By-law; and,
 - b) Adding the Mixed Use Medium Density (C5, 881) Zone to the lands known as 851 Lawrence Road and 2030 King Street East and identified as Block 2, the extent and boundaries of which are shown on Schedule "A" attached to and forming part of this By-law.
2. That Schedule "C" – Special Exceptions is amended by adding the following new Special Exceptions:
 - "877. Within the lands zoned Mixed Use Medium Density (C5, 877) Zone on Map No. 1195 of Schedule "A" – Zoning Maps and described as 851 Lawrence Road, the following special provisions shall apply:
 - a) Notwithstanding Section 3, as it relates to the definition of Front Lot Line,
 - i) For the purposes of Special Exception 877, Lawrence Road shall be deemed the Front Lot Line.

- b) Notwithstanding Section 4.6 e), a balcony may encroach into any required yard to a maximum of 1.8 metres.
 - c) Notwithstanding Section 5.6 c) and 5.6 e) as it relates to Multiple Dwellings and Dwellings Unit(s), the following parking shall be required:
 - i) A minimum of 1.1 spaces per unit.
 - d) Notwithstanding Section 10.5.1.1 i) 1. dwelling units that do not face a street shall be permitted at grade.
 - e) In addition to Section 10.5.3, and notwithstanding Sections 10.5.3 a) ii), 10.5.3 d i), 10.5.3 d ii), and 10.5.3 d iii), the following regulations shall apply:
 - i) Building Setback from a Street Line Maximum setback of 7.9 metres;
 - ii) Setback Between Buildings Minimum setback of 3 metres from any building, excluding underground parking structures, existing on the date of the passing of this By-law;
 - iii) Building Height
 - 1. Minimum 10.3 metre façade height along the street.
 - 2. Maximum building height shall be in accordance with Figure 37 of Schedule F – Special Figures.
 - f) In addition to 10.5.3 i) a 3.0 metre wide Planting Strip shall be required along the westerly side lot line.
881. Within the lands zoned Mixed Use Medium Density (C5, 881) Zone on Map No. 1195 of Schedule “A” – Zoning Maps and described as 851 Lawrence Road and 2030 King Street East, the following special provisions shall apply:

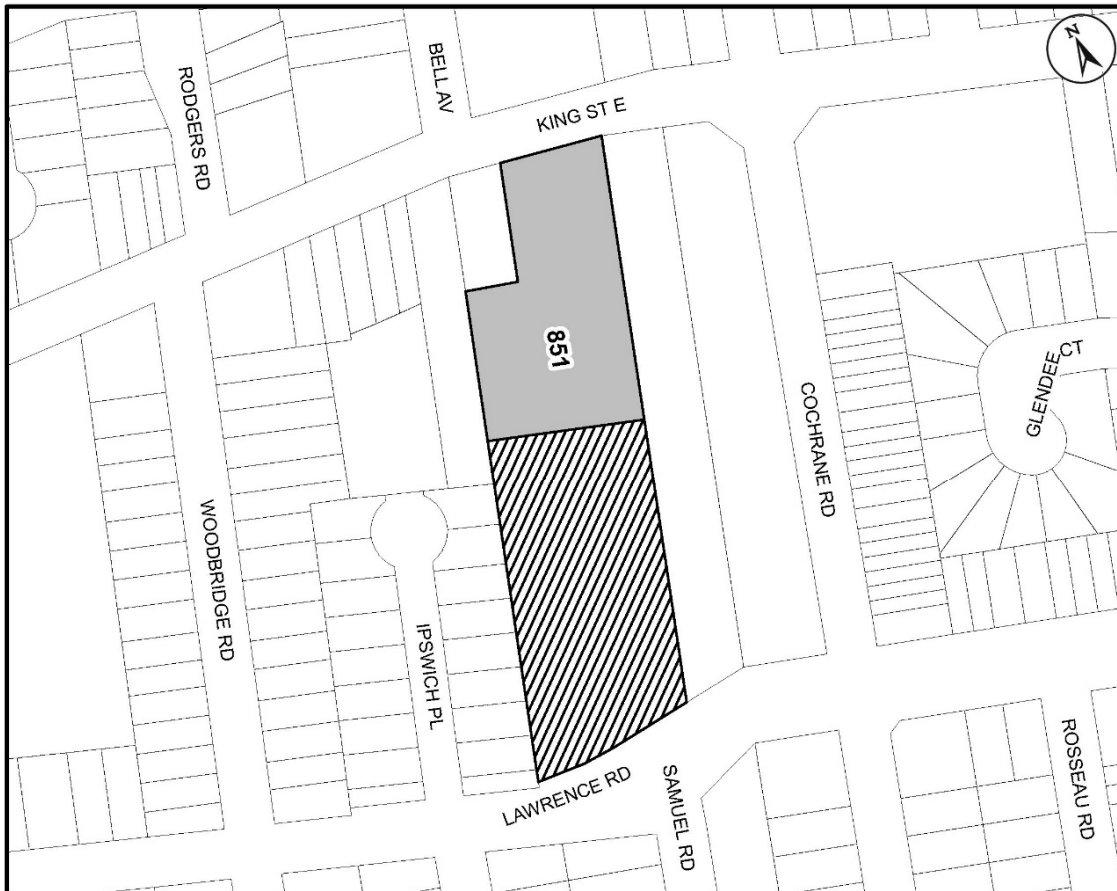
- a) Notwithstanding any other provisions of this By-law, development existing at the date of passing of this by-law shall be deemed to comply.
 - b) Notwithstanding Section 5.6 c) and 5.6 e) as it relates to Multiple Dwellings and Dwellings Unit(s), the following parking shall be required:
 - i) A minimum of 1.1 spaces per unit.”
3. That Schedule “D” – Holding Provisions be amended by adding the additional Holding Provision as follows:
- “163. Notwithstanding Section 10.5 of this By-law, within lands zoned Mixed Use Medium Density (C5, 877) Zone, identified on Map No. 1195 of Schedule “A” – Zoning Maps and described as 851 Lawrence Road, no development shall be permitted until such time as:
- a) The Owner submitting a Parking Assessment demonstrating that:
 - a. the removal of the driveway access to 380 Cochrane Road shall have no adverse impact on site circulation;
 - b. the required parking for 380 Cochrane Road and 851 Lawrence Road will be provided at 851 Lawrence Road; and,
 - c. sufficient manoeuvring space is available for waste collection and loading vehicles entirely on private property;to the satisfaction of the Manager, Transportation Planning and Director of Planning and Chief Planner.
 - b) The Owners of 380 Cochrane Road and 851 Lawrence Road enter into a parking agreement with the City to be registered against the title of both the lot upon which parking is to be provided (851 Lawrence Road) and the lot containing the use requiring the parking (380 Cochrane Road), to the satisfaction of the Director of Planning and Chief Planner.
 - c) The Owner submitting a Watermain Hydraulic Analysis, to the satisfaction of the Director of Hamilton Water.
 - d) The Owner submitting a technical memorandum prepared by a qualified professional that provides justification for why dewatering is not required, and in the event that dewatering is required, the owner shall provide a written record of a Monitoring and Contingency Plan that outlines a protocol for action, to the satisfaction of the Director of Hamilton Water.

- e) The Owner making satisfactory arrangements with the City's Growth Management Division and entering into an External Works Agreement with the City for the design and construction of any required improvements to the municipal infrastructure at the Owner's cost, should it be determined that upgrades are required to the municipal infrastructure to support the proposed development, all to the satisfaction of the Director of Growth Management and Chief Development Engineer.
 - f) The Owner submitting a revised Tree Protection Plan addressing the protection of private trees, to the satisfaction of the Director of Planning and Chief Planner. The resubmission is also to include the applicable Tree Protection Plan review fee payable to the City of Hamilton.
 - g) The Owner submitting a Wind Study, to the satisfaction of the Director of Planning and Chief Planner."
- 4. That Schedule "F" – Special Figures be amended by adding Figure 37: Maximum Building Heights for 851 Lawrence Road as shown on Schedule "B" to this By-law.
 - 5. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the provisions of the Mixed Use Medium Density (C5, 877, H163) Zone and Mixed Use Medium Density (C5, 881) Zone subject to the special requirements referred to in Section No. 2, 3 and 4 of this By-law.
 - 6. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 25th day of October, 2023.

A. Horwath
Mayor

J. Pilon
Acting City Clerk



<p>This is Schedule "A" to By-law No. 23-</p> <p>Passed the day of, 2023</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 5px 0;">Map forming Part of By-law No. 23-_____</p> <p style="margin: 5px 0;">to Amend By-law No. 05-200 Map 1195</p>	<p>Subject Property</p> <p>851 Lawrence Road, Hamilton (Ward 4)</p> <ul style="list-style-type: none"> Block 1 - Lands to be added as Mixed Use Medium Density (C5, 877, H163) Zone Block 2 - Lands to be added as Mixed Use Medium Density (C5, 881) Zone
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<p>Scale: N.T.S</p>	<p>File Name/Number: ZAC-23-040</p>	
<p>Date: September 27, 2023</p>	<p>Planner/Technician: AB/VS</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		



Special Figure 37: Maximum Building Heights for 851 Lawrence Road

Date:
September 20, 2023

Legend

- | | |
|-------------------------------------|---|
| 0 metre Building Height | Maximum Building Height 32.2 metres |
| Maximum Building Height 10.9 metres | Maximum Building Height 35.2 metres |
| Maximum Building Height 16.9 metres | Maximum Building Height 38.5 metres |
| Maximum Building Height 22.9 metres | Maximum Building Height 42.0 metres, inclusive of mechanical penthouse and amenity area |
| Maximum Building Height 29.2 metres | Lands to be rezoned as Mixed Use High Density (C4, 877, H163) Zone |



Authority: Item 4, Planning Committee Report 22-017 (PED23212)
CM: October 25, 2023 Ward: 2
Written approval for this by-law was given by Mayoral Decision MDE-2023 05
dated October 25, 2023

Bill No. 203

CITY OF HAMILTON

BY-LAW NO. 23-

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 527 James Street North, Hamilton

WHEREAS Council approved Item 4 of Report 23-017 of the Planning Committee, at its meeting held on October 25, 2023;

AND WHEREAS this By-law conforms to the City of Hamilton Official Plan;

NOW THEREFORE the Council of the City of Hamilton amends Zoning By-law No. 05-200 as follows:

1. That Schedule "A" – Zoning Maps, Map No. 827 is amended by adding the Transit Oriented Corridor Local Commercial (TOC2, 875) Zone for the lands known as 527 James Street North, Hamilton, the extent and boundaries of which are shown on Schedule "A" to this By-law.
2. That Schedule "C" - Special Exceptions is amended by adding the following new Special Exception:
 - "875. Within the lands zoned Transit Oriented Corridor Local Commercial (TOC2) Zone, identified on Map 827 of Schedule "A" – Zoning Maps and described as 527 James Street North, the following special provisions shall apply:
 - a) Notwithstanding Section 11.2.3 a) and c) the following special provisions shall apply:
 - i) Minimum Building Setback from a Street Line 0.0 metres;
 - ii) Minimum Interior Side Yard 0.0 metres;
3. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure thereof be used, nor shall any land be used, except in accordance with the provisions of the Transit Oriented Corridor Local Commercial

(TOC2, 875) Zone, subject to the special requirements referred to in Section No. 2 of this By-law.

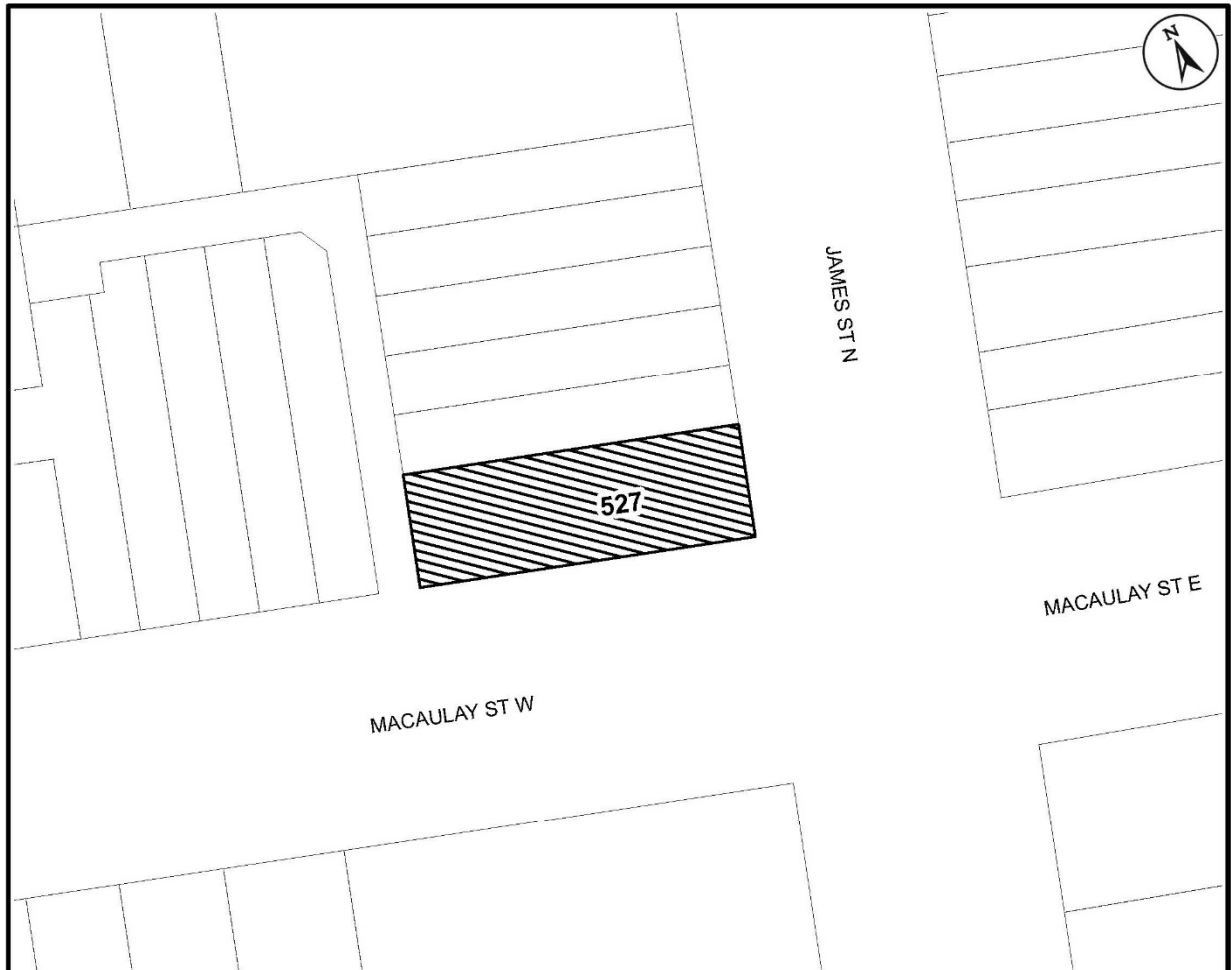
4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

PASSED this 25th day of October, 2023.

A. Horwath
Mayor

J. Pilon
Acting City Clerk

ZAC-23-038



This is Schedule "A" to By-law No. 23- Passed the day of, 2023	----- <p style="text-align: center;">Mayor</p> ----- <p style="text-align: center;">Clerk</p> -----
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map forming Part of By-law No. 23-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 05-200 Map 827</p>	<p>Subject Property</p> <p>527 James Street North</p> <p> Lands to be added as Transit Oriented Corridor Local Commercial (TOC2, 875) Zone</p>
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Scale: N.T.S	File Name/Number: ZAC-23-038	
Date: September 13, 2023	Planner/Technician: AB/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Authority: Item 5, Planning Committee Report 22-017 (PED23208)

CM: October 25, 2023 Ward: 13

Written approval for this by-law was given by Mayoral Decision MDE-2023 05 dated October 25, 2023

Bill No. 204

CITY OF HAMILTON

BY-LAW NO. 23-

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 12 Louisa Street, Flamborough

WHEREAS Council approved Item 5 of Report 23-017 of the Planning Committee, at its meeting held on October 25, 2023;

WHEREAS the Council of the City of Hamilton, in adopting Item 5 of Report 23-017 of the Planning Committee, at its meeting held on the 25th day of October, 2023, recommended that Zoning By-law No. 05-200, be amended as hereinafter provided;

AND this By-law conforms with the Rural Hamilton Official Plan.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Map No. 143 of Schedule “A” – Zoning Maps is amended by changing the zoning from the Settlement Institutional (S3) Zone to Settlement Residential (S1, 872, H160) Zone for the lands known as 12 Louisa Street, Flamborough as shown on Schedule “A”, attached to this By-law.
2. That Schedule “C” – Special Exceptions is amended by adding the following new Special Exception:
 - “872. Within the lands zoned Settlement Residential (S1, 872, H160) Zone, identified on Map 143 of Schedule “A” – Zoning Maps and described as 12 Louisa Street, Flamborough the following special provisions shall apply:
 - a) Notwithstanding Section 12.3.3 (a), the following regulation shall apply:
 - i) Minimum Lot Area 0.2 hectares
3. That Schedule “D” – Holding Provisions be amended by adding the additional Holding Provision as follows:
 - “160. In addition to Section 4.22 iii) of this By-law, within lands zoned Settlement Residential (S1, 872) Zone, identified as Map 143 on Schedule “A”, development of a single detached dwelling shall not be permitted until such time:

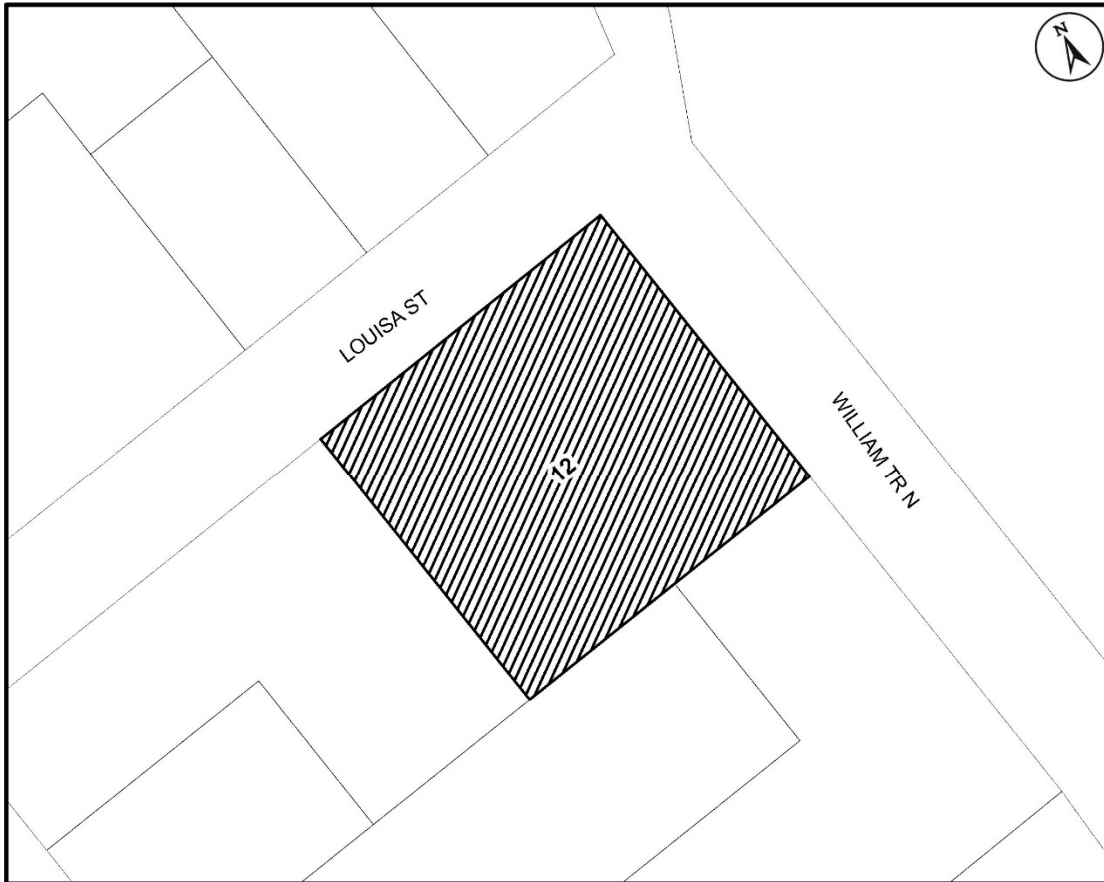
- (i) That the Owner/Applicant applies for a Building Permit showing a connection to the municipal water system and installation of a Class 6 Tertiary wastewater treatment system, to the satisfaction of the City's Chief Building Official.
- (ii) That the Applicant enter into, and have registered on title, a development agreement with the City of Hamilton to install and properly maintain the tertiary treatment septic system, in order to function as designed, to the satisfaction of the Director of Development Planning, Director of Hamilton Water, and City Solicitor."

PASSED this 25th day of October, 2023.

A. Horwath
Mayor

J. Pilon
Acting City Clerk

ZAR-22-004



This is Schedule "A" to By-law No. 23- Passed the day of, 2023	----- Mayor ----- Clerk
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<h2>Schedule "A"</h2> <p>Map forming Part of By-law No. 23-_____</p> <p>to Amend By-law No. 05-200 Map 143</p>	<p>Subject Property</p> <p>12 Louisa Street, Flamborough</p> <p> Change in zoning from Settlement Institutional (S3) Zone to Settlement Residential (S1, 872, H160) Zone</p>
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Scale: N.T.S	File Name/Number: ZAR-22-004	
Date: August 2, 2023	Planner/Technician: AB/VS	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Written approval for this by-law was given by Mayoral Decision MDE-2023 05 dated October 25, 2023

Bill No. 205

CITY OF HAMILTON

BY-LAW NO. 23-

To Confirm the Proceedings of City Council at its meeting held on October 25, 2023.

THE COUNCIL OF THE

CITY OF HAMILTON

ENACTS AS FOLLOWS:

1. The Action of City Council at its meeting held on the 25th day of October 2023, in respect of each recommendation contained in

Selection Committee for Agencies, Boards and Sub-Committees Report 23-010 – October 10, 2023,

Selection Committee for Agencies, Boards and Sub-Committees Report 23-011 – October 12, 2023,

Selection Committee for Agencies, Boards and Sub-Committees Report 23-012 – October 13, 2023,

Sole Voting Member of the Hamilton Farmers' Market Report 23-004 – October 16, 2023,

Public Works Committee Report 23-015 – October 16, 2023,

Hamilton Police Services Board Selection Committee Report 23-005 – October 16, 2023,

Planning Committee Report 23-017 – October 17, 2023,

General Issues Committee Report 23-027 – October 18, 2023,

Audit, Finance and Administration Committee Report 23-017 – October 17, 2023,

Emergency and Community Services Report 23-013 – October 19, 2023,

City of Hamilton Integrity Commissioner's Report Complaint Involving the Chair of the Advisory Committee for Persons with Disabilities – October 19, 2023,

Selection Committee for Agencies, Boards and Sub-Committees Report 23-013 – October 23, 2023,

Hamilton Renewable Power Inc. Shareholder Report 23-001 – October 23, 2023,

Hamilton Street Railway Shareholder Report 23-001 – October 23, 2023,

and

Selection Committee for Agencies, Boards and Sub-Committees Report 23-014 – October 24, 2023

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting is hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided,

the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED this 25th day of October, 2023.

A. Horwath
Mayor

J. Pilon
Acting City Clerk