



GENERAL ISSUES COMMITTEE REPORT 21-016

9:30 a.m.

Monday, August 9, 2021

Due to COVID-19 and the closure of City Hall, this meeting was held virtually.

Present: Mayor F. Eisenberger, Deputy Mayor C. Collins (Chair)
Councillors M. Wilson, J. Farr, N. Nann, S. Merulla, T. Jackson,
E. Pauls, J. P. Danko, B. Clark, M. Pearson, B. Johnson,
L. Ferguson, A. VanderBeek, J. Partridge

Absent: Councillor T. Whitehead – Leave of Absence

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 21-001, AND RESPECTFULLY RECOMMENDS:

1. International Village Business Improvement Area (BIA) Revised Board of Management (PED21150) (Ward 2) (Item 7.2)

That the following individual be appointed to the International Village Business Improvement Area (BIA) Board of Management:

- (a) Clay Burns

2. Hate Prevention and Mitigation Update (CM19006(e)) (City Wide) (Item 8.2)

- (a) That the recommendations presented in the Hamilton Hate Prevention – Final Report by Sage Solutions (attached as Appendix “A” to Report 21-016, be endorsed;
- (b) That staff be directed to report back to the General Issues Committee in October 2021 with an action plan to implement the City-focused recommendations, outlined in the Hamilton Hate Prevention – Final Report by Sage Solutions (attached as Appendix “A” to Report 21-016, and next steps to further equity, diversity and inclusion priorities for the City of Hamilton; taking into consideration work underway, such as the Community Safety and Well-being Plan; Urban Indigenous Strategy; and, other related initiatives; and,

- (c) That staff be directed to provide recommendations that focus on the operations of third parties, contained in the Hamilton Hate Prevention – Final Report by Sage Solutions (attached as Appendix “A” to Report 21-016, to the relevant organizations for their consideration.

3. Feasibility of Creating a Technology Hub on South City Hall Lands (PED21109) (Ward 2) (Item 10.1)

- (a) That staff be directed to prepare a land disposition strategy, through either a land sale or long-term land lease, for the City Hall Precinct Lands;
- (b) That staff be directed to prepare all relevant technical due-diligence studies required for executing the land disposition strategy including the following:
 - (i) Land-use, zoning, heritage planning, massing, parks and open space, environmental assessment, sustainable design, and functional servicing studies;
 - (ii) Assessment of municipal corporate requirements, including capital and operational parking impact analysis;
 - (iii) Highest and Best Use determination;
 - (iv) Property appraisal, based on highest and best use; and,
 - (v) Review of municipal financial implications;
- (c) That staff be directed to prepare options for Committee’s consideration on a process to facilitate the land disposition for the City Hall Precinct lands;
- (d) That Reserve Account #112221 entitled “Economic Development Investment Reserve” be approved for up to \$100,000, for any technical due diligence and expertise necessary to complete the approved direction; and establish a project ID;
- (e) That staff be directed to report back to the General Issues Committee with recommendations for consideration, regarding the disposition for the City Hall Precinct lands, in first quarter of 2022; and,
- (f) That staff be directed to consider the inclusion of a tower to accommodate staff located in other downtown locations in the review of the City Hall Precinct lands.

- 4. Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 260 and 276 Dunsmure Road, Hamilton ERG-18-04 (PED21148) (Ward 3) (Item 10.2)**
- (a) That Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application ERG-18-04, submitted by Dunsmure Developments Ltd.(Sarit Chandaria), owner of the properties at 260 and 276 Dunsmure Road, Hamilton, for an ERASE Redevelopment Grant not to exceed \$1,875,628, the actual cost of the remediation over a maximum of ten (10) years, be authorized and approved in accordance with the terms and conditions of the ERASE Redevelopment Agreement;
 - (b) That the General Manager of Planning and Economic Development Department be authorized and directed to execute the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Agreement together with any ancillary documentation required, to give effect to the ERASE Redevelopment Grant for Dunsmure Development Ltd. (Sarit Chandaria), owner of the properties at 260 and 276 Dunsmure Road, 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 Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant, as approved by City Council, are maintained.
- 5. Business Improvement Area Advisory Committee Report 21-007, July 13, 2021 (Item 10.3)**
- (a) **International Village Business Improvement Area Expenditure Request (Item 11.1)**

That the expenditure request from the International Village Business Improvement Area, in the amount of \$7,110.80 for Office Expenses – moving expenses, renovations and new furniture, to be funded from the Community Improvement Plan (CIP) Contribution Program (BIA Payments Account 815010-56905), be approved.

(b) Business Improvement Areas Parking Master Plan Response (Item 11.2)

WHEREAS, the City of Hamilton Parking has recently shared with BIAs recommendations for a parking plan in the City of Hamilton, and in response, the Hamilton BIAs would like to see City of Hamilton support for local small businesses and local BIAs continue;

WHEREAS, in keeping with Hamilton BIAs contributions to the unique vibrant neighbourhoods, destinations and districts of Hamilton;

WHEREAS, priority pricing for parking and reduced paid hours for parking are key strategies that promote foot traffic to our local businesses and attract new visitors within the Business Improvement Areas (BIAs); and,

WHEREAS, a supportive parking plan is critical as small businesses move to recovery mode following the pandemic;

THEREFORE, BE IT RESOLVED:

- (a) That the Business Improvement Areas Advisory Committee request that there be no changes to the current paid parking schedule for Monday-to-Sunday parking, within the BIAs where paid parking is established, be approved;
- (b) That the current paid parking hours, within the BIAs where paid parking is established, remain in effect;
- (c) That a free Saturday and Sunday parking program be extended to those BIAs that wish to partake; and,
- (d) That staff, in collaboration with the BIAs, be directed to investigate parking revenue options that would support a BIA preferred parking program, and report back to the Business Improvement Area Advisory Committee.

6. Canada Community Revitalization Fund Initial Intake (FCS21077) (City Wide) (Item 10.4)

- (a) That the Mayor and City Clerk be authorized and directed to execute all necessary documentation, including Funding Agreements to receive funding under the Canada Community Revitalization Fund with content satisfactory to the General Manager, Finance and Corporate Services, and in a form satisfactory to the City Solicitor; and,

- (b) That the City Solicitor be authorized and directed to prepare any necessary by-laws for Council approval, for the purpose of giving effect to the City's acceptance of funding from the Canada Community Revitalization Fund.

7. Advisory Committee for Persons with Disabilities Report 21-007, July 13, 2021 (Item 10.6)

(a) Communications (Item 4.4)

- (i) That the correspondence from Justin Jones, WSP Canada Inc., respecting Ward 8 Complete Streets Project Feedback (Item 4.4), be received; and,
- (ii) That Anthony Frisina and James Kemp be approved to represent the Advisory Committee for Persons with Disabilities at the Residents Advisory Council for the Ward 8 Complete Streets Project.

(b) Resignation of Shahan Aaron from the Built Environment Working Group of the Advisory Committee for Persons with Disabilities (Item 6.1(a))

That the resignation of Shahan Aaron from the Built Environment Working Group of the Advisory Committee for Persons with Disabilities, be received.

8. Hate Flags and Symbols (CM19006(f)/LS19031(e)) (City Wide) (Item 10.7)

- (a) That signs or decoration, which include, but are not limited to, expressions and symbols associated with hate, such as the Confederate flag and the Nazi swastika, be banned from public property within the City of Hamilton, in recognition of the adverse power that such symbols can have on the psychology and well-being of community members;
- (b) That staff be directed to prepare an Amending By-law to By-law 10-197, being the Hamilton Sign By-law, to provide that the City of Hamilton may, at its sole discretion, remove, without notice, or order to be removed, any sign or decoration, which has been determined is for an unlawful activity, or contains expressions and symbols associated with hate, profanity or obscenity or other message that is deemed offensive or discriminatory, as defined in the Ontario Human Rights Code, for Council's approval;

- (c) That the Mayor correspond with the Honourable David Lametti, Minister of Justice and Attorney General of Canada, in support of the Federation of Canadian Municipalities (FCM) resolution, respecting Strengthening Canada's Hate Speech Laws (attached as Appendix "B" to Report 21-016, to request the Federal Government develop legislation that would clarify and strengthen the definition of hate speech and symbols, including explicit recognition of the psychological harm that can be caused by hateful symbols, and work with all levels of government in addressing the root causes of hate speech;
- (d) That the Mayor correspond with the Honourable Doug Downey, Attorney General of Ontario, to request that the Province enact legislation that would enable municipalities to make enforceable decisions regarding symbols deemed unacceptable by the local community, with such consideration to also include a review of statutes where hate speech may be identified as illegal; and,
- (e) That a copy of this resolution be forwarded to the Association of Municipalities of Ontario, the Federation of Canadian Municipalities as well as local MPs and MPPs for their information.

9. 2021 Property and Liability Insurance Renewal Report (LS21027) (City Wide) (Item 10.8)

- (a) That the Liability and Property Insurance coverage for the term January 1, 2021 to January 1, 2022, be renewed through Arthur J. Gallagher Canada Ltd. and Marsh Canada Ltd. at a cost of \$10,148,551 (net of taxes);
- (b) That the 2021 Risk Management Property and Liability budget shortfall of \$2,085,121 be funded through the 2021 year-end surplus or Tax Stabilization Reserve (110046);
- (c) That the General Manager, Finance and Corporate Services, be authorized and directed to execute all associated documents related to the renewals of the Liability and Property Insurance coverage for the terms January 1, 2021 to January 1, 2022, through Marsh Canada Ltd., in a form satisfactory to the City Solicitor, on behalf of the City of Hamilton;
- (d) That five (5) permanent FTEs be approved, effective January 2022, namely two litigation solicitors, a law clerk, a legal assistant and a Risk Management assistant, with the annual compensation costs totalling \$645,000 to be cost recovered from City Departments and appropriate Boards and Agencies, commencing in 2022; and,

- (e) That the one-time costs of \$29,000 related to equipment and materials in support of the additional complement, to be funded from the Unallocated Capital Reserve (108020), be approved.

10. Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI) (HSC20056(a)) (City Wide) (Item 10.9)

- (a) That the General Manager of the Healthy and Safe Communities Department, or designate, be authorized and directed to enter into the Rapid Housing Initiative Agreement, with the Canada Mortgage and Housing Corporation (CMHC), to accept Hamilton's Rapid Housing Initiative allocation through the Cities Stream in the amount of \$12,945,935 for the creation of a minimum of 49 new affordable housing units through conversion or rehabilitation of existing buildings, new builds, including modular construction, in a form satisfactory to the City Solicitor;
- (b) That the General Manager of the Healthy and Safe Communities Department, or designate, be authorized and directed to administer the Rapid Housing Initiative (RHI) and provide support to projects applying to the RHI Cities Stream including: entering into any agreements and ancillary agreements on such terms as they consider appropriate; approving purchase orders; exempting actions from approved City policies, procedures, and business practices, as needed to meet RHI timelines; and taking other actions needed to ensure success, in a form satisfactory to the City Solicitor;
- (c) That affordable housing exemptions from Municipal Development Charges (as defined by City of Hamilton Development Charges By-laws No. 19-142 and 11-174 or successor by-laws) for projects funded under the Rapid Housing Initiatives Cities Stream, Rounds I and II, be funded from the Unallocated Capital Levy Reserve (#108020);
- (d) That an estimated increase of \$248,000 to the Housing Services Division's 2023 operating budget, to fund rent subsidies for 49 units created under the Rapid Housing Initiative Round II for the required program affordability period of 20 years, be referred to the 2023 Operating Budget (GIC) for consideration; and,
- (e) That the Housing Services Division report back to the Emergency and Community Services Committee, as appropriate, on the City's progress with the Rapid Housing Initiative including both the first and second round of funding.

11. Hamilton's Federal Election Priorities 2021 (CM21010) (City Wide) (Item 10.10)

- (a) That the following Hamilton Priorities, be approved in advance of the Federal election:
 - (i) Supportive Housing & Tackling Poverty – addressing the economic impact of COVID-19 on vulnerable populations through supports for homelessness and an affordable housing strategy;
 - (ii) Impacts of Climate Change – disaster mitigation and adaption support for areas either impacted or at risk of being impacted by the effects of Climate Change;
 - (iii) Strong Economic Recovery – investment in critical infrastructure to support economic development and continued support for workers and businesses recovering from COVID-19;
 - (iv) Equity, Diversity and Inclusion – support for marginalized communities that have been impacted by hate related incidents, namely, the Black, Jewish, 2S-LGBTQIA+, and Indigenous communities;
 - (v) Championing rural and northern communities by committing to universal internet access and modernizing, streamlining funding tools; and,
- (b) That staff be directed to report back to the General Issues Committee to provide relevant supplementary materials that will support election related meetings with candidates and campaign teams.

12. Disposition of City-Owned Property (PED21154) (Ward 12) (Item 14.2)

- (a) That the City's property, identified in Appendix "A" attached to Report PED21154, be declared surplus for the purposes of disposition;
- (b) That the Corporate Real Estate Office of the Planning and Economic Development Department be authorized and directed to enter into any agreements necessary (including any requisite easements) to affect the orderly disposition of the property identified in Appendix "A" to attached to Report PED21154, to the Hamilton Region Conservation Authority, for nominal land value, plus ancillary costs and fees, on the terms and conditions contained in Appendix "B" attached to Report PED21154, and

such other terms and conditions deemed acceptable to the General Manager, Planning and Economic Development Department;

- (c) That the sum of \$2,500 + HST, to be charged and credited to Dept. ID No. 812036 (Real Estate – Admin Recovery), for recovery of expenses including Real Estate and Legal administration fees, be approved;
- (d) That the City Solicitor be authorized and directed to complete the transaction for the sale of the City’s property identified in Appendix “A” attached to Report PED21154, on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms deemed appropriate by the City Solicitor;
- (e) That the Mayor and City Clerk be authorized and directed to execute any and all necessary documents related to the sale of the City’s property identified in Appendix “A” attached to Report PED21154, in a form satisfactory to the City Solicitor; and,
- (f) That Report PED21154, respecting the Disposition of City-Owned Property, remain confidential until final completion of the real estate transaction.

13. Human Services Integration (HSC21032) (City Wide) (Item 14.3)

- (a) That the direction provided to staff in Closed Session, respecting Report HSC21032, Human Services Integration, be approved;
- (b) That the Ontario Works, Housing Services, Children’s Services and Neighbourhood Development Divisions within the Healthy and Safe Communities Department operate under a Human Services framework for the purpose of transferring complement between these divisions, at the discretion of the General Manager, Healthy and Safe Communities Department, until such time at which human services integration work is complete;
- (c) That staff be directed to report back to the General Issues Committee on an annual basis respecting any transfer of complement made under the Human Services framework; and,
- (d) That Report HSC21032, respecting Human Services Integration, remain confidential until approved by Council.

14. Proposed Settlement of Appeals by 2362302 Ontario Inc. and West End Home Builders Association of City of Hamilton Development Charges By-law 14-153 (LS21024 / FCS21067 / PED21152) (City Wide) (Item 14.4)

- (a) That the direction provided to staff in Closed Session, respecting Report LS21024 / FCS21067 / PED21152, Proposed Settlement of Appeals by 2362302 Ontario Inc. and West End Home Builders Association of City of Hamilton Development Charges By-law 14-153 (City Wide), be approved; and,
- (b) That Report LS21024 / FCS21067 / PED21152, Proposed Settlement of Appeals by 2362302 Ontario Inc. and West End Home Builders Association of City of Hamilton Development Charges By-law 14-153 (City Wide) including the appendices, remain confidential.

15. Encampment Litigation Update (LS20023(d)) (City Wide) (Item 14.5)

That Private & Confidential Options “A” to “C”, as outlined in Report LS20023(d), respecting the Encampment Litigation Update, be REFERRED to the emergency Council meeting of August 9, 2021 for consideration.

16. Legal Opinion - Jurisdiction (LS21029) (City Wide) (Item 14.6)

That Report LS21029, respecting Legal Opinion – Jurisdiction, remain confidential.

17. Indemnification of Legal Fees (LS21030) (City Wide) (Item 14.7)

- (a) That the direction provided to staff in Closed Session, respecting Report LS21030 - Indemnification of Legal Fees, be approved; and,
- (b) That Report LS21030, respecting the Indemnification of Legal Fees, remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

6. ADDED DELEGATION REQUESTS

- 6.1. Mouna Bile, Hamilton Community Legal Clinic, respecting Item 10.7 - Report CM19006(f)/LS19031(e), Hate Flags and Symbols
- 6.2. Ruth Greenspan, No Hate in the Hammer, respecting Item 10.7 - Report CM19006(f)/LS19031(e), Hate Flags and Symbols
- 6.3. Kojo Dampsey, Hamilton Centre for Civic Inclusion, respecting Item 10.7 - Report CM19006(f)/LS19031(e), Hate Flags and Symbols
- 6.4. Kojo Dampsey, Hamilton Centre for Civic Inclusion, respecting Item 8.2 - Report CM19006(e), Hate Prevention and Mitigation Update
- 6.5. Lily Lumsden, Hamilton Immigration Partnership Council, respecting Item 8.2 - Report CM19006(e), Hate Prevention and Mitigation Update
- 6.6. Kim Martin, Social Planning and Research Council, respecting Item 8.2 - Report CM19006(e), Hate Prevention and Mitigation Update
- 6.7. Sandi Bell, Hamilton Anti Racism Resource Centre, respecting Item 8.2 - Report CM19006(e), Hate Prevention and Mitigation Update
- 6.8. Lyndon George, respecting Item 8.2 - Report CM19006(e), Hate Prevention and Mitigation Update

This delegate withdrew, just prior to commencement of the meeting.

8. STAFF PRESENTATIONS

- 8.2. Hate Prevention and Mitigation Update (CM19006(e)) (City Wide)

10. DISCUSSION ITEMS

- 10.9. Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI) (HSC20056(a)) (City Wide)

- 10.10. Hamilton's Federal Election Priorities 2021 (CM21010) (City Wide)

14. PRIVATE AND CONFIDENTIAL

- 14.5. Encampment Litigation Update (LS20023(d)) (City Wide)

Pursuant to Section 9.1, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021 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.

- 14.6. Legal Opinion - Jurisdiction (LS21029) (City Wide)

Pursuant to Section 9.1, Sub-sections (f) and (k) of the City's Procedural By-law 21- 021 and Section 239(2), Sub-sections (f) and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains 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.

- 14.7. Indemnification of Legal Fees (LS21030) (City Wide)

Pursuant to Section 9.1, Sub-sections (b), (e), (f) and (k) of the City's Procedural Bylaw 21-021 and Section 239(2), Sub-sections (b), (e), (f) and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to personal matters about an identifiable individual, including municipal or local board employees; 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.

The agenda for the August 9, 2021 General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor B. Clark declared a potential interest to Item 14.7, respecting Report LS21030 – Indemnification of Legal Fees.

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

(i) July 5, 2021 (Item 4.1)

The Minutes of the July 5, 2021 General Issues Committee meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

The following Delegation Requests were approved to appear before the General Issues Committee on August 9, 2021:

- (i) Mouna Bile, Hamilton Community Legal Clinic, respecting Item 10.7 - Report CM19006(f)/LS19031(e), Hate Flags and Symbols (Item 6.1)
- (ii) Ruth Greenspan, No Hate in the Hammer, respecting Item 10.7 - Report CM19006(f)/LS19031(e), Hate Flags and Symbols (Item 6.2)
- (iii) Kojo Dampsey, Hamilton Centre for Civic Inclusion, respecting Item 10.7 - Report CM19006(f)/LS19031(e), Hate Flags and Symbols (Item 6.3)
- (iv) Kojo Dampsey, Hamilton Centre for Civic Inclusion, respecting Item 8.2 - Report CM19006(e), Hate Prevention and Mitigation Update (Item 6.4)
- (v) Lily Lumsden, Hamilton Immigration Partnership Council, respecting Item 8.2 - Report CM19006(e), Hate Prevention and Mitigation Update (Item 6.5)
- (vi) Kim Martin, Social Planning and Research Council, respecting Item 8.2 - Report CM19006(e), Hate Prevention and Mitigation Update (Item 6.6)
- (vii) Sandi Bell, Hamilton Anti Racism Resource Centre, respecting Item 8.2 - Report CM19006(e), Hate Prevention and Mitigation Update (Item 6.7)

For disposition of these matters, please refer Items 2 and 8.

(e) CONSENT ITEMS (Item 7)

(i) Business Improvement Area (BIA) Advisory Committee Minutes 21-006, June 8, 2021 (Item 7.1)

The Business Improvement Area (BIA) Advisory Committee Minutes 21-006, June 8, 2021, were received.

(f) PRESENTATIONS (Item 8)

(i) COVID-19 Verbal Update (Item 8.1)

Paul Johnson, General Manager, Healthy & Safe Communities Department, provided the verbal update regarding COVID-19.

The presentation, respecting the COVID-19 Verbal Update was received.

(ii) Hate Prevention and Mitigation Update (CM19006(e)) (City Wide) (Item 8.2)

Rebecca Sutherns, of Sage Solutions, addressed Committee and provided a PowerPoint presentation respecting Report CM19006 – Hate Prevention and Mitigation Update.

The presentation, respecting Report CM19006 – Hate Prevention and Mitigation Update, was received.

The consideration of Report CM19006(e), respecting the Hate Prevention and Mitigation Update, was DEFERRED until after the delegates had been heard.

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

(g) PUBLIC HEARINGS / DELEGATIONS (Item 9)

The presentations provided by the following delegates were received:

(i) Paven Bratch, Metro Partners Inc., respecting Item 10.1 - Report PED21109, Feasibility of Creating a Technology Hub on South City Hall Lands (Item 9.1)

(ii) Mouna Bile, Hamilton Community Legal Clinic, respecting Item 10.7 - Report CM19006(f)-LS19031(e), Hate Flags and Symbols (Item 9.2)

- (iii) Ruth Greenspan, No Hate in the Hammer, respecting Item 10.7 - Report CM19006(f)/LS19031(e), Hate Flags and Symbols (Item 9.3)
- (iv) Kojo Dampsey, Hamilton Centre for Civic Inclusion, respecting Item 10.7 - Report CM19006(f)/LS19031(e), Hate Flags and Symbols (Item 9.4)
- (v) Kojo Dampsey, Hamilton Centre for Civic Inclusion, respecting Item 8.2 - Report CM19006(e), Hate Prevention and Mitigation Update (Item 9.5)
- (vi) Lily Lumsden, Hamilton Immigration Partnership Council, respecting Item 8.2 - Report CM19006(e), Hate Prevention and Mitigation Update (Item 9.6)
- (vii) Kim Martin, Social Planning and Research Council, respecting Item 8.2 - Report CM19006(e), Hate Prevention and Mitigation Update (Item 9.7)
- (viii) Sandi Bell, Hamilton Anti Racism Resource Centre, respecting Item 8.2 - Report CM19006(e), Hate Prevention and Mitigation Update (Item 9.8)

For disposition of these matters, please refer to Items 2, 3 and 8.

The General Issues Committee recessed for 30 minutes until 1:00 p.m.

(h) DISCUSSION ITEMS (Item 10)

(i) Feasibility of Creating a Technology Hub on South City Hall Lands (PED21109) (Ward 2) (Item 10.1)

- (a) That sub-section (c) to Report PED21109, Feasibility of Creating a Technology Hub on South City Hall Lands, be deleted in its entirety and replaced with the following in lieu thereof:
 - (c) ~~That staff be directed to prepare options for Committee's consideration on a process to facilitate the land disposition;~~
 - (c) ***That staff be directed to engage in direct discussions with Metro Partners that may lead to the creation of a Technology Hub development on the City Hall Precinct lands, as per Appendix "A" to Report PED21109 and determine the studies that could be completed by Metro Partners as part of a negotiated agreement;***

- (b) That sub-section (e) to Report PED21109, be deleted in its entirety and replaced with the following in lieu thereof:
 - (e) ~~That staff report back to the General Issues Committee with recommendations for consideration in first quarter of 2022.~~
 - (e) ***That staff be directed to report back to General Issues Committee with recommendations and any conditions therein that would be associated to a sale or long-term land lease to Metro Partners for consideration in the first quarter of 2022.***

The following Motion, be withdrawn:

- (a) That sub-section (c) to Report PED21109, Feasibility of Creating a Technology Hub on South City Hall Lands, be deleted in its entirety and replaced with the following in lieu thereof:
 - (c) ~~That staff be directed to prepare options for Committee's consideration on a process to facilitate the land disposition;~~
 - (c) ***That staff be directed to engage in direct discussions with Metro Partners that may lead to the creation of a Technology Hub development on the City Hall Precinct lands, as per Appendix "A" to Report PED21109 and determine the studies that could be completed by Metro Partners as part of a negotiated agreement;***
- (b) That sub-section (e) to Report PED21109, be deleted in its entirety and replaced with the following in lieu thereof:
 - (e) ~~That staff report back to the General Issues Committee with recommendations for consideration in first quarter of 2022.~~
 - (e) ***That staff be directed to report back to General Issues Committee with recommendations and any conditions therein that would be associated to a sale or long-term land lease to Metro Partners for consideration in the first quarter of 2022.***

Report PED21109, respecting the Feasibility of Creating a Technology Hub on South City Hall Lands, was **amended** by adding a new sub-section (f), to read as follows:

- (f) ***That staff be directed to consider the inclusion of a tower to accommodate staff located in other downtown locations in the review the review of the City Hall Precinct lands.***

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

(ii) **Farmers' Markets - Rent Relief and Governance Comparators (PED21158) (City Wide) (Item 10.5)**

Report PED21158, respecting the Farmers' Markets - Rent Relief and Governance Comparators, was DEFERRED to the September 8, 2021 General Issues Committee to allow the City Solicitor time to review the matter.

(iii) **Hamilton's Federal Election Priorities 2021 (CM21010) (City Wide) Item 10.10)**

Sub-section (a) to Report CM21010, respecting Hamilton's Federal Election Priorities 2021, was **amended**, by adding a new sub-section (v), to read as follows:

- (v) ***Championing rural and northern communities by committing to universal internet access and modernizing, streamlining funding tools***

For further disposition of this matter, please refer to Item 11.

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

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

The following amendments to the General Issues Committee's Outstanding Business List were approved:

- (1) Proposed New Due Dates (Item 13.1.a.):

- (aa) Potential Solutions to the Chedoke Creek Matter (Item 13.1.aa.)
Current Due Date: July 5, 2021
Proposed New Due Date: December 8, 2021
- (bb) Budgetary Plan to Address the Chedoke Creek Matter (Item 13.1.bb.)
Current Due Date: July 5, 2021
Proposed New Due Date: September 22, 2021
- (cc) Election Expense Reserve Needs related to consideration of Internet Voting for the 2026 Municipal Election (Item 13.1.cc.)
Current Due Date: August 9, 2021
Proposed New Due Date: September 22, 2021

(j) PRIVATE & CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – July 5, 2021 (Item 14.1)

- (a) The Closed Session Minutes of the July 5, 2021 General Issues Committee meeting, were approved; and,
- (b) The Closed Session Minutes of the July 5, 2021 General Issues Committee meeting shall remain confidential.

Committee moved into Closed Session, respecting Items 14.2 to 14.7, pursuant to Section 9.1, Sub-sections (b), (c), (d), (e), (f) and (k) of the City's Procedural By-law 21-021; and, Section 239(2), Sub-sections (b), (c), (d), (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to personal matters about an identifiable individual, including municipal or local board employees; a proposed or pending acquisition or disposition of land by the municipality or local board; labour relations or employee negotiations; 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.

(k) ADJOURNMENT (Item 14)

There being no further business, the General Issues Committee adjourned at 7:16 p.m.

Respectfully submitted,

Chad Collins, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
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Hamilton

Hate Prevention & Mitigation Initiative

Recommendations Report

FINAL

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sage
SOLUTIONS

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Executive Summary

This report offers 18 recommendations stemming from research and stakeholder engagement related to Hate Mitigation and Prevention in the City of Hamilton that occurred in 2020 and 2021 in response to high numbers of hate-related incidents reported to police. What started as a project focused on municipal bylaws and policies has turned its attention to a more holistic suite of interventions which, taken together, could serve not only to reduce hate but also to build proactively the kind of diverse and welcoming city that Hamilton wants to be. Those recommendations are summarized here, with further methodological and content details provided within the body of the report:

Proactive Leadership

1. *Accelerate decisive and well-informed City responses to stand against hate. Be firmer in condemning hateful activities in the city while promoting alternative positive values.*
2. *Create, resource and implement an action plan to confront systemic racism, oppression, and other forms of discrimination in Hamilton.*
3. *Convene collaborative opportunities for productive dialogue amongst community organizations, businesses, and other local institutions, with the goal of building a welcoming city together.*
4. *Measure and report on progress.*

Centering Communities

5. *Follow through with actions that support what the City has already heard.*
6. *Deeply listen to the voices of those experiencing hate, acknowledge their experiences and provide ongoing opportunities for community feedback.*
7. *Incorporate more diverse representation at decision-making tables.*
8. *Initiate convergent strategies to coordinate and accelerate the work that community organizations are doing to combat hate in the city.*
9. *Redirecting funding away from punitive efforts and toward prevention, including increasing resources for social services partnerships to address mental health, addictions and affordable housing.*
10. *Invest in equity-promoting programming and re-evaluate City grants and granting processes to ensure they are equitable and accessible.*
11. *Invest in more safe community spaces.*

Education and Early Intervention

1. *Partner with community organizations, District School Boards, and other relevant collaborators, to co-create and implement an educational curriculum together with young people about racism, hate, equity, diversity, inclusion, and justice and belonging, from the perspective of people living in Hamilton.*
2. *Invest in placemaking initiatives that encourage diverse community interactions across groups.*

Regulations and Enforcement

3. *Leverage the municipal regulatory framework to stand against the presence of hate, beginning on City property but extending beyond that where legally possible.*
4. *Develop a hate incident community mapping mechanism to better track and collect data for hate incidents happening in the city.*
5. *Build a coordinated community reporting system*
6. *Embrace community-led responses to harm*
7. *Building and fostering working relationships between community organizations and Hamilton Police Service.*

Background

Hate initially and directly harms an individual and then inevitably ripples, profoundly impacting entire communities and requiring considerable work to dismantle and unlearn. Tragic events globally and here in Canada, such as the mass shooting at the Islamic Cultural Centre of Quebec City, have shown that no community is immune from the effects of hateful rhetoric. A recent poll conducted by the Canadian Race Relations Foundation found that a majority of Canadian adults polled believe the amount of hateful and racist comments and content online has increased over the past few years.¹ The poll also states that one in five Canadians has experienced online hate, harassment, or violence, including 40% of 18 to 29-year-olds and 29% of racialized Canadians.² Data from Statistics Canada reveals an increase in the number of police-reported hate incidents and crimes report over the last five years. Even in contexts where overall rates are stable, the intensity or seriousness of crimes is often showing an increase over time.³

In 2019, the Government of Canada committed to a three-year Anti-Racism Strategy to combat racism and discrimination that is anti-Indigenous, Islamophobic, antisemitic, anti-Black, and homophobic.⁴ This commitment reflects an acknowledgement that throughout Canada's history, and into today, there are people and communities who face systemic racism and hate, and that government leadership needs to do more to combat discrimination in its various forms if it wants to uphold its values of being a diverse, welcoming and inclusive. The strategy does not outright name transphobia and anti-Asian hate.

Like the federal government, municipalities have the potential to act as a catalyst for dismantling hatred in their own communities, through the creation and enforcement of regulations; visible, proactive leadership; allocation of resources to tangible improvement measures; the design of physical spaces, as well as support for and collaboration with social service agencies, police services, and grassroots organizations to work powerfully together toward more equitable and compassionate communities.

In late 2019, the City of Hamilton embarked on a Hate Prevention and Mitigation Initiative. The project was initially prompted by concern that the rates of police-reported hate crimes in Hamilton had jumped, as in 2017 Hamilton Police Services investigated 136 reported incidents of hate and bias, an increase of 18.3% from the previous year. In 2018, a total of 125 incidents

¹ *Online Hate and Racism: Canadian experiences and opinions on what to do about it.* Conducted for the Canadian Race Relations Foundation. https://www.crrf-fcrr.ca/images/CRRF_OnlineHate_Racism_Jan2021_FINAL.pdf

² *Online Hate and Racism: Canadian experiences and opinions on what to do about it.* Conducted for the Canadian Race Relations Foundation. https://www.crrf-fcrr.ca/images/CRRF_OnlineHate_Racism_Jan2021_FINAL.pdf

³ Iner, Dryer, ed. *Islamophobia in Australia Report II.* Sydney: Charles Sturt University and ISRA, 2019.
Nathan, Julie. *Report on Antisemitism in Australia.* New South Wales: Executive Council of Australian Jewry, 2019.

⁴ *Building a Foundation for Change: Canada's Anti-Racism Strategy 2019-2022.* Government of Canada. <https://www.canada.ca/en/canadian-heritage/campaigns/anti-racism-engagement/anti-racism-strategy.html>

of hate and bias were reported to the Hamilton Police Service, a decrease of 8% over 2017, but a figure that still positioned Hamilton as the community with the highest number of per capita reported hate crimes in Canada by a significant margin.^{5,6} A more recent report released in April 2021 from the Hamilton Police Services Board documented 80 reported incidents, of which 72 were hate and bias incidents and eight were hate and bias crimes.⁷ The total number of incidents last year marked a 13.1% decrease from 2019, in which 92 incidents were reported.⁸

Data categorization methods vary, even between Hamilton Police Services and Statistics Canada. Moreover, reported data only includes those incidents that are reported to police services and therefore depends not only on police services' level of expertise in identifying and classifying crimes motivated by hate, but also on the community's willingness to report to police. A shift in the numbers may be related to a change in reporting practices by the public to police services (for example, as a result of outreach by police to communities or heightened sensitivity after high profile events), or it can represent a true increase in the extent of hate crimes being committed. Historically, reported numbers are lower due to chronic underreporting of hate crimes by impacted communities to police services. Feedback from the community on this most recent report reflects an understanding that although the figures are heading in the right direction, these numbers do not accurately depict the extent and severity of experiences of hate. However, even if the numbers are accurate, they are still relatively quite high and therefore cause for concern.

Statistics Canada defines hate crime as incidents that can be carried out against a person or property, based on presumed race, colour, national or ethnic origin, religion, sexual orientation, gender identity or expression, language, sex, age, mental or physical disability, or any other similar factor.⁹ Identities are intersectional; hate can be compounded, differently impacting people based on the multitudes that identities hold. For example, Statistics Canada found that "police-reported violent hate crimes against Indigenous and Muslim populations more likely than other hate crimes to involve female victims."¹⁰ In Canada, members of the Jewish, Muslim, Indigenous, Black and other racialized communities, and LGBTQ2S+ communities have been

⁵ Statistics Canada reported that Hamilton saw the highest rate of hate crimes (17.1 hate crimes per 100,000 population) among Census metropolitan areas in 2018, with 97 incidents. These hate crimes tended to target the Black (31%) and Jewish (26%) populations.

⁶ *2018 Hate/Bias Statistical Report*. Hamilton Police Service. https://develop.hamiltonpolice.on.ca/sites/default/files/2018_annual_hate_bias_crime_report.pdf

⁷ *2020 Hate/Bias Statistical Report*. Hamilton Police Service. <https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=266931>

⁸ "Despite the summer of hate, Hamilton's hate incidents tumbled in 2019." *The Hamilton Spectator* (January 31, 2020). <https://www.thespec.com/news/hamilton-region/2020/01/31/despite-summer-of-hate-hamilton-s-hate-incidents-tumbled-in-2019.html>

⁹ *Police-reported hate crime, 2018*. Statistics Canada. <https://www150.statcan.gc.ca/n1/daily-quotidien/200226/dq200226a-eng.htm>

¹⁰ *Police-reported hate crime in Canada, 2018*. Statistics Canada. <https://www150.statcan.gc.ca/n1/pub/85-002-x/2020001/article/00003-eng.htm>

reported as most likely targets of hate crime, which is reflected in Hamilton's data. Further, more recent reports detail a disturbing surge of anti-Asian hate crimes in Canada with the impetus of the COVID-19 pandemic.¹¹

Hate is a complex issue, and addressing it requires a multi-faceted response involving multiple government levels and many community actors working together toward shared goals. The City therefore committed not only to reviewing its hate-related policies, but also to exploring ways the municipality can ensure the community lives up to the positive aspirations it holds for itself of being an inclusive and welcoming city that is the best place to raise a child and age successfully. It did so by learning from other communities' experiences, building on previous community recommendations and listening further to the community through a multi-faceted engagement process that has unfolded throughout 2020.¹²

This report presents the final recommendations of the Hate Prevention and Mitigation Initiative to Hamilton's City Council, based on findings from extensive research and community engagement as described below. It outlines tangible actions the municipality can take to combat hate in its city. That ultimate impact of hate prevention and mitigation will only occur, however, if the City goes beyond accepting these recommendations to investing in their disciplined implementation.

Defining Hate

This project is formally known as "the hate prevention and mitigation initiative." Hate, hateful incidents, discrimination and even hate crimes lack a consistent definition across jurisdictions. Concerns were raised about the terminology used within this project. As one participant said, "*'Hate' is too general—name racism, transphobia, Islamophobia, violence etc. for what they are—hate has lost meaning and is implied to be negative in every context—it creates more distance—also individualizes it to talk about 'behaviours' or 'incidents.'*" Another expressed concern this way: "*City officials have used that word 'hate' to describe justifiable hurt and anger directed towards institutions (such as hate for police) and equated them as the same thing as white supremacist violence.*"

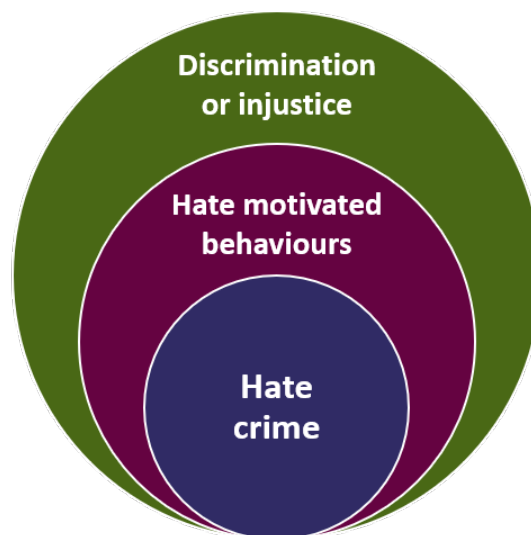
A glossary of terms has been provided for reference in Appendix A. The terms "hateful behaviours" or "hate-motivated incidents" have been used to refer to a broader category than hate crimes but a more targeted category than discrimination generally. We recognize this language's limitations, as "behaviours" may only be the visible tip of a much larger iceberg of attitudes that could be called hateful or perhaps also unwelcome, non-inclusive, discriminatory

¹¹ *New report details 'disturbing rise' in anti-Asian hate crimes in Canada.* CTV News (March 23, 2021). <https://www.ctvnews.ca/health/coronavirus/new-report-details-disturbing-rise-in-anti-asian-hate-crimes-in-canada-1.5358955>

¹² Refer to the consultant's [Stakeholder Engagement Summary Report](#) for details.

or biased. More accurate descriptions are used whenever possible. This project has been using the following working definitions of hate crime, hate-motivated behaviours and discrimination to inform its work:

Hate Crime: A criminal act that promotes hatred against identifiable groups of people, motivated by bias, prejudice or hate. Although individuals and groups that promote this destructive form of human rights-based discrimination often defend their right to “free speech,” it is a criminal offence to disseminate hate propaganda and/or to commit hate crimes.



Hate motivated behaviour: Any act or attempted act intended to cause emotional suffering, physical injury, or property damage through intimidation, harassment, bigoted slurs or epithets, force or threat of force, or vandalism motivated in part or in whole by hostility toward the victim's real or perceived ethnicity, national origin, immigrant status, religious belief, gender, sexual orientation, age, disability, political affiliation, race, or any other physical or cultural characteristic.

Discrimination: Any form of unequal treatment based on a ground protected by human rights legislation that results in disadvantage, whether imposing extra burdens or denying benefits. Discrimination can be intentional or unintentional; and it may occur at an individual or systemic level. It may include direct actions or more subtle aspects of rules, practices and procedures that limit or prevent access to opportunities, benefits, or advantages that are available to others.

This project invites Hamilton to move from a narrow definition of hate as a crime to a broader understanding of hate prevention and mitigation as building blocks to achieving a welcoming, diverse and inclusive city, as expressed in *Our Future Hamilton*.

Methodology

Design and facilitation of stakeholder engagement was led by Dr. Rebecca Sutherns and her team from Sage Solutions (www.rebeccasutherns.com), the Guelph-based consulting firm hired to support the City with this project, in conjunction with two community engagement staff at the City (John Ariyo and Pauline Kajiura) and local community leaders.

Guiding Principles for Engagement

The design and implementation of this engagement process was guided by the City's Core Principles of Public Engagement.¹³

1. Transparency and Trust
2. Accountability and Action
3. Inclusion and Diversity
4. Create Opportunities for Active Participation
5. Collaboration, Cooperation and Shared Purpose
6. Ongoing Engagement and Open Communication
7. Learning, Reflection and Evaluation
8. Capacity for Engagement

Specifically, this commitment led to the following decisions:

- Inviting a cross-section of community leaders to inform the initial engagement design
- Provision of a variety of accessible engagement platforms and opportunities, where possible, given pandemic restrictions
- Priority given to hearing from those most directly and frequently affected by hate in Hamilton
- Ensuring that the questions asked are meaningful and have the potential to be impactful within the City and across the wider community
- Inclusion of verbatim quotations in engagement reports, to allow residents' words to communicate the key messages directly
- Building on relevant recommendations already communicated to the City through other consultations and community events

Engagement Design

Careful and intentional decisions were made in the overall design of the community engagement activities, particularly due to the sensitivity of the subject matter. Certain research methodologies are better suited to eliciting input on difficult issues than others. There was a need to balance broad and deep input while choosing to centre the courageous voices of those with lived experience without seeking to retraumatize them.

The range of community engagement activities planned initially within the Hate Prevention and Mitigation Initiative were adapted in terms of their timing, breadth and formats due to COVID-19 restrictions that evolved as the project unfolded. Initial plans were made in late 2019 and early 2020, that would have involved a blend of in-person and online formats. They were informed by advice from community leaders in equity-seeking groups, as well as City

¹³ *Public Engagement Charter*, Hamilton's Engagement Committee, City of Hamilton.

Councillors. Engagement was then paused and then became fully digital as the global pandemic took hold.

Fully digital engagement on a sensitive and nuanced topic presents both opportunities and challenges. The most common primary benefit of digital engagement—reach to a large number of people—likely proved truer for the Listening Sessions in this project, at which attendance was quite robust, compared to the survey, which received relatively few responses for other reasons discussed below. It is unusual to have more people participate synchronously than asynchronously in community engagement activities. Digital platforms can allow for a lot of information to be collected in a short time, through widely accessible asynchronous surveys and the chat feature in synchronous meetings. Chat allows for multiple concurrent conversation threads, which proved both to enrich and distract from the interactions in this case. It is a challenge to create trust in a virtual room for a 90-minute session comprising a mix of participants who may or may not have been known to one another previously. Digital methods also offer additional layers of anonymity less possible in in-person sessions. In this project, input was collected asynchronously using an engagement platform new to the City during COVID-19, which also introduced additional complexity.

A variety of notable events such as Black Lives Matter, the release of the independent report on Hamilton police behaviour at Pride 2019, and a general sense of stress and disconnection during COVID-19 have certainly affected this project, not only in terms of the engagement activities that occurred, but also a heightened sensitivity, awareness and level of tension around some of the issues being discussed, including systemic racism and defunding police. At the same time, other issues such as the yellow vest protests lessened in prominence over a similar time period.

Comparative Research

Preliminary research conducted at the outset of this project in early 2020 sought to understand how other municipalities across Canada, and selected examples from Australia, England and the United States, are approaching mitigating hate and discrimination in their cities. Specifically, it explored municipal policies and bylaws pertaining to hate crimes or hate-motivated incidents and behaviours on city property and public property, community-based tools, or proactive approaches to community building. The findings from the comparative research identified seven (7) possible approaches the City of Hamilton could take to prevent and mitigate hateful behaviour. These approaches were then presented during community engagement activities to garner feedback on which approaches would work best in Hamilton.¹⁴

Phase 1 – Community Engagement Activities

The first phase of community engagement occurred between June and September 2020. It involved roughly 275 people in total, who participated in live “Listening Session” focus groups,

¹⁴ Refer to the consultant's [Comparative Research Report](#) for details.

telephone interviews and email correspondence, an online survey and conversations with existing committees such as the Mayor's Advisory Table on Diversity and Inclusion.

Five Listening Sessions were hosted with a total of 154 participants in attendance.¹⁵ The first Listening Session was open to all community members, while the remaining four sessions targeted subpopulations known to be more likely to experience hate in Hamilton: people of faith (particularly Jewish and Muslim people), people who identify as LGBTQ2S+, Black and other racialized communities and Indigenous Peoples. This method was selected as a way to create spaces for community members to talk about their unique lived experiences of hate in Hamilton. One-on-one conversations were also conducted through telephone and email correspondence, both proactively and responsively, including with residents who self-identified as yellow vesters.

The digital survey was intended to provide an accessible means of participation for those unable to attend a Listening Session. Questions were adapted to a survey format and the link was publicized/circulated by the City. In order to participate, respondents were required to provide their email address, as a means of building a database of interested residents. Although responses were not linked back to those addresses, the project team did become aware the need to provide an email address proved to be a barrier to full participation.

During these sessions and through the online survey, participants provided vital feedback to help the City better understand people's direct experience of hate, their sense of safety, and perceptions of the extent of hate, racism, and discrimination in Hamilton. Participants weighed in on seven (7) approaches to prevent and mitigate hateful behaviour which emerged from the initial comparative research within this project. The following diagram summarizes the various activities used to gather feedback during Phase 1. Detailed feedback can be found in the *Stakeholder Engagement Summary Report*.

¹⁵ See *invitation* for details.



Phase 2 – Community Engagement Activities

From September to December 2020, Sage Solutions conducted the second phase of community engagement activities. This round of engagement fulfilled a promise to the community to invite their input into draft recommendations before anything was put forward to Council for consideration. It was bolstered in response to a Council directive. In late September 2020, based on the initial community engagement results, Council requested that the City's project team and Sage Solutions explore options to gather additional community input to inform the project recommendations out of concern that the sample size was too small.¹⁶

This second engagement phase involved approximately 100 people, including six targeted focus group conversations and an online survey that generated 37 responses. The online survey was open for eight weeks (November 16, 2020-January 8, 2021) and invited members of the public

¹⁶ "That staff be directed to review options as to how to obtain feedback from a larger sample of the broader community, with focus given to those with lived experiences, if possible, as it relates to the Hate Prevention and Mitigation Initiative, and report back to the General Issues Committee." General Issues Committee Minutes 20-014. September 23, 2020. <https://pub-hamilton.escribemeetings.com/FileStream.ashx?DocumentId=243473>

to identify up to five recommendations that they support. Three of the focus groups involved existing Advisory Committees at the City of Hamilton: the Committee Against Racism, the LGBTQ2S+ Advisory Group and the Mayor's Roundtable on Diversity and Inclusion. Three other sessions were convened expressly to gather feedback for this project. They included a session with members of the Hamilton Police Service, City staff and ten community leaders representing equity-seeking groups. The diagram to the right summarizes the activities used to gather feedback during Phase 2.



In all cases in this second phase, a set of twenty draft recommendations¹⁷ emerging from Phase 1 were provided to participants, and they were invited to make suggestions to strengthen them. It was made clear that the recommendations could change based on additional forthcoming data, but having something concrete to respond to was deemed helpful to focus the input during this round.

Further to the directive from Council, City staff proposed investing in a telephone poll to increase the representativeness of the input received across the general Hamilton population rather than focusing so heavily on the voluntary participation of those with lived experience of hate or their community representatives. In February 2021, Council decided based on this second phase of engagement that they had heard enough to consider the data reliable enough to use as the basis for future policy decisions, so the recommendation of a poll was dropped. City staff conducted conversations in March/April 2021 with three groups specifically identified as being underrepresented in previous attendance: representatives from Jewish communities, Muslim communities and a community organization called No Hate in the Hammer. Input received during the second phase of community input was used to revise the draft recommendation.

¹⁷ Refer to the [Draft Recommendations Summary](#) for the draft recommendations.

Findings

Comparative Research

Across twenty comparable municipalities across Canada, and selected examples from Australia, England and the United States, a great deal of variability exists in approaches to mitigating hate and discrimination. This environmental scan focused on approaches such as municipal policies and bylaws pertaining to hate crimes or hate-motivated incidents and behaviours on city property and public property, community-based tools, or proactive methods to community building.¹⁸

At a local level, municipalities have a range of levers at their disposal by which to address hate-related behaviours, directly and indirectly. These include:

- Strategic planning and leadership
- Communication and community engagement
- Environmental design and maintenance of public spaces
- Community placemaking and programming (including investment in the work of community organizations)
- Public education and capacity building
- Proactive partnerships
- Regulations and policies
- Enforcement practices (including tracking and reporting; situational crime prevention; levelling consequences etc.)
- Emergency response and symbolic representation

Across the municipalities included in this report, there was a noticeable difference in tone between affirmative and punitive responses, with each community choosing where it lands on that spectrum. Moreover, it is difficult to assess the effectiveness of these various approaches. Reported hate crime rates are one important but rough measure of results, but there are multiple contributing factors to that number that do not necessarily give an accurate depiction of hate-related incidents or how safe people feel about reporting or even living in each place. Similarly, the existence of a published strategy document or piece of legislation does not necessarily speak to how well used or effective that policy or regulation has been in practice.

Despite these variabilities, the following observations emerged:

- a multi-pronged approach is needed;
- a single “one size fits all” model is not appropriate to each place;
- municipalities are able to use various levers to influence behaviour, and yet
- mitigating hate requires coordinated action well beyond municipal control;

¹⁸ Refer to the consultant's [Comparative Research Report](#) for details.

- no single municipality currently has this issue “figured out,” but Hamilton can learn from the composite experience of others.

Further, there are several elements which, taken together, create an environment in which hate is less likely to flourish. These include the following:

- Zero tolerance of hate-related behaviour—in writing, in perception and experientially
- Effective communication, including to help residents navigate how to handle hate related incident they experience and/or witness
- A supportive suite of legislation, policies, regulations and codes of conduct that are actually followed
- Broad and specific training for police in respect, diversity and recognition of hate crimes
- Public education (e.g. campaigns, values exercises, dialogue, training) to set shared community norms and expectations and to increase knowledge
- Ongoing training and workshops for municipal staff and community organizations to share best and emerging practices in building diverse, inclusive and equitable communities
- Intentional collaborative relationships across the community, including with police services
- Access to trauma-informed, culturally appropriate support for victims
- Safe, responsive and transparent reporting mechanisms that extend beyond only reporting to police services and that are well-used
- Community-wide tracking of hate-related incidents
- Crime prevention through environmental design
- Support for community groups and initiatives that promote diversity and inclusion and address root causes of discrimination
- Investment in alternative models of enforcement to achieve community safety, such as restorative justice
- Creativity and openness to meet emerging needs as they arise

Cities thrive when multi-lateral, holistic approaches are used to combat systemic problems. Based on this research, seven main categories were distilled to guide community engagement conversations and to receive feedback on possible actions for Hamilton to take. These categories include proactive leadership, listening to community, public education, creating safe and inclusive spaces, community programming, regulations, and enforcement, as shown below. Once community feedback was received, these categories were modified to serve as the structure for the final recommendations.



Phase 1 Engagement Findings

The various sources of information from the first phase of community engagement activities revealed a considerable degree of congruence in the opinions expressed, across a range of respondents. Overall findings showed that the City of Hamilton is both building momentum and has considerable work to do to live up to its own vision and values regarding hate prevention and mitigation.

When survey participants were asked about their perception of the extent of the problem of hate in Hamilton, 55% were aware of hateful incidents, 33% stated they had been targets of a hate incident, 68% believe the situation has recently become worse in Hamilton. Further, 77% of participants in the listening sessions for groups most affected by hate deemed hate to be one of the top three priorities facing the City right now.

When asked about the sense of safety in Hamilton, 51% of survey participants indicated they had avoided activities or events because they felt unsafe while there or on their way there. Forty-two participants provided examples of feeling unsafe at events. Several people said they felt unsafe in parks, anywhere after dark, the City hall forecourt, or anywhere with police presence.

During the Listening Sessions, participants were asked to reflect on why hateful incidents happen across communities and why they happen specifically in Hamilton. Notably, ignorance, fear of difference, generationally taught hate, a cultural and political rise in divisiveness and extremism, the impact of white supremacy and colonialism, lack of investment in ending racism, and gentrification, were identified as the main catalysts of hate in communities.

The reasons cited for hate specifically in Hamilton reflected a polarized understanding of the issue. While some saw it as a problem concentrated among a relatively small number of individuals, many others provided systemic explanations rooted in colonialism and white supremacy and/or in a generational and economic legacy in Hamilton itself, as a city seen

historically as being “favourable terrain” for divisiveness. They also pointed to a lack of representation, fear, ignorance and a dislike of difference underlying what they describe as a critical issue for the City.

Within the seven categories presented for possible actions, noticeably low priority was given to regulation and enforcement, despite that having been the City’s initial focus for this project. Instead, participants reported looking for proactive, visible and principled municipal leadership that is not seen as performative but rather collaborative and responsive to the needs and asks of diverse communities. There was a desire to bridge what is happening to communities and the City’s response to it by valuing and using the knowledge that communities hold as an essential element of hate prevention initiatives. They want to see a follow-up on reports previously submitted rather than additional engagement at this time. They are also asking for resources to be shifted away from police enforcement and towards social services and community programming that can better support the unique needs of different communities. Lastly, they want the City to invest in safe spaces for support and dialogue. Specifically, there was a strong appetite for access to trauma-informed healing and supports.

A full report on Phase 1 engagement findings was submitted to Council and can be found here. [\(link to Stakeholder Engagement Summary Report\)](#)

Phase 2 Engagement Findings

Overall, the high-level feedback on the draft set of recommendations presented during the second phase of engagement was overwhelmingly positive across all input channels. Respondents affirmed that the recommendations accurately reflected the key messages communicated in the initial phase of engagement and that they would make a significant difference if implemented. Descriptors such as “cohesive,” “direct,” “impactful” were used to describe the draft. In the online survey, support for the recommendations addressing social services, diverse representation at decision-making tables, deeper listening to those with direct experience of hate, executing an action plan to confront racism and discrimination, and building trust in Hamilton Police Services was especially strong.

The main concern expressed during this stage was that the draft recommendations were seen as “vague.” There were numerous requests for them to be more concrete and measurable, in order to guide implementation more explicitly. People were craving more details on how to make these recommendations happen and accountability for making sure they do.

There remains a significant degree of skepticism regarding the likelihood of the recommendations being effectively implemented in Hamilton for a variety of reasons, including their lack of specificity, the complexity and longstanding nature of the issues, political divisions on Council and perceived history of inaction by the City on the concerns they address. Accountability mechanisms including clear roles, responsibilities, targets and timelines are therefore seen as critical in advancing their legitimacy and acceptance. Showing progress on implementation will build momentum and strengthen trust.

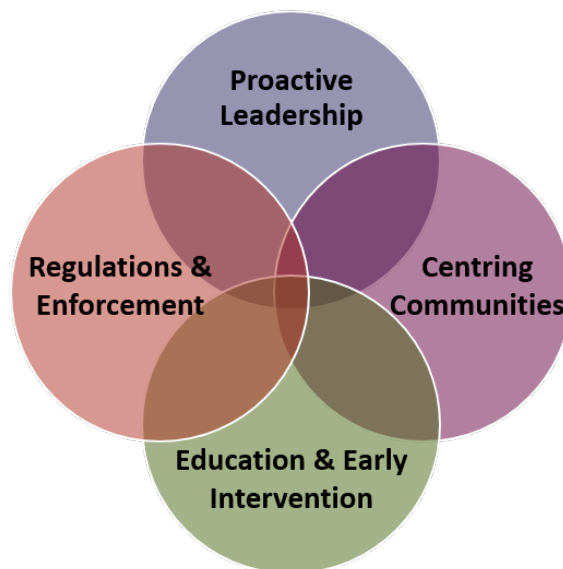
More specifically, additional suggestions for improvement included the following and these have been heeded to the full extent possible in the recommendations that follow:

- Provide more in-depth analysis and clearer definitions of terms in the more fulsome final report, to explain the differences between, for example, “hate,” “hate crimes,” “hateful incidents” and “discrimination.” Some people would prefer the use of more specific terms such as anti-Black racism and anti-Semitism in place of the more generic term “hate” throughout.
- Acknowledge examples of the existing efforts already underway to address many of the recommendations, by the City and community organizations, to avoid implying the process is starting from a blank slate or that community work is being co-opted or ignored by the City.
- There is a need for working groups on specific items that can monitor and generate action when implementing recommendations. Further, recommendations need more details defined around who, what, when, and how.
- Fill gaps in input from groups that experience hate in Hamilton but that have not participated actively in the engagement opportunities presented thus far. This would include reaching out specifically to representatives of the Jewish and Muslim communities and No Hate in the Hammer, for example, as well as perhaps scanning input on social media related to this project.
- Integrate more opportunities for those communities impacted by hate to talk about their experiences. For example, Jewish people to talk about anti-Semitism.
- There is no need to enlarge the sample size [as per Council’s directive at the General Issues Committee meeting of September 23, 2020]. Doing so undermines the City’s commitment to listen that is highlighted in the draft recommendations. People have adequately and courageously described their experiences, and this project was not intended to assess whether hate/racism/discrimination are problems in Hamilton, but rather to address them.
- Attach dollar figures to the recommendations and hold the City accountable for the results of that investment. The allocation of financial resources is seen as the true test of commitment. In addition to dollar figures in the report, there should be a total amount of dollar figures suggested to address these issues.
- There were numerous suggestions of how to improve the wording of individual recommendations to make them clearer and in several cases more assertive.

Recommendations

The following recommendations were initially drafted based on research and feedback gathered during the first phase of this initiative, then refined based on the feedback received on that draft during the second phase of community engagement in the fall of 2020 and initial more recent conversations as described above.

The initial seven categories of interventions identified through the comparative research have been combined into four that are particularly salient for Hamilton: **proactive leadership**, **centring communities**, **education and early intervention**, and **regulations and enforcement**, with several specific recommendations listed within each category.



These recommendations can be treated separately but will be most powerful when treated as a cohesive framework, supported by performance targets, accountability mechanisms and sufficient resources to ensure they are implemented. The comparative research showed that well-led cities integrate initiatives aimed at social inclusion, diversity, and combating hate, which overall contribute more broadly to positive city-building.

Summary of Recommendations

Proactive Leadership

1. *Accelerate decisive and well-informed City responses to stand against hate. Be firmer in condemning hateful activities in the city while promoting alternative positive values.*
2. *Create, resource and implement an action plan to confront systemic racism, oppression, and other forms of discrimination in Hamilton.*
3. *Convene collaborative opportunities for productive dialogue amongst community organizations, businesses, and other local institutions, with the goal of building a welcoming city together.*
4. *Measure and report on progress.*

Centering Communities

5. *Follow through with actions that support what the City has already heard.*
6. *Deeply listen to the voices of those experiencing hate, acknowledge their experiences and provide ongoing opportunities for community feedback.*
7. *Incorporate more diverse representation at decision-making tables.*
8. *Initiate convergent strategies to coordinate and accelerate the work that community organizations are doing to combat hate in the city.*
9. *Redirecting funding away from punitive efforts and toward prevention, including increasing resources for social services partnerships to address mental health, addictions and affordable housing.*
10. *Invest in equity-promoting programming and re-evaluate City grants and granting processes to ensure they are equitable and accessible.*
11. *Invest in more safe community spaces.*

Education and Early Intervention

12. *Partner with community organizations, District School Boards, and other relevant collaborators, to co-create and implement an educational curriculum together with young people about racism, hate, equity, diversity, inclusion, and justice and belonging, from the perspective of people living in Hamilton.*
13. *Invest in placemaking initiatives that encourage diverse community interactions across groups.*

Regulations and Enforcement

14. *Leverage the municipal regulatory framework to stand against the presence of hate, beginning on City property but extending beyond that where legally possible.*
15. *Develop a hate incident community mapping mechanism to better track and collect data for hate incidents happening in the city.*
16. *Build a coordinated community reporting system*
17. *Embrace community-led responses to harm*
18. *Building and fostering working relationships between community organizations and Hamilton Police Service.*

Proactive Leadership

The community is appealing for courageous, authentic leadership that takes a stand against hate, from the City and across the city, in formal and informal ways. Timely, responsive and decisive actions are needed to demonstrate leaders' presence, self-reflection, awareness and empathy around what communities face. This commitment is seen as the first step in lessening the metaphorical distance between City leadership and residents concerned about hate in the city. This category was repeatedly identified as the most important starting point for addressing hate in Hamilton.

Recommendation #1:

Accelerate decisive and well-informed City responses to stand against hate. Be firmer in condemning hateful activities in the city while promoting alternative positive values.

Activities do not necessarily have to be illegal to be undesirable in a city. There is concern that the Charter of Rights and Freedoms, designed to support the freedom of Canadians, is being used in Hamilton as a shield to allow hate to flourish in the name of freedom of expression, upholding the freedom of some at the expense of others' safety. Hamilton could instead choose publicly to emphasize and promote values of tolerance, inclusion, justice and equity while condemning behaviours that contradict those values.

Publicly acknowledging that hate exists and is a problem in Hamilton that manifests itself in various ways is the number one step required to begin addressing it.¹⁹ In order for these public acknowledgements to be seen as having integrity, they need to be supported by other aligned and concrete actions and made by leaders who have earned the public's trust.

It is recommended that the City develop a framework out of which it addresses hate crimes and incidents with defined and appropriate responses. This operational guide would include timely statements from the Mayor's Office that proactively and unequivocally condemn hateful behaviour, support communities experiencing hate and demonstrate in practical ways that the City of Hamilton is anti-hate.

Prompt and decisive action steps by Council upon approving these recommendations would be one indication of its commitment to responding to concerns to building momentum in preventing and mitigating hate in Hamilton.

¹⁹The City of Toronto has recently been working on an action plan to confront systemic anti-Black racism. The plan has five themes, 22 recommendations and 80 actions that the City will undertake. *Toronto Action Plan to Confront Anti-Black Racism*, City of Toronto, 2017. <https://www.toronto.ca/legdocs/mmis/2017/ex/bgrd/backgroundfile-109127.pdf>

Recommendation #2:

Create, resource and implement an action plan to confront systemic racism, oppression, and other forms of discrimination in Hamilton.

The City of Hamilton must not only acknowledge unequivocally that hate is a structural problem in the city, but also spell out concrete action steps to address it, several of which are outlined in the additional recommendations that follow. As the recommendations from the Gandhi 150 Conference state, “beyond the spoken word, people need a sign of solidarity in a measurable form. People need to see measurable action from the city and publicized proof of that action.”²⁰

The community wants to see investment in action, not in more research and consultation. Any action plan needs to be both led and shaped by those with lived experience of systemic inequalities. It requires timelines, performance targets, clear roles and responsibilities, completion dates, and sufficient, multi-year resources to make a system-level impact over time. Investment in this action plan will have ripple effects and positive outcomes in other areas that contribute to a thriving city. An example to consider is the Toronto Action Plan to Confront Anti-Black Racism.²¹

One specific component of this action plan would be for a City staff and related partners such as Hamilton Police Services, to participate in ongoing anti-oppression training and integrated in-service practices. A community effort in 2014 was involved in making Hamilton a Sanctuary City; part of this agreement was that staff from the City of Hamilton were to receive training. This recommendation has yet to be enacted, and was cited as an example of poor follow up on commitments. Reversing that decision would display tangible action on part of the City.

Another component of this action plan could be to establish community-led working groups, with resources and accountability, to move these recommendations forward in a timely and effective way.

Recommendation #3:

Convene collaborative opportunities for productive dialogue amongst community organizations, businesses, and other local institutions, with the goal of building a welcoming city together.

The City could convene and/or support skillfully facilitated opportunities for candid sharing of best and emerging practices, challenges, and pathways to improvement across sectors, all with

²⁰ Report from the Working Groups, Gandhi 150 Conference: Waging Action on Hate and Racism in Hamilton, October 2019. <https://www.humanities.mcmaster.ca/gandhi/onefifty/Gandhi150ConferenceSummaryReport.pdf>

²¹ The City of Toronto recognizes its responsibility to create a city that works for all residents. Confronting and removing barriers caused by Anti-Black Racism benefits all Torontonians, especially other Toronto communities experiencing racism and marginalization.

a shared intention of aligning residents' experiences with the values the City espouses.²² This could include supporting new and existing initiatives. The City should support community voices in leading this work—not only to be heard but to direct the outcomes of a cohesive and integrated strategy across sectors over time.

Recommendation #4:

Measure and report on progress.

It is recommended that the City set tangible goals and determine performance targets that will allow for transparent reporting on progress towards the goals. For example, metrics could include resources allocated to promoting inclusion; events sponsored; third-party monitoring of interactions between Hamilton Police Services and residents; all within a comprehensive and public monitoring system that reports progress toward combatting hate.²³ Data collected during this initiative could serve as a partial community-wide baseline to track progress toward Hamilton living up to its aspirations of being a good city to grow old and raise a family.

Centering Communities

Hamilton residents are looking to their local government to listen to community voices, amplify their messages, support community work, proactively build relationships with communities that are experiencing hate, and recognize community wisdom as essential to building diverse, inclusive and equitable communities. This involves inviting marginalized community members to decision-making tables, supporting community programming, and investing in safe, inclusive spaces.

Recommendation #5:

Follow through with actions that support what the City has already heard.

Engaging the community, across a range of perspectives, needs to be followed up with timely action and clear explanations of how that input has been heard, analyzed and translated into activity planning. There is a strong sense that the City has not followed up on recommendations previously made that would have made progress toward a more inclusive city well before this project began. It is therefore recommended, as a start, that the City provide detailed follow-through plans on high-profile sets of recent recommendations such as the *Pride in Hamilton* report²⁴ and this project. Engagement with no action is disingenuous; it is not only a waste of resources but can be retraumatizing for victims and erodes trust in the City. Follow-through builds trust, which is integral for constructive collaboration moving forward.

²² An example of this is the annual Diversity Symposium hosted by the City of Richmond, BC, to share best and emerging practices in building diverse, inclusive and equitable communities.

²³ *Report Regarding Board Motion of June 18, 2020 (BIPOC)*, Guelph Police Services Board Meeting (September 17, 2020): 40-63. <https://events.guelphpolice.ca/meetings/Detail/2020-09-17-1430-September-17-2020/038dd4a2-5015-4011-9f22-ac3800e2dd27>

²⁴ *Pride in Hamilton: An Independent Review into the Events Surrounding Hamilton Pride 2019*, Scott Bergman (Cooper, Sandler, Shime & Bergman LLP), June 2020.

Recommendation #6:

Deeply listen to the voices of those experiencing hate, acknowledge their experiences and provide ongoing opportunities for community feedback.

Community engagement is not a one-off activity; ongoing listening is a necessary condition for change to occur. The City should value the knowledge that communities hold, particularly through the lived experiences of individuals, as an essential element of hate prevention initiatives. It is recommended that the City embed ongoing listening/reflecting/acting/reporting cycles into their practice, as a continuation of these community engagement processes and Council's February 2021 commitment to acknowledging the wisdom of those who have first-hand knowledge of the issues at hand. The City must create the space to receive critical feedback and facilitate an environment where residents feel their experiences are heard and validated. Deep listening and openness to ongoing dialogue are instrumental to building relationships and goodwill.

Recommendation #7:

Incorporate more diverse representation at decision-making tables.

It is recommended that the City make it easier for community members to access and influence what goes on municipally. Make decision-making processes more transparent to the wider community. For example, the City could explore and remove barriers that may be hindering equitable representation at decision-making tables. This includes exploring how to make various tables more impactful by paying attention to who sits on committees and how much influence they have on actual decisions, as well as reviewing the success of current City hiring practices in service of equity, diversity, inclusion and reconciliation targets.

Recommendation #8:

Initiate convergent strategies to coordinate and accelerate the work that community organizations are doing to combat hate in the city.

Many community organizations are working on anti-hate initiatives in Hamilton, directly (e.g. No Hate in the Hammer) and in related areas such as anti-racism. The City can work with these community organizations to develop convergent strategies to accelerate this work and value it as an essential element not only of hate prevention but of city building. For example, the City could coordinate a unified and well-funded city-wide public education campaign that would allow Hamilton to radically change its narrative. The campaign could provide opportunities for those who have experienced hate to share their stories in a meaningful way with the broader community, training in effective ways to intervene when you see hate incidents occurring and customized, culturally responsive resources available when people are impacted by a hateful incident in the city. Current community efforts can be accelerated and amplified with City support.

Recommendation #9:

Redirecting funding away from punitive efforts and toward prevention, including increasing resources for social services partnerships to address mental health, addictions and affordable housing.

Regulations and enforcement approaches were lower priorities to Hamilton residents than proactive investment in prevention to combat hate. There was an overwhelming community call for allocating resources to community services that can better support community members who are struggling, see fighting inequality as an important pathway to building community cohesion. For example, hate is often an expression of people's frustration at their primary needs not being met, including affordable housing, living wage employment, meaningful social connections and holistic health care. Redirecting funding toward investing more heavily in these social determinants of health is a proven upstream approach to addressing anti-social behaviours and building more equitable, economically vibrant cities.

Further, cities across North America are exploring alternative crisis response services for supporting situations in which people require high-priority, immediate response and a robust amount supports without police involvement.²⁵

Recommendation #10:

Invest in equity-promoting programming and re-evaluate City grants and granting processes to ensure they are equitable and accessible.

The current COVID-19 pandemic has created an immense strain on community organizations and services. The City should use all of the levers at its disposal to promote equity and inclusion, including its grants to community groups. The City should provide necessary financial support to trusted and embedded community organizations that are community-owned and trauma-informed and thus well-positioned to provide timely and necessary responses to hate incidents. Applications need to be simple and targeted, giving applicants the freedom to try different approaches that can better support various communities' unique needs.²⁶

For example, the City could convene an ad hoc group of community-based organizations currently working with equity-seeking communities to provide direction on how to invest in anti-hate programming as well as re-evaluate City grants and granting processes to ensure that they are equitable and accessible. Outreach and application support are also needed to expand the range of applicants and ideas brought forward.

²⁵ For example, Toronto has recently approved a non-police crisis response team pilot to mental health-related crisis calls. <https://www.thestar.com/news/gta/2021/04/25/toronto-approved-non-police-crisis-response-teams-this-woman-is-trying-to-build-them.html>

²⁶ For example, each year, the City of Guelph allocates grant funding to not-for-profit organizations to support the City's strategic goals, as guided by their collaboratively-developed Community Plan.

Recommendation #11:

Invest in more safe community spaces.

Marginalized communities need safe spaces to gather, and the City should invest in creating them, including digitally. Multi-use community hubs can be equipped with specific resources that know how best to support community members. These places can take various forms, inspired by spaces such as revitalized public libraries or the 519 in Toronto, which is an example of a community space committed to the health, happiness and full participation of the LGBTQ2S+ communities. As per the Gandhi 150 recommendations, there need to be safe spaces for everyone to be safe and heard and to acknowledge when spaces are not experienced as safe.²⁷ The City needs to consult with impacted communities to discern why current spaces are not meeting their needs. Further, safe spaces for youth are especially in demand across various communities.²⁸

Education and Early Intervention

Preventative work has proven long-term benefits for building understanding and community.²⁹ Early intervention and public education are integral in communicating what kind of city Hamilton wants to be and setting citizens' expectations about the behaviours that are desirable in the city.

Recommendation #12:

Partner with community organizations, District School Boards, and other relevant collaborators, to co-create and implement an educational curriculum together with young people about racism, hate, equity, diversity, inclusion, and justice and belonging, from the perspective of people living in Hamilton.

Despite education falling primarily under provincial jurisdiction, it was noted throughout this project as a necessary local response to hate.³⁰ For instance, the City can support anti-hate guest speakers and Hamilton-specific content in local schools and can use its influence to encourage the provincial government to develop anti-racist and anti-hate curriculum more broadly for the Ontario schools.³¹

²⁷ *Report from the Working Groups*, Gandhi 150 Conference: Waging Action on Hate and Racism in Hamilton, October 2019. <https://www.humanities.mcmaster.ca/gandhi/onefifty/Gandhi150ConferenceSummaryReport.pdf>

²⁸ Feedback from meeting with the Muslim community expressed a need for more investment in safe spaces for youth from diverse backgrounds that are safe and have structure. Currently, there are not enough mental health resources and the social aspect within these spaces where youth from diverse backgrounds can feel safe.

²⁹ For example: *Upstream: The Quest to Solve Problems Before They Happen*, Dan Heath (Avid Reader Press / Simon & Schuster: 2020)

³⁰ For example, the 519 partnered with the Toronto District School Board to create "Families Against Homophobia," curriculum that acknowledges children with LGBTQ2S parents.

³¹ For example, the Guelph Black Heritage Society's #ChangeStartsNow campaign is raising public awareness and funds for the development of educational resources and programs about anti-Black racism and discrimination.

Education is not limited to schools. Bystander intervention training could be provided to any interested Hamilton residents, as a demonstration of the City's commitment to creating a community that values diversity in practice.

Recommendation #13:

Invest in placemaking initiatives that encourage diverse community interactions across groups.

Hate is fuelled by a lack of familiarity and contact with people who are different from you. Currently, there are not enough spaces and events where diverse groups of people can interact—and feel safe doing so. Pandemic isolation has exacerbated this problem. It is recommended that the City invest in community-building, intergenerational or multicultural programming that animates the city in positive ways.³² Placemaking can be a preventative, proactive activity and one that is highly appropriate for the municipality to undertake as it gives people opportunities to interact with and learn from people whose experiences are different from their own. For example, the City should encourage accessible community arts activities guided by professional artists working with residents to co-create murals, theatrical productions, spoken word performances, and other forms of art, which explore the historical, political or culture of a specific place.³³

Regulations and Enforcement

Regulations alone are not sufficient, but are one set of tools uniquely at the City's disposal and should be used to promote a welcoming and inclusive municipality and to take a stand against hate. These regulations must be accompanied by enforcement within the context of a broad-gauged accountability framework that involves accessible community reporting mechanisms, robust evaluation and transparent reporting back to the community.

Recommendation #14:

Leverage the municipal regulatory framework to stand against the presence of hate, beginning on City property but extending beyond that where legally possible.

Hamilton has begun to enact bylaws and other regulations that mitigate hate, and the City is encouraged to continue to do so. These could include hate-specific regulations and others that address hate indirectly. A preventative orientation is preferable over a punitive one. For instance, policies that promote positive assembly and accelerate diverse community-building events in the City forecourt are preferred over those that emphasize surveillance and protectionism.

³² For inspiration, see the New Orleans project called Paper Monuments. <https://www.papermonuments.org>

³³ For example, see Case Study Topic: Community Art to Reduce Urban Inequities and Gang Violence by Pasha Shabazz McKenley in https://canurb.org/wp-content/uploads/EBPP_2021-03-25_FINAL.pdf

Recommendation #15:

Develop a hate incident community mapping mechanism to better track and collect data for hate incidents happening in the city.

There is a significant need to document incidents that are happening in the city to develop a better understanding of the scope of hate in Hamilton. A community mapping mechanism would help to illustrate the rates and types of hate incidents in the city.³⁴ The information generated can support the outreach and education initiatives while also disclosing to communities where incidents are taking place. This mechanism needs to be easy to find, access, and use. For example, it can be an online form where users can document hate incidents or call a support line, where someone can input their information to the online form. The mechanism could also be specific to impacted communities, for example, 'Fight Against COVID-19 Racism' is a national platform developed to report and track anti-Asian racism.³⁵

Recommendation #16:

Build a coordinated community reporting system.

A coordinated community reporting system could be linked to the above mapping resource. It would provide culturally responsive and trauma-informed support to those reporting acts of hate and connect them with resources, and alleviate the current chronic underreporting of hate crimes.³⁶ Access to a community-owned reporting mechanism could give victims of hate incidents the possibility to file a complaint through multiple trusted community connections, such as a religious or community organization, rather than directly through the police. These reporting channels must then be linked to provide a more comprehensive and coordinated understanding of hate activity in the city that could then be publicly reported on and used to improve prevention, community supports and enforcement.

Recommendation #17:

Embrace community-led responses to harm.

The City should support and encourage restorative processes and frameworks of accountability to repair harm impacting the community. There is a deep reliance on using punitive justice as the only means to access 'justice' in society. In conjunction with local community organizations, the City could institute restorative justice processes that facilitate direct accountability for hateful actions, thereby supporting positive and lasting behavioural changes that lead to safe

³⁴ An example of this mechanism is the StopHateAB.ca website launched by The Alberta Hate Crimes Committee (AHCC), <https://stophateab.ca>

³⁵ The Fight Against Covid-19 Racism platform was developed as a collaboration between several Chinese Canadian organizations, in response to rise in xenophobia and racism toward Asian communities during the pandemic. This platform aims to provide a space for individuals to share their experiences of racism and linking them to helpful resources, while also tracking and recording the numbers of incidents occurring across Canada. <https://www.covidr racism.ca>

³⁶ The HCCI, McMaster University and the Sherman Center for Digital Scholarship are currently developing this kind of tool and would benefit from direct support from the City.

and connected communities.³⁷ It is recommended that the City support impacted communities in the actions they want to take to engage with offenders and explore they can be supported to do so.

Recommendation #18

Building and fostering working relationships between community organizations and Hamilton Police Service.

Representatives of groups that are known to experience hate in Hamilton, particularly BIPOC³⁸ and LGBTQ2S+ communities, have been clear in expressing their lack of trust in the Hamilton Police Services.³⁹ Similar reservations have been expressed by people who have experienced police involvement for other reasons, including yellow vest protesters. These concerns are situated within a broader context of differential enforcement in policing.⁴⁰ They both fuel and are fuelled by larger cultural conversations linked to Black Lives Matter and movements to Defund the Police. An institution designed to promote safety is seen by some as making them feel unsafe and even perpetuating harm.

Until trust in police is strengthened, their ability to enforce hateful behaviours in Hamilton is likely to lack legitimacy. This represents a vicious cycle in which mistrust itself makes both parties reluctant to do the work required to rebuild that trust. A long view is required, along with a commitment to listening and learning. HPS can continue to deepen working relationships with community organizations who are working on anti-hate initiatives to expand police understanding of their role in improving or exacerbating hate and discrimination in Hamilton.

More broadly increasing education on systemic racism, equity, justice, diversity and inclusion could be another place to start. A visible commitment to HPS training and education that then translates into changed actions can help build trust within the community and help HPS be more impactful at making the city a safer space for all. Finding ways to make policing more accountable and accessible to the public, with transparent action plans of how HPS will improve community relationships, is critical. Without persisting in addressing problematic dynamics between marginalized groups and police, the other recommendations listed here will be less effective in addressing hate in Hamilton than they otherwise could be.

³⁷ The Coalition of Muslim Women of KW and Community Justice Initiatives is piloting a restorative approach to incidents of hate crime in Waterloo Region by offering a safe space for people to build an understanding of one another. The two organizations are working together to develop a model to apply a restorative justice approach to hate-based incidents or crimes against members of the Muslim community, particularly women.
<https://www.kwcf.ca/news/ir2020-cji-cmw>

³⁸ Black, Indigenous, and People of Colour

³⁹ The recent inquiry into the Hamilton Police Services' role in Pride 2019 highlights the inadequacy of the HPS response to violence and has further undermined trust in police in Hamilton, or at least documented some reasons for it.

⁴⁰ For example, a 2018 Ontario Human Rights Commission study found that Black people are 20 times more likely to be injured or killed by police than their counterparts.

Conclusion

The community is longing for action and concrete plans from the City to mitigate and prevent hate in Hamilton. Residents are tired of lists of recommendations that have been not led to changed behaviours, beginning at City Hall. performative actions and is craving genuine and honest initiatives. Anything less than genuine and concerted actions and this project, and the all the resiliency of those who engaged and offered their perspectives, will be for nothing. Persistent and timely responses to hate crimes and hate incidents that are community-centric and trauma-informed are essential. For this reason, meaningful support, intentional collaboration and the allocation of appropriate resources to community organizations that are doing the work to fight against hate in Hamilton are imperative for the success of these recommendations.

Appendix A: Glossary of Terms

Anti-Black racism Prejudice, attitudes, beliefs, stereotyping and discrimination that is directed at people of African descent and is rooted in their unique history and experience of enslavement. Anti-Black racism is deeply entrenched in Canadian institutions, policies and practices, such that anti-Black racism is either functionally normalized or rendered invisible to the larger white society. Anti-Black racism is manifested in the legacy of the current social, economic, and political marginalization of African Canadians in society such as the lack of opportunities, lower socio-economic status, higher unemployment, significant poverty rates and overrepresentation in the criminal justice system.⁴¹

Anti-racism Beliefs, actions, policies and movements developed to actively identify and eliminate prejudice, stereotyping, and discrimination based on race.

Anti-Semitism Anti-Semitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.⁴²

BIPOC Black, Indigenous, and People of Colour

Colonialism Colonialism is a practice of domination, which involves the subjugation of one people to another. Settler colonialism — such as in the case of Canada — is the unique process where the colonizing population does not leave the territory, asserts ongoing sovereignty to the land, actively seeks to assimilate the Indigenous populations and extinguish their cultures, traditions and ties to the land.⁴³

⁴¹ Government of Ontario, "A Better Way Forward: Ontario's 3-year Anti-Racism Strategic Plan." <https://www.ontario.ca/page/better-way-forward-ontarios-3-year-anti-racism-strategic-plan>.

⁴² International Holocaust Remembrance Alliance, "Working Definition of Antisemitism." <https://www.holocaustremembrance.com/working-definition-antisemitism>.

⁴³ Government of Ontario, "Ontario's anti-racism strategic plan: Terminology." <https://www.ontario.ca/page/ontarios-anti-racism-strategic-plan#section-8>

Discrimination Any form of unequal treatment based on a ground protected by human rights legislation that results in disadvantage, whether imposing extra burdens or denying benefits. Discrimination can be intentional or unintentional; and it may occur at an individual or systemic level. It may include direct actions or more subtle aspects of rules, practices and procedures that limit or prevent access to opportunities, benefits, or advantages that are available to others.

Equity The practice of ensuring fair, inclusive and respectful treatment of all people, with consideration of individual and group diversities. Access to services, supports and opportunities and attaining economic, political and social fairness cannot be achieved by treating individuals in exactly the same way. Equity honours and accommodates the specific needs of individuals/ groups.⁴⁴

Hate crime A criminal act that promotes hatred against identifiable groups of people, motivated by bias, prejudice or hate. Although individuals and groups that promote this destructive form of human rights-based discrimination often defend their right to “free speech,” it is a criminal offence to disseminate hate propaganda and/or to commit hate crimes.

Hate-motivated behaviour: Any act or attempted act intended to cause emotional suffering, physical injury, or property damage through intimidation, harassment, bigoted slurs or epithets, force or threat of force, or vandalism motivated in part or in whole by hostility toward the victim's real or perceived ethnicity, national origin, immigrant status, religious belief, gender, sexual orientation, age, disability, political affiliation, race, or any other physical or cultural characteristic.

Homophobia Negative attitudes, feelings, or irrational aversion to, fear or hatred of gay, lesbian, or bisexual people and communities, or of behaviours stereotyped as “homosexual.” It is used to signify a hostile psychological state leading to discrimination, harassment or violence against gay, lesbian, or people.⁴⁵

⁴⁴ Rainbow Health Ontario, “LGBT2SQ Terms and Definitions Glossary.”
<https://www.rainbowhealthontario.ca/news-publications/glossary/>

⁴⁵ The 519, “Glossary of Terms.” <https://www.the519.org/education-training/glossary>

Intersectionality A term coined by black feminist legal scholar Dr. Kimberlé Crenshaw to describe the ways in which our identities (such as race, gender, class, ability, etc.) intersect to create overlapping and interdependent systems of discrimination or disadvantage.⁴⁶

Islamophobia Includes racism, stereotypes, prejudice, fear or acts of hostility directed towards individual Muslims or followers of Islam in general. In addition to individual acts of intolerance and racial profiling, Islamophobia can lead to viewing and treating Muslims as a greater security threat on an institutional, systemic and societal level. (Ontario Human Rights Commission, Policy on Preventing Discrimination Based on Creed).⁴⁷

Systemic racism The direct and indirect action of our community institutions that has perpetuated inequality, discrimination and disparity of outcomes based on race for generations. Systemic racism can be directly visible within institutions such as lack of racialized individuals in senior leadership. It can also be painfully inconspicuous, such as racist jokes, stereotypes, prejudices, derogatory remarks, micro-aggressions and limited opportunities.

Transphobia Negative attitudes and feelings and the aversion to, fear or hatred or intolerance of trans people and communities. Like other prejudices, it is based on stereotypes and misconceptions that are used to justify discrimination, harassment and violence toward trans people, or those perceived to be trans.⁴⁸

⁴⁶ The 519, "Glossary of Terms." <https://www.the519.org/education-training/glossary>

⁴⁷ Government of Ontario, "A Better Way Forward: Ontario's 3-year Anti-Racism Strategic Plan." <https://www.ontario.ca/page/better-way-forward-ontarios-3-year-anti-racism-strategic-plan>.

⁴⁸ LGBT2SQ Terms and Definitions Glossary. Rainbow Health Ontario. <https://www.rainbowhealthontario.ca/news-publications/glossary/>

The Federation of Canadian Municipalities resolution

Resolution – Strengthening Canada’s Hate Speech Laws

Meeting – Annual Conference – June 2021

Resolution Status – Adapted

Sponsor – Town of Collingwood, ON

Resolution:

WHEREAS Canadians generally recognize of the strength of community that is derived from embracing and appreciating all community members regardless of ethnic origin, gender and sexual orientation, socioeconomic status, or faith – and in accordance with statements made by the Federal Government, individual Provinces, and The United Nations, that hate speech has no place in an inclusive society that seeks to empower its constituents; and

WHEREAS it is widely recognized that symbols can have a powerful and profound effect on the psychology and well-being of community members; therefore, be it

RESOLVED that FCM petition the Canadian Government to build on Parliament’s 2019 Report Taking Action to End Online Hate and engage in the development of legislation that would clarify and strengthen the definition of hate speech, including explicit recognition of the psychological harm that can be caused by hateful symbols, and work with all levels of government in addressing the root causes of hate speech.