



INFORMATION REPORT

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	August 4, 2022
SUBJECT/REPORT NO:	Community Benefits Protocol Sub-Committee (HSC19066(a)) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Jenn Hohol (905) 546-2424 Ext. 7857
SUBMITTED BY:	Angela Burden General Manager Healthy and Safe Communities Department
SIGNATURE:	

COUNCIL DIRECTION

The General Issues Committee at its meeting of December 4, 2019 approved the following:

- a) That Appendix “A” to Report HSC19066 (the Terms of Reference), respecting the Community Benefits Protocol Advisory Committee, be amended by changing the Committee composition from “2” members of Council to “3” members of Council; and, by making the 2 members of the Hamilton Community Benefits Network “voting members”; and,
- b) That Councillor M. Wilson be appointed to the Community Benefits Protocol Advisory Committee for the balance of the 2018 to 2022 term of Council; and,
- c) That sub-section (a) to Report HSC19066, respecting the Community Benefits Protocol Advisory Committee, be amended by adding the words “as amended”, to read as follows:
 - a. That the Community Benefits Protocol Advisory Committee Terms of Reference attached as Appendix “A”, as amended, to Report HSC19066, be approved;

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

The General Issues Committee at its meeting on December 4, 2019, also approved that Report HCS19066, respecting the Community Benefits Protocol Advisory Committee, as amended, be DEFERRED to a future General Issues Committee, with the following direction:

- i. That staff be directed to report back to the General Issues Committee with a clear explanation of the differences between the Social Procurement Policy and the proposed Community Benefits Protocol Advisory Committee's mandate; and
- ii. That the Legislative Coordinator be directed to invite Anthony Marco, President of the Hamilton District Labour Council; and, Mark Ellerker, Representative of the Hamilton - Brantford Building & Construction Trades Council, in their capacity as representatives of the Hamilton Community Benefits Network, to attend at the same future General Issues Committee meeting as the forthcoming staff report to provide clarity to objective of the proposed Community Benefits Protocol Advisory Committee.

INFORMATION

Community Benefit Agreements Overview

Community Benefit Agreements are a way to ensure that impacted residents share in the benefit of major development projects. Community Benefit Agreements are typically signed between developers, government or community groups and are intended to create social value through economic development processes in a way that engages the community, including the voices of those who are often underrepresented or marginalized. This value can range from providing local employment and training opportunities to affordable housing and public community spaces, determined on a project-by-project basis.

To support this work, Community Benefits Frameworks are often developed by municipalities in collaboration with community to outline consistent standards for what community benefit initiatives, including Community Benefit Agreements, look like in a community. A 2019 paper from the McMaster Research Shop, Hamilton Community Benefits Network: The Success of Community Benefits Agreements, found that Community Benefit Agreements have had numerous successes in terms of outputs, results and benefits achieved in both the United States and Canada¹. In addition, locally both the Mayor's Taskforce on Economic Recovery and the Just Recovery Hamilton Coalition have made recommendations on the use of community benefits and the implementation of a Community Benefits Framework in Hamilton.

¹ <https://hcbn.ca/cbas-in-action>

Learning from other communities, it is understood that developing a Community Benefits Framework is a long journey centred around relationship building and community engagement. The first step in starting these conversations is to establish a committee to ensure a consistent understanding of what is meant by community benefits and drive the development and implementation of a framework. Supporting committees play a key role in:

- Collaborating across sectors, cultures and communities;
- Engaging with communities to identify needs that could be addressed under a Community Benefits Framework; and
- Using lessons learned from Community Benefit Agreements in other jurisdictions and adapt them to local context.

Community Benefit Agreements and Social Procurement Policies

Community Benefit Agreements and social procurement practices can both support one another to achieve positive social outcomes in communities. At the City of Hamilton, work continues to develop and adopt responsible procurement practices within the City's Procurement Policy, taking into consideration environmental, climatic and social procurement aspects within our procurement processes. In its most simplistic form, social procurement can be defined as the use of a competitive bidding process to encourage or require vendors to participate or initiate socially beneficial programs or employment for the betterment of the community.

In 2019 Procurement and City departmental staff conducted nine Request for Proposals as pilots that included various evaluative criteria to encourage vendors to submit social value within their proposals. Some of these criteria included:

- What training is provided to your front-line staff regarding cultural diversity;
- How would you provide assistance to overcome transportation barriers for individuals hired and indicate how this will be achieved;
- How would you provide flexible workplaces for all staff (e.g. core office hours, home based work, late start times);
- What is your commitment to providing income stability by providing part-time workers with a minimum number of guaranteed work hours per month and by providing part-time workers/contractors with a minimum of one-months' notice of the work schedule; and
- Do you have any additional business practice changes that shall be implemented in order to help improve the lives of people living with a disability, in poverty.

Social procurement practices are just one example of a community benefit initiative that could be identified and supported under a Community Benefits Framework.

Municipalities can implement socially driven procurement practices in addition to other community benefit initiatives beyond social procurement, including tax rebates, housing projects, and new business development. In establishing a Community Benefits

Protocol Sub-Committee, it will be essential that support from management level staff in the Corporate Services Department, Financial Services and Taxation Division, Procurement Section is involved in any discussions affecting the procurement of goods and services by the City, in order to maintain compliance with the City's Procurement Policy and ensure that any future recommendations from the Committee align, support and do not duplicate existing social procurement work that is ongoing by the City.

Community Benefit Agreements and Light Rail Transit

As an example of important and related work that is occurring separately from the recommended Community Benefits Protocol Sub-Committee, Metrolinx has committed to undertaking a Community Benefits program as part of its delivery of the Hamilton Light Rail Transit (LRT) project. Because the LRT procurement process is under the lead of the Province, the community benefits approach will follow Metrolinx's Community Benefits Framework. Therefore, community benefit discussions related to LRT will proceed separately and are considered out of scope for the Community Benefits Protocol Sub-Committee. The City's LRT Office will work with Hamilton's Community Benefits Network to advance LRT-related community benefit discussions with the Province.

Community Benefits Charges

A Community Benefits Charge (CBC) is a new growth funding tool under the Planning Act that allows municipalities to levy a charge on developments or redevelopments that are a minimum of five storeys high and have 10 or more residential units. Council at its meeting on June 22, 2022 approved a Community Benefits Charge strategy and by-law through Report FCS22015(b) to the Audit Finance & Administration Committee. The CBC by-law is effective September 18, 2022. CBCs allow the City to take full advantage of the legislative tools available to fund growth-related infrastructure. Council will consider projects eligible for CBC funding through the City's annual budget process.

Development of a Community Benefits Framework, Definitions and Scope in Hamilton

The development of a Community Benefits Protocol Sub-Committee in Hamilton and approval of a Terms of Reference creates a place to hold conversations on community benefits and help shape the narrative in Hamilton to foster a healthier and more inclusive city for all.

The Terms of Reference in Appendix "A" to Report HSC19066, was amended by staff as directed by the General Issues Committee in December 2019 to:

- Increase in the number of City Councillors who represent the voting members of the sub-committee from two to three; and
- Ensure the two members from the Hamilton Community Benefits Network are voting members.

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One additional change will also be made to include support by management level staff from across Healthy and Safe Communities, not just staff from the Children and Community Services' Division, to better reflect the staff support that will be provided to the Community Benefits Protocol Sub-Committee.

The next step in this work would be to establish a Sub-Committee, to begin meeting in Q1 / 2023 with any changes in council membership determined by the new term of Council. The purpose of the Community Benefits Protocol Sub-Committee will be to advise staff on the develop of a Community Benefits Framework and define future community benefit initiatives that support positive social outcomes in Hamilton. Since community engagement is a key component of success in implementing Community Benefits Frameworks and community benefits initiatives, alignment of this work to the City's future Public Engagement Policy and Administrative Framework (CM21011(a)), as brought forward to the General Issues Committee on July 4, 2022, will be important. Any future recommendations from the Community Benefits Protocol Sub-Committee and staff on a Community Benefits Framework or community benefits initiatives will be brought forward through the General Issues Committee for approval.

APPENDICES AND SCHEDULES ATTACHED

None