**Pilon, Janet**

**Subject:** Stinson Mens Shelter

**From:**
**Sent:** September 15, 2020 11:52 AM
**To:** Bates, Tamara <Tamara.Bates@hamilton.ca>
**Subject:** Stinson Mens Shelter

- Dear Mayor and Members of Council,

  **I support the letter below,sent to Council by our Stinson community members, because at the best of my**

  **knowledge and without any added information, it reflects my own experience and thoughts**.

  **I support the letter sent to Council by our community members, and would like to add (information/questions) to reflect my own experiences and thoughts:**

  **The ramifications of having of a mens shelter in our residential neighbourhood are a real**

  **concern for us. The Stinson neighbourhood is already overwhelmed with long term care**

  **facilities and shelters; crime and violence and drug use are problems that go along with**

  **these facilities and we don't want more of it, not to mention potential Covid outbreak**

  **possibilities. This is clearly not the right place for this facility and it was clearly rushed**

  **thru approval without consulting the residents of Stinson. As well, we are VERY CONCERNED**

  **about potential encampments in Stinson parks and green spaces; apparently they have been**

  **scouted already by York St encampment residents. Please do not allow this to happen**

  **and help these people find a more appropriate place to camp out; there are many**

  **possibilities that are not in a residential area.**

  Mayor and Members of Council

  September 14, 2020

  I, the undersigned, have resided in Hamilton/Ward 3 for 23 years.

  I write at the best of my abilities, under the pressure to submit in time and with the very limited amount of information that I have been able to gather from the officials, the newspapers and the community.

This is an addendum to the two emails I have already submitted along with some neighbours, to the Clerk for the Council meeting of September 10, 2020, regarding the Old Cathedral Boys School emergency shelter. I attach 5 documents and the FAQ.

This letter has also been composed to the best of my ability also considering that numerous neighbours, me included, who have been asking questions to Councillor Nann since mid-August and received to this date no answers or only answers deflecting our inquiries.

I will leave aside now the stressors that the opening of the emergency shelter will add onto our historically vulnerable Stinson community and how this increases the risks for an outbreak of Corona in our neighborhood because we have addressed these issues already in those two emails.

Councillor Nann wrote to me: "this decision was made under emergency orders which cannot be revoked"

I bring to your attention that those words misled many neighbours into believing that it was pointless to make the effort to exercise their duty and right to express their opposition to the opening of the temporary emergency shelter in the location of the Old Cathedral Boys High School. Most of my neighbours added sadly: "Besides, there is no point to fight City Hall."

But we discussed it further and then I passed on in an email our thinking to Councillor Nann: "Your affirmation does not stand legally, as any emergency order SHALL BE REVOKED immediately when it is shows indications to be unwise, ill-conceived, dangerous to the local population, taken in the interest of third parties, promoting self-interest or corrupt."

It appears that the actions of those involved may also fit the parameters for what is called Conspiracy Against Rights in the USA code (Conspiracy against rights is a criminal offense involving acts to prevent others from exercising their constitutional rights). The same universal legal principles and arguments could be presented to the Canadian Courts in this case. The seriousness may be compounded by the use/or abuse of the sacrosanct and extraordinary powers of an "emergency order" because it may create a dangerous legal precedent to the well-being not just of the Stinson community but to all Canadians in the future.

All aspects of how this emergency order was passed shall be made public, including the names of all those who participated in the different stages of conception and what role those people played and the interests they represented and the dates when each one of those conversations took place. It appears, but we are not sure, that the emergency order conception began after the order to shelter in place was already lifted. In Ontario, Phase 1 started May 19, 2020; Phase 2 started June 12, 2020 and Phase 3 started July 17, 2020. It appears that the Emergency Committee gave their approval for funding the emergency shelter at the Old Cathedral Boys School at the July 17, 2020 meeting, the exact day Phase 3 began in Ontario. The timing should be investigated; it appears that the Good Shepherd Hamilton already owned or had possession of the

building in 2018. All of this is public record.

I will focus now on the document published in August by Nrinder Nann, City Councillor/ Ward 3. entitled "Community Information Session on Temporary Shelter Services." , I attached the document to this email under that title.

The document opens: "This document contains a summary to the questions my office has received in relation to the September opening of a temporary shelter at 378 Main St. E."

Please note that instead of "a summary of questions", it should read: '"a selection of questions"; it has been reported by neighbors that they were blocked in the "social media" for asking "inconvenient questions" that perhaps did not suit Nann's narrative.

The document concludes with the contact information of two of the protagonists of the Zoom info-meeting:

Rob Mastroianni Manager of Emergency Shelter Services & RCF Subsidies at Rob.Mastroianni@Hamilton.ca

Katherine Kalinowski, Chief Operating Officer, Good Shepherd Housing Services kkalinowski@gsch.ca (905)528-5877 Ext. 3323

It appears that the document and the the Zoom info meeting hosted by Councillor Nann in August, are in sync. The linguistic styles of both formats are identical. The type of language used to communicate the "news" to the community after the decision was already passed under "an emergency order", may indicate a willfully and orchestrated strategic intention to distract, to purposely occult the facts and to mislead the public. The type of language may indicate that the authors had awareness that they were manipulating and taking advantage of and abusing the emergency order process letter and/or spirit for their own personal ideology, interests or gains. This type of intention constitutes cause for the revocation of the emergency order. As it stands at this moment it may set a dangerous legal precedent for all Canadians.

It is possible that Councillor Nann, a holistic nutritionist from New York and only a recent resident of Hamilton/Ward 3, Gage Park, was not "familiar" with the history of our City, including the sinister scams of the famously nefarious family Martino that seemly became rich by sucking the life blood from the vulnerable and marginalized population placed under their care by the City and the Province, and the unsolved murder of Joe Melo, seemly implicated in assisting living schemes and a mega "pharmacy legal scheme" as reported in the Spec, until we informed her about it. It appears that the Martino family still runs the same kind of business they used to under other names and numbered companies as reported in the Spec article "House of Horrors", Jun 11, 2020 and other recent articles. Note the dates:

1. House of Horrors was published June 11, 2020.

2. At the beginning of July 2020, some yet unnamed party approached Councillor Nann with the plan to locate the emergency shelter at the corner of Main and Emerald St. under an emergency order.

House of Horrors should have raised a red flag for the location.

Another red flag emerges from the on-line City of Hamilton Covid -19 map. Since the beginning of the pandemic the composite area of of Stinson-Landsdale has been colored "Dark Gray" indicating the high number of infections compared to the rest of Hamilton.

It seems that Councillor Nann was also not aware of the dynamics of the Stinson community, not just regarding the high concentration of badly run assisting living operations, but the high concentration of other social ills buildings, crystal meth dens and rooming houses, "trouble buildings" that even the police are afraid to enter. This problem is presently compounded by the "red fentanyl" and the Covid-19.

A study for the Ontario Marginalization Index (ON-MARG) should be done on the composite area of Stinson-Landsdale.

On the other hand, Mastroianni and Kalinowski should have being fully aware of the situation of Stinson-Landsdale, given their seniority in Hamilton, their jobs and their titles.

Another red flag was raised by the independent journalist Joey Coleman's Tweet: "City Manager's office just deleted video of last week's meeting of the Housing and Homelessness Advisory Committee from YouTube." He has now requested this video under the "Freedom of Information Act". We ask you to look into the matter and to use your Councillor position to release this video to the public immediately, so that given the urgency of the matter we do not have to wait for many months before it is released. You shall also require the name/s of the persons who requested for this video to be deleted and the reasons they alleged for this action. The public has a right to know who and why.

This could constitute cause for the revocation of the emergency order, as it may indicate rush and/or wrong-doing and/or self-interest and/or conspiracy against rights and thus abuse of the emergency order legal process letter and/or spirit.

Furthermore, their actions de facto disregard the well-being of the population that resides already in situ during the pandemic and are not financially able to move elsewhere at this moment. If an Covid-19 outbreak manifests at the heart of Stinson, then there will be grounds to claim the action-planners and other interested parties are open to liability because we warn them.

I noticed that today, September 14, the cases of Covid-19 are increasing as it was prognosticated.

I noticed that in Hamilton, the Stinson neighbourhood was down from the recent "Dark Grey" to "Medium Grey" but that Landsdale is in "Dark Grey", meaning there is a higher number of new infections in that community. Notice that both neighborhoods are geographically touching. The boundary is Main St. exactly were Motel Cathedral will open soon. So it is a fact that the emergency shelter is opening at the geographical heart of the largest numbers of Covid-19 reported cases in Hamilton.

I take now the task to point out to the Mayor and Council some of the other red flags where it seems that misleading language was used regarding the "temporary status of the emergency shelter". This may legally constitute deception and conspiracy and a will to mislead the community and to corrupt letter and/or the spirit of the order.

1. "What makes you think that Cathedral will be any more successful than the First Ontario?
The shelter at First Ontario has offered a safe, hospitable environment for single men experiencing homelessness. Good Shepherd has no authority over the space outside of the FOC that is currently an encampment site. Staff do monitor that area and actively offer shelter services but we do not direct any activity outside of the FOC. At the Cathedral site, Good Shepherd will be responsible for activity both inside and outside of the building. We will not accommodate campers on this site. We will, however, work with individuals who are not registered in shelter but who approach us seeking other kinds of housing help or support services."

Perhaps Councillor Nann has not enough experience to know that, naturally and logically, the encampment site will move from First Ontario to the Stinson green spaces/ parkettes, because the tenters need to be close to the services of "Motel Cathedral", as they call it. The tenters have already scouted our neighbourhood and stated their intentions to move onto the various green spaces, as we have reported to the authorities and thus fulfilled our civic duties (during a pandemic to report infractions or weakness of the safety protocols is an ethical and a legal duty not only a civic right.)

It is reasonable to think that Mastroniani and the Good Shepherd Hamilton, more experienced than Nann, may had already prognosticated this encampment possibility and not only chose to remain silent but they may have tried to hide it from the community by stating that: "We will not accommodate campers on this site. We will, however, work with individuals who are not registered in shelter but who approach us seeking other kinds of housing help or support services."

If they contemplated the possibility of the tenting camp moving closer to Motel Cathedral attracted to the services the tenters will receive there, they spoke knowingly with the "intention to deceive the public" and their use of the "emergency order" is null. If they did not contemplate the likelihood of a "flood of tents", it may indicate that these individuals are not equipped to hold on their present jobs or to invoke a pandemic "emergency order". Council shall interrogate the individuals separately, ask them for all their documentations and notes to determine which one of these two scenarios took place.

"We will, however, work with individuals who are not registered in shelter but who approach us seeking other kinds of housing help or support services.

The opening of the doors of the new emergency shelter was orchestrated behind closed doors. The plan endangers the community with the approaching Second Wave, thus a new Covid-19 emergency order shall be invoked if the Motel Cathedral opens in disregard of sound scientific pandemic strategies and protocols:

For the time that this particular shelter remains open, the services that historically the Good Shepherd Ministries has offered to "the individuals who are not registered in shelter but who approach us seeking other kinds of housing help or support services." shall be suspended.

The support services the homeless desperately need are food, toilets and showers. As a Covid-19 precautionary measure, the doors of Motel Cathedral shall be closed to all-non-residents. These Good Shepherd Ministries services to individuals who are not registered in the shelter shall be suspended in this precise location due to Covid-19 "community distancing protocols" and these vital services shall be offered at a different location. If the tenting folk needs are served outside of Stinson, this will stop the tenting camp from setting in Stinson and it will reduce the compounded risk of a Covid-19 outbreak that our community is facing at the moment.

2. "Site & Location
How was the Former Cathedral Boys' School site chosen for this facility? The property is privately owned by the Catholic Diocese who offered the site for this purpose to the Good Shepherd in response to the population needs. Upon review, the site was in appropriate state of use and contained the amenities most appropriate for shelter use including: showers, gym, overnight accommodation and day programming use."

The Ownership of the building is not clear, therefore the interests of third parties are obscured:

Taken from the Good Shepherd Blog: "On January 19, 2015, the Little Brothers of the Good Shepherd fused with the Hospitaller Brothers of St. John of God. This 'fusion' of the two religious orders saw the end of the Little Brothers of the Good Shepherd as a formal entity. The Little Brothers of the Good Shepherd have now become Hospitaller Brothers of St. John of God.
The Little Brothers of the Good Shepherd are known locally for the work that is done through Good Shepherd Ministries in Toronto."

This means that The Good Shepherd Hamilton is indeed a Catholic entity located within the Hamilton Diocese, but it is legally a "formal entity" [An association, corporation, partnership, proprietorship, trust, or individual that has legal standing in the eyes of law. A legal entity has legal capacity to enter into agreements or contracts, assume obligations, incur and pay debts, sue and be sued in its own right, and to be held responsible for its actions] and as such it is legally different from the Dioceses even if they are geographically within the Diocese and thus "belong" to the Diocese but it is not privately own by the Diocese. Thus the statement that "The property is privately owned by the Catholic Diocese who offered the site for this purpose to the Good Shepherd in response to the population needs" may appear to be purposefully "misleading".

I selected 2 lines from the Cultural Heritage Assessment Report on the Former Cathedral Boys' High School.

https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=151834

1.0 Introduction, 3rd paragraph: " On November 9, 2016, Alan Whittle of Good Shepherd Hamilton greeted Peter Stewart, Francine Antoniou and Paul Dilse for photographic recording of the school."

This indicates that Alan Whittle/Good Shepherd Hamilton had already "some level of interest" in the building in 2016.

The next document is dated 2018, 2 years before the pandemic began: https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=152578

Note the last line:

"HISTORICAL BACKGROUND

The subject property, municipally known as 378 Main Street East, Hamilton (see Appendix "A" to Report PED17168) is known locally as the Cathedral Boys' High School.

The School was built in 1928 and funded by the Hamilton Catholic population. This school was the first purpose built Catholic High School in Hamilton. Designed by Hutton and Souter, the Former Cathedral Boys' High School was designed in the architectural style known as Modern Gothic, Collegiate Gothic or Neo-Gothic. Hutton and Souter were prominent architects responsible for a number of other significant buildings in Hamilton such as the Delta Collegiate High School, the Royal Connaught Hotel, and the John Sopinka Courthouse.

In 1951, a wing was built to memorialize students that fought and lost their lives in the First and Second World Wars. Constructed in a vernacular style, the architect is unknown. In September 1992,the Cathedral Boys' High School and Cathedral Girls' High School (on Main Street East, two blocks east of Cathedral Boys' High School) were integrated.

In September 1995, the publicly funded Cathedral High School opened at King Street East and Wentworth Street North, replacing Cathedral Boys' High School and Cathedral Girls' High School.

The property is currently owned by Good Shepherd Hamilton."

According to the Cultural Heritage folk, the Good Shepherd Hamilton already owned the property in 2018.

Furthermore, in a recent Spec. article we read: "Good Shepherd is working out an arrangement with the Roman Catholic diocese to rent out a part of the former Cathedral school, said agency spokesperson Alan Whittle."

Old Cathedral boys' school to become temporary homeless shelter as desperation builds for city bailout

How can this be if the Cultural Heritage report lists the Good Shepherd Hamilton as the "owner" of the building?

If Bishop Crosby and the Hospitaller Brothers of St. John of God and the Good Shepherd Hamilton and Alan Whittle had no intention to mislead the Stinson community regarding the "temporary location of the emergency shelter" instead of : "The property is privately owned by the Catholic Diocese who offered the site for this purpose to the Good Shepherd in

response to the population needs.",  they should have said (my words): "The property is currently owned by Good Shepherd Hamilton", even if the property was acquired or perhaps leased for only $1 since at least 2018 .

We question the parties name above regarding the lease and we were ignored.

And how could Bishop Crosby, head of the Roman Catholic Diocese of Hamilton "offered the site for this purpose" two years before Covid-19?

3. "Who approached the Diocese? Will they be compensated/reimbursed for use of the space? Good Shepherd approached the Diocese and they have a lease in place."

After reading this, many neighbors believed it and repeatedly requested information regarding the terms and length of this "lease", myself included. There was absolute silence from Nann, Mastroianni and the Good Shepherd Hamilton and the Hospitaller Brothers of St. John of God and Bishop Crosby on the subject. The optics are not good with respect to these actors' bona fides during the process of invoking an emergency order and the ownership or lease of the building.

It is not a stretch to say that The Old Cathedral Boys' High School is what is known in real estate terms as a "white elephant": a burdensome possession whose cost of upkeep is not in line with its usefulness or value. It was calculated, after the inspection of the building that the cost to remedy the asbestos, the plumbing and the electrical would be at least 15 million dollars. If we add to this astronomical cost the "heritage designation", "the white elephant" real estate definition is met.

This real estate deal is not clear and it may cross the boundaries of ethical behavior and transparency and it shall be looked into and investigated in depth by the Hamilton City Council. Perhaps there are some other benefits to Good Shepherd Hamilton by opening the pandemic temporary emergency shelter at the "withe elephant" property and later on obtain favors or special considerations regarding the property? This shall be disclosed.

This could constitute cause for the revocation of the emergency order, as it may indicate deception, wrong-doing, interest of third parties, tit for tot and abuse of the emergency order process with a possible ulterior motive to by-pass a lawful "Cultural Heritage designation". It should be looked into it by City Hall and the Ethics Committee.

3. "What is the hard end date for this use? Is there one?
June 2021 is the approved end date for this temporary use. However, it is also dependent on what unfolds with the pandemic and potential second wave. Extending beyond this date would require Council approval and additional funding."

It appears that this ambiguous and open-ended answer is designed to reassure the overwhelmed community and perhaps even to bypass the "heritage designation" under the pandemic emergency orders.

Once "in situ" with the shelter running, pandemic or not by June 2021, there will be little incentive for City Hall NOT to renew the contract, mostly if it supported by Rob Mastroianni and Ward 3 Councillor Nann.

If indeed June 2021 is the approved final date line for this temporary use, and in case that the opening of this so called "emergency shelter" takes place against our dutifully reported concerns and warnings, then Rob Mastroianni and City Hall shall actively and immediately engage in the selection and the preparedness of a more suitable site for another Good Shepherd Hamilton emergency shelter so that it is ready for June 30 2021. This should be done under a new "emergency order". This immediate and active engagement to find another location is urgent because there is no guarantee that the pandemic will be resolved by June 2021, and the community may be forced to live under these extreme conditions for 9 long months + the delays. This time, the process shall be public to avoid wasting precious resources again, aka taxpayer's money.

4. "Why are these facilities so concentrated in Landsdale and Stinson? How was this factored into the decision? There are a number of social service type agencies in the central lower city, such as shelters, Residential Care Facilities, and others. Many of these programs have long standing histories in the neighbourhood that date back 30+ years. Due to proximity to other services which residents would access, the downtown core is often seen as an ideal location to ensure ease of access to those services."

I follow this statement with the words of Councillor Nann in the email she sent me, dated 05/09/2020:

"I truly do appreciate your concern of the over concentration in the Stinson neighbourhood, as with several other neighborhoods in Ward 3 of poorly run RCFs. It is something I will continue to tirelessly flag and demand action on. Historical decisions led to this over-concentration and it must be rectified!"

Councillor Nann contradicts herself by:

a. Actively supporting to open the emergency shelter by invoking an extreme "emergency order" and thus purposely bypassing her constituents concerns regarding the over-concentration of the area.

b. While affirming that "Historical decisions led to this over-concentration and it must be rectified!".

This contradiction of thought disqualifies her from invoking "emergency orders" because her support for the plan just increased the historical over-concentration she states needs to be rectified.

Perhaps there was "no time to consult the community" but there was plenty time to consult the experts, like ON-MARG and any urban epidemiologist from McMaster.

I firmly believe that the Ontario Humans Right Code is intended to protect us all, and in particular to protect the human rights of the vulnerable and marginalized and that the legislation is not to be used to create an urban ghetto, which constitutes a violation of Section 7 of the Canadian Charter of Rights and Freedoms. 7. Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental

justice. Myself included.

"Due to proximity to other services which residents would access, the downtown core is often seen as an ideal location to ensure ease of access to those services." This is a deceptive excuse that has already been used in the past in Hamilton and in other cities with disastrous results. This is precisely how urban ghettos were and are created. Services shall be provided in situ at the emergency shelter, wherever it is located, this is the year 2020 and it can be done.

Furthermore, under the heading "Operations" the document reads: "Primary healthcare will be provided by a nurse practitioner employed by Good Shepherd and doctors from the Shelter Health Network. Harm reduction support will be provided. Shelter staff offer case management services including referrals, advocacy and supportive counseling. Housing and support services will be offered to every resident."

If this is true, then there is no need to locate the emergency shelter in Stinson, as the services will be provided already "in house" somewhere else.

It feels like the most marginalized and at-risk populations are herded into one single area. The intentional creation of a ghetto indicates wrong-doing and abuse of the emergency order process. The unintentional creation of a ghetto indicates ignorance and negligence. Both instances constitute cause for the revocation of the emergency order. To live in a ghetto endangers me, my security and my well-being as well as the security and the well-being of my family and my community, especially during Covid-19.

5."It is obvious to many residents that this was a hasty decision to expedite the approval of a capital project at First Ontario Centre. Why didn’t the shelter there continue to operate? Are there other shelters opening in other wards?
As the City of Hamilton moves into Phase 3 of its re-opening plan, many businesses are returning to regular operations. This includes First Ontario Centre.
Many service providers feel that Sir John A. Macdonald was a better choice. Why wasn’t this site chosen instead? Factors such as size of building, degree of renovations required, and facilities on site such as showers, etc are factors in making the decision of location. Sir John A MacDonald was a less feasible choice."

Here my question echo's the voices of Stinson residents: Is Sir John A. Macdonald part of the downtown mega development plan and was this the real reason or one of the reasons it was not chosen?

After receiving the news of the opening of the emergency shelter, some neighbours have put their house for sale or are intending to do it. The buzz word in Stinson is that the City is concentrating the most vulnerable population in our neighbourhood with the nefarious intention to control the pandemic by creating a Covid-19 Ghetto and thus maintain the rest of Hamilton open for business. I also have come to believe this.

Most people believe that the "emergency order decision" is directly related to the mega real estate development plans for downtown. This

could constitute cause for the revocation of the emergency order, as it may indicate wrong-doing, third parties' interests and abuse of the emergency order process.

The optics are bad and a public inquiry of how "this leaded to that" going back at least to 2015 shall be opened and the matter shall be investigated by City Council without delay.

6."Who is advocating for residents of existing RCF's and shelters in the neighbourhood? There is a program review of Subsidized RCFs currently underway, led by Housing Services Division of the City of Hamilton. As part of this review, increased collaboration with other support sectors such as Health Care are being explored in order to provide an increased level of mental health and related supports."
"How many residential group homes, shelters other assisted/supportive living homes are already in operation in this neighbourhood/ward? There are 14 RCFs and 1 Shelter located within Ward 3."

These 2 points support our arguments that Stinson needs immediate assistance and NOT ADDED STRESSORS, especially during the pandemic and that the decision to open the emergency shelter at Main and Emerald, was flawed and dangerous and the historical facts were probably known to most of the actors that invoked the "emergency order".

6. "What are the long-term plans for Cathedral Boys' School? Longer term, Good Shepherd would like to develop a Senior's 'hub' that would combine affordable housing with support services that would be more broadly available to the community. An important part of this development would be incorporating the historic original school into the project."

I found some consolation in this last answer until a senior neighbor raised another red flag: "Any person above 50 qualifies as a senior and some are "trouble" and not just impoverished elders."

I had envisioned a kind of affordable housing for law abiding seniors that would contribute with their presence to bring stability to our area.

I copy paste the latest email I received:

"A few people have asked
Do we know what premise the city is directing taxpayer's money to good shepherd?
Should we be emailing the police chief, or anyone else on the force?
Do we keep resenting the same emails every few days given we feel we are being ignored with the lack of response from anyone?"

What do I tell them?

It is the Mayor and City Council's duty to keep us safe, especially during Covid-19.

**Old Cathedral boys' school to become temporary homeless shelter as despe...**

City urges federal and provincial governments to come through with funding as budget hole grows

Please take this seriously.

Sincerely,

Stephen Butson & Kazue Suzuki