



GENERAL ISSUES COMMITTEE REPORT 23-024

9:30 a.m.

September 6, 2023

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

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

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 23-024 AND RESPECTFULLY RECOMMENDS:

1. **Addressing Needs of Unsheltered Individuals and Those Relying on Hamilton's Emergency Shelter System (HSC23041) (City Wide) (Item 8.1)**
 - (i)
 - (d) That up to \$5.925M for 2024 emergency response expenditures be referred to the 2024 tax operating budget for Council consideration to address the needs experienced by unsheltered individuals and individuals requiring assistance from Hamilton's emergency shelter system items;
 - (i) The continuation of shelter hotel overflow for families experiencing homelessness at an anticipated cost of \$4.64M annually
 - (1) \$4.45M for emergency hotel shelter overflow beds for families experiencing homeless.
 - (2) \$190K to fund temporary mobile case management team supporting families experiencing homelessness who are housed in hotel overflow beds.
 - (ii) The continuation of 20 additional beds in the women's emergency shelter system, through 46 West South as a temporary emergency shelter (run by Good Shepherd

Centre Hamilton), from April 1, 2024 to December 31, 2024 at a cost of \$952K (annualized cost of \$1.267M)

- (iii) \$333K to enhance diversion programs within shelters to prevent homelessness for an estimated 600 individuals
- (e) That up to \$2.3M be referred to the 2024 Tax Operating budget for Council consideration to support individuals experiencing homelessness in securing successful tenancies and prevent homelessness as referenced in the plan to end chronic homelessness and the Housing Sustainability and Investment Roadmap;
- (i) \$2M increase to the Municipal Housing Benefit equivalent to Rent-Geared-to-Income to end homelessness for an estimated 332 households, in order to reflect the commitment to support 500 households in this way through the HSIR.
 - (ii) Up to \$1.2M to Indwell to provide continued high level supports for 24 units at City Housing Hamilton King William that will take individuals from encampments or the by name list until provincial commitment for these costs can be obtained.
- (f) That expansion of the Housing Services Division's 2024 budgeted complement by 5.0 permanent FTEs to be referred to the 2024 Tax Operating Budget to support execution of recommendations (d) through (e), with annual cost in 2024 of approximately \$502K;
- (i) 2.0 FTEs, Emergency Shelter Case Managers, to support expanded shelter capacity at an annual cost in 2024 of approximately \$199K for salaries, benefits and ancillary costs.
 - (ii) 3.0 FTEs, a Senior Project Manager, a Housing Support Worker, and a Housing Services Clerk, to design and administer programs offering permanent housing solutions at an annual cost in 2024 of approximately \$303K
- (g) That Council approve in principle the concept of an advance multi-year municipal commitment of \$31M (e.g. \$10.33M per year over 3 years) towards the creation of 200 units supportive housing in order to maximize opportunities for affordable housing providers to leverage provincial and federal funds for projects in development and that Housing Secretariat report back to Council in Q3 on

financing options and recommended parameters by which Council would delegate decision making authority to staff to work with providers, identify highest impact projects and administer and allocate these funds to enable flexibility and nimble decision-making;

(ii)

- (a) That Council approve up to \$5.6M in 2023 for the following in-year emergency response expenditures to address the immediate pressures experienced by unsheltered individuals and individuals requiring assistance from Hamilton's emergency shelter system funded through a combination of sources, deemed appropriate by the General Manager of Corporate Services, and to be confirmed through the 2023 year-end budget variance report beginning with additional Provincial or Federal Funding, City of Hamilton COVID-19 Reserve, or 2023 Corporate Surplus;
 - (i) \$4.1M to continue providing shelter overflow in hotels in 2023 for families experiencing homelessness as reported in the April 2023 Budget Variance Report, FCS23063;
 - (ii) \$600K to Indwell to provide high level supports from October 1, 2023 – March 31, 2024 for 24 units at City Housing Hamilton's - King William location in order to house individuals from encampments or the by name list as of Q4, 2023;
 - (iii) That up to \$876K in expenditures to provide support for overnight drop in centres, beginning in December 2023 through March 2024 be referred to the discussion of the City's Winter Response in the report coming forward with the same name to the September 7, 2023 Emergency and Community Services Committee;
- (b) That Council approve an in-year immediate commitment of a \$2.3M conditional grant to Indwell Community Homes as the City's municipal contribution to enable construction at Acorn Flats to commence within 30 days of approval in order to build 20-25 units of permanent housing for families experiencing homelessness with occupancy by the end of 2024, funded from the Tax Stabilization Reserve (#110046);
- (c) That the General Manager of the Healthy and Safe Communities Department or their designate be directed and authorized, on behalf of the City of Hamilton, to enter into, execute and administer all agreements and documents necessary to implement the

purchases and grants outlined above on terms and conditions satisfactory to the General Manager of the Healthy and Safe Communities Department or their designate and in a form satisfactory to the City Solicitor;

- (h) That Council direct staff to explore an approach to subsidizing funding of up to 100 additional Residential Care Facility spaces to provide additional permanent housing options for individuals requiring shelter and to report back to Council in Q4 2023 with opportunities and costs;
- (i) That Council direct staff to assess Hamilton's current ratio of investment in emergency response compared with upstream housing interventions versus emergency response and propose a policy framework to guide City of Hamilton's future municipal investment in the housing sector to shift from emphasis on emergency response to homelessness prevention and permanent housing solutions that decrease reliance on emergency interventions; and,
- (j) In recognition that funding of housing with supports is not within the municipal tax levy mandate or resources, that Council direct staff to work with the Mayor's office to pursue funding from upper levels of government for the \$1.2M in operating costs for 2024 associated with Indwell King William, the \$3.6M in annual operating costs for permanent housing at the Dorothy Day Centre and the \$2.6M in annual operating costs for transitional housing at the YWCA currently subsidized by the municipality, which have no sustainable funding source, as well as other projects that require similar annual operating costs to provide the supportive housing capacity required to address local need.

2. Family Shelter System (HSC23041(a)) (City Wide) (Item 8.1(a))

- (a) That Council direct staff to conduct a Call for Applications (CFA) to address family homelessness, as a way to consider new and innovative opportunities to expand system capacity:
 - (i) to serve up to an additional 50 families in emergency shelter or transitional housing through March 31, 2025;
 - (ii) to provide services and supports that address root causes, complexity of need and create flow through the shelter system to permanent housing

- (iii) with applications to be considered as a temporary time limited emergency solution, or as an annualized program;
 - (b) That Council approve up to 1M in temporary emergency supports between September 1, 2023 and March 31, 2024 in order to address urgent program and staffing needs within Housing Services Division and Good Shepherd Hamilton related to family homelessness at the recommendation of the Director, Housing Services Division and approved by the General Manager, Healthy and Safe Communities, to be funded by the COVID19 reserve; and,
 - (c) That Council direct staff to report back in Q4, 2023 on opportunities and recommendations to address escalating family homelessness and resources required, and that any recommendations for continued or additional staffing beyond March 31, 2024 be referred to the 2024 budget.
- 3. Advisory Committee for Persons with Disabilities (ACPD) Report 23-008 - August 8, 2023 (Item 10.1)**
 - (a) Invitation to Participate in the Spinal Cord Injury BBQ and Information Fair - September 6, 2023 (Item 5.3)**
 - (i) That the following members of the Advisory Committee for Persons with Disabilities be approved to participate in the Spinal Cord Injury BBQ and Information Fair on September 6, 2023 on behalf of the Advisory Committee for Persons with Disabilities:
 - (1) Paula Kilburn
 - (2) Aznive Mallett
 - (3) Mark McNeil
 - (4) Kim Nolan
 - (5) Tim Nolan
 - (6) James Kemp
 - (b) Accessible Transportation Services Performance Review - Q2, 2023 (Item 8.2)**

That the Report respecting the Accessible Transportation Service Performance Review – Q2, 2023, be received.
 - (c) Accessible Open Spaces and Parklands Working Group Update (Item 9.6)**
 - (a) That staff be directed to investigate options for off-road transportation systems for people with disabilities to be able to engage areas of the City where accessibility is not feasible (e.g.

trails, beaches etc.) and report back to the Public Works Committee; and

- (b) That the report back should include information gathered following consultation with other public agencies within the City with respect to their properties for the potential purchase of off-road transportation systems for people with disabilities, for example the Hamilton Conservation Authority, Marydale Park and the Royal Botanical Gardens.

(d) Update to the Advisory Committee for Persons with Disabilities' Informational Pamphlet to include Inclusion, Diversity, Equity and Accessibility (IDEA) (Item 12.1)

WHEREAS, the Advisory Committee for Persons with Disabilities' Outreach Working Group designed an informational pamphlet in an effort to inform the community about its roles and functions in 2021 and have already updated the pamphlet once to reflect the change in Departments in 2022;

WHEREAS, the current version of the informational pamphlet has a paragraph stating: "The Advisory Committee for Persons with Disabilities is comprised of citizens of the City of Hamilton with a diverse range of disabilities that strive to consider the needs of all in order to make this city a more equitable, diverse and inclusive place to live.";

WHEREAS, Council considered Report HUR19019(c), respecting an Equity, Diversity and Inclusion Framework Update on December 7, 2022, which updated the Equity, Diversity and Inclusion (EDI) Strategic Plan from EDI branding to Inclusion, Diversity, Equity and Accessibility (IDEA) branding; and

WHEREAS, in accordance with the change in branding from EDI to IDEA, the informational pamphlet should be updated.

THEREFORE, BE IT RESOLVED:

That the Advisory Committee for Persons with Disabilities informational pamphlet, attached as Appendix "A" to General Issues Committee Report 23-024, which has been updated to read: "The Advisory Committee for Persons with Disabilities is comprised of citizens of the City of Hamilton with a diverse range of disabilities that strive to consider the needs of all in order to make this city a more inclusive, diverse, equitable and accessible place to live.", be approved.

(e) The Advisory Committee for Persons with Disabilities' Housing Issues Working Group's Recommendations to Improve Accessible Housing in CityHousing Hamilton Buildings (Item 12.2)

WHEREAS, the Advisory Committee for Persons with Disabilities' Housing Working Group's mandate is to advise Council through the Advisory Committee for Persons with Disabilities in the following:

- “(a) Identifying and pursuing the removal of barriers to housing;
- (b) Preventing the creation of new barriers to housing;
- (c) Defining the needs of the disabled in the accessible housing system in order to be more inclusive;
- (d) Highlighting deficiencies in the accessible housing system and seeking solutions to address them;
- (e) Anticipating accessible housing needs in the future; and
- (f) Making Housing in Place with services recognizing equality;”

WHEREAS, the Advisory Committee for Persons with Disabilities' Housing Issues Working Group reviewed the Accessibility for Ontarians with Disabilities Act (AODA) and “Unlocking the AODA” extensively to understand how the AODA affects housing without actually referring to housing and our research discovered several areas for suggestions for possible improvements for CityHousing Hamilton's Board of Director's consideration to make housing more accessible, improve quality of life and provide more stable housing;

WHEREAS, the Advisory Committee for Persons with Disabilities' Housing Issues Working Group met with Amanda Warren-Ritchie, CityHousing Hamilton's Manager of Strategy & Quality Improvement, and Jessica Bowen, Supervisor of Diversity and Inclusion, to ensure the conclusions and recommendations contained within Appendix “B” are in accordance with City of Hamilton and CityHousing Hamilton's policies; and

WHEREAS, CityHousing Hamilton is the largest housing provider for the city and its accessibility policies should set an example for other providers that operate in the same jurisdiction.

THEREFORE, BE IT RESOLVED:

- (a) That the Advisory Committee for Persons with Disabilities respectfully requests permission to present to CityHousing Hamilton's Board of Directors the report entitled: “ACPD Housing Working Group's Recommendations to Improve Accessible Housing in CityHousing Hamilton Buildings for Simplified Customer Service, Better Quality of Life and More Stable Housing in

Accordance With the AODA”, attached as Appendix “B” to General Issues Committee Report 23-024.

- (b) That staff be directed to forward the Advisory Committee for Persons with Disabilities’ report entitled: “ACPD Housing Working Group’s Recommendations to Improve Accessible Housing in CityHousing Hamilton Buildings for Simplified Customer Service, Better Quality of Life and More Stable Housing in Accordance With the AODA” to the Chief Executive Officer of CityHousing Hamilton with a request to add this matter to the agenda of an upcoming meeting of the CityHousing Hamilton Board of Directors.

4. Cost Recovery Municipal Act By-Laws for Development Related Infrastructure Projects (FCS23056 / PED23170) (City Wide) (Item 10.2)

That the General Manager, Finance and Corporate Services, be authorized and directed to prepare for Council’s consideration Cost Recovery Municipal Act By Laws for Development-Related Infrastructure Projects, in accordance with the Funding Methodology for Infrastructure Extensions Policy (TOE02005(b) / FCS02026(b) / PED07248), where Development-Related Infrastructure Projects benefit existing unserviced land uses where the landowner is only required to pay the proportionate share of the cost at the time of connection or at the time of a Planning Act application approval.

5. Revitalizing Hamilton Tax Increment Grant - 41 Wilson Street (PED23055) (Ward 2) – REVISED (Item 10.3)

- (a) That a Revitalizing Hamilton Tax Increment Grant Program (RHTIG) Application submitted by Hamilton II LP, by its General Partner, Hamilton II GP Inc. (Kashayar Pashootan), for the property at 41 Wilson Street, Hamilton, estimated at \$5,984,364.55 over the maximum of a four-year period, and based upon the incremental tax increase attributable to the redevelopment of 41 Wilson Street, Hamilton, be authorized and approved in accordance with the terms and conditions of the RHTIG;
- (b) That the General Manager of the Planning and Economic Development Department be authorized and directed to execute a Grant Agreement together with any ancillary documentation required, to give effect to the RHTIG for Hamilton II LP, by its General Partner, Hamilton II GP Inc. (Kashayar Pashootan) for the property known as 41 Wilson Street, Hamilton, in a form satisfactory to the City Solicitor;
- (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 RHTIG Program, as approved by City Council, are maintained and that any applicable Grant Amending Agreements are undertaken in a form satisfactory to the City Solicitor.

6. Updates to the Commercial District Revitalization Grant Program Respecting Graffiti and Vandalism Supports for Commercial Properties and Businesses (PED23140) (Wards 1, 2, 3, 4, 5, 7, 8, 11, 12, 13, 15) (Item 10.4)

That the terms for the Commercial District Revitalization Grant Program, being Appendix "E" to the Revitalizing Hamilton's Commercial Districts Community Improvement Plan, be amended as contained in Appendix "C" to General Issues Committee Report 23-024.

7. Delegation of Authority to Staff for Entering Agreements with The Ministry of Transportation Ontario and Other Agencies for Cordon Count Program (PED23190) (City Wide) (Item 10.5)

- (a) That authorization be given to enter into an agreement with the Ministry of Transportation Ontario to claim reimbursement for transportation data conducted on Provincial Highways within Hamilton as part of the Cordon Count Program, including the rights, responsibilities, obligations and covenants under the Agreement (the "Agreement"); and,
- (b) That the General Manager of the Planning and Economic Development Department, or his delegate, be authorized, on behalf of the City of Hamilton, to negotiate, enter into and execute an agreement and any ancillary documents required to give effect to this assignment and any future traffic data collection, cost sharing and data dissemination efforts in a form satisfactory to the City Solicitor.

8. Civil Litigation regarding Reimbursement to the City of Costs of Diesel Spill Remediation (LS14029(a)) (City Wide) (Added Item 14.2)

- (a) That the direction provided to staff in Closed Session, respecting Report LS14029(a), Civil Litigation regarding Reimbursement to the City of Costs of Diesel Spill Remediation, be approved; and,
- (b) That Report LS14029(a), Civil Litigation regarding Reimbursement to the City of Costs of Diesel Spill Remediation, remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

6. DELEGATION REQUESTS

6.2 Delegations respecting Item 8.1, Addressing the Needs of Unsheltered Individuals and Those Relying on Hamilton's Emergency Shelter System (HSC23041), for today's meeting, from the following individuals:

(a) Katherine Kalinowski and Grace Baldwin, Good Shepherds Centres (In-Person)

6.3 Shannon Kyles, Doors Open Hamilton, respecting the Doors Open Hamilton committee and a request to increased funding for Doors Open Hamilton 2024 (In-Person) (For a future meeting)

6.4 Delegations respecting Item 8.1(a), Family Shelter System (HSC23041(a)), for today's meeting, from the following individuals:

(a) Gessie Stearns (In-Person)

(b) Shabeeh Ahmad, Hamilton Social Medicine Response Team (HAMSMaRT) (In-Person)

10. DISCUSSION ITEMS

10.3 Revitalizing Hamilton Tax Increment Grant - 41 Wilson Street (PED23055) (Ward 2) – REVISED

14. PRIVATE AND CONFIDENTIAL

14.2 Civil Litigation regarding Reimbursement to the City of Costs of Diesel Spill Remediation (LS14029(a)) (City Wide)

The agenda for the September 6, 2023 General Issues Committee meeting, was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) August 14, 2023 (Item 4.1)

The minutes of the August 14, 2023, General Issues Committee meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i)

The Delegation Requests were approved, as follows:

- (1) Shelley Falconer, Art Gallery of Hamilton, respecting a presentation and update on the Art gallery of Hamilton and its role in the revitalization of Hamilton's downtown core (In-Person) (For the September 20, 2023 meeting) (Item 6.1)
- (2) Delegations respecting Item 8.1, Addressing the Needs of Unsheltered Individuals and Those Relying on Hamilton's Emergency Shelter System (HSC23041), (For today's meeting) from the following individuals (Item 6.2):
 - (a) Katherine Kalinowski and Grace Baldwin, Good Shepherds Centres (In-Person) (Added Item 6.2(a))
- (3) Shannon Kyles, Doors Open Hamilton, respecting the Doors Open Hamilton committee and a request to increased funding for Doors Open Hamilton 2024 (In-Person) (For a future meeting) (Added Item 6.3)
- (4) Delegations respecting Item 8.1(a), Family Shelter System (HSC23041(a)), (For today's meeting), from the following individuals (Added Item 6.4):
 - (a) Gessie Stearns (In-Person) (Added Item 6.4(a))
 - (b) Shabeeh Ahmad, Hamilton Social Medicine Response Team (HAMSMaRT) (In-Person) (Added Item 6.4(b))

(e) DELEGATIONS (Item 7)

(i) Delegations respecting Item 8.1, Addressing the Needs of Unsheltered Individuals and Those Relying on Hamilton's Emergency Shelter System (HSC23041) (Added Item 7.1)

Katherine Kalinowski, Good Shepherds Centres addressed the Committee respecting Item 8.1, Addressing the Needs of Unsheltered Individuals and Those Relying on Hamilton's Emergency Shelter System (HSC23041) (In-Person) (Added Item 7.1(a))

(ii) Delegations respecting Item 8.1(a), Family Shelter System (HSC23041(a)) (Added Item 7.2)

The following Delegates addressed the Committee respecting Item 8.1(a), Family Shelter System (HSC23041(a)):

- (1) Gessie Stearns (In-Person) (Added Item 7.2(a))
- (2) Shabeeh Ahmad, Hamilton Social Medicine Response Team (HAMSMaRT) (In-Person) (Added Item 7.2(b))

The following Delegations, were received:

(a) Delegations respecting Item 8.1, Addressing the Needs of Unsheltered Individuals and Those Relying on Hamilton's Emergency Shelter System (HSC23041):

- (i) Katherine Kalinowski and Grace Baldwin, Good Shepherds Centres (In-Person) (Added Item 7.1(a))

(b) Delegations respecting Item 8.1(a), Family Shelter System (HSC23041(a)), from the following individuals:

- (i) Gessie Stearns (In-Person) (Added Item 7.2(a))
- (ii) Shabeeh Ahmad, Hamilton Social Medicine Response Team (HAMSMaRT) (In-Person) (Added Item 7.2(b))

For disposition of Item (e)(i), refer to Item 1 and for Item (e)(ii), refer to Item 2.

(f) STAFF PRESENTATIONS (Item 8)

(i) Addressing Needs of Unsheltered Individuals and Those Relying on Hamilton's Emergency Shelter System (HSC23041) (City Wide) (Item 8.1)

Michelle Baird, Director, Housing Services Division provided Committee with a presentation respecting Report HSC23041, Addressing Needs of

Unsheltered Individuals and Those Relying on Hamilton's Emergency Shelter System.

The staff presentation respecting Report HSC23041, Addressing Needs of Unsheltered Individuals and Those Relying on Hamilton's Emergency Shelter System, was received.

For disposition of this matter, refer to Item 1.

(ii) Recess

The General Issues Committee recessed for 35 minutes until 1:20 pm.

(iii) Addressing Needs of Unsheltered Individuals and Those Relying on Hamilton's Emergency Shelter System (HSC23041) (City Wide) (Item 8.1) - Continued

- (a) That Council approve up to \$5.6M in 2023 for the following in-year emergency response expenditures to address the immediate pressures experienced by unsheltered individuals and individuals requiring assistance from Hamilton's emergency shelter system funded through a combination of sources, deemed appropriate by the General Manager of Corporate Services, and to be confirmed through the 2023 year-end budget variance report beginning with additional Provincial or Federal Funding, City of Hamilton COVID-19 Reserve, or 2023 Corporate Surplus;
- (i) \$4.1M to continue providing shelter overflow in hotels in 2023 for families experiencing homelessness as reported in the April 2023 Budget Variance Report, FCS23063;
 - (ii) \$600K to Indwell to provide high level supports from October 1, 2023 – March 31, 2024 for 24 units at City Housing Hamilton's - King William location in order to house individuals from encampments or the by name list as of Q4, 2023;
 - (iii) That up to \$876K in expenditures to provide support for overnight drop in centres, beginning in December 2023 through March 2024 be referred to the discussion of the City's Winter Response in the report coming forward with the same name to the September 7, 2023 Emergency and Community Services Committee;
- (b) That Council approve an in-year immediate commitment of a \$2.3M conditional grant to Indwell Community Homes as the City's

municipal contribution to enable construction at Acorn Flats to commence within 30 days of approval in order to build 20-25 units of permanent housing for families experiencing homelessness with occupancy by the end of 2024, funded from the Tax Stabilization Reserve (#110046);

- (c) That the General Manager of the Healthy and Safe Communities Department or their designate be directed and authorized, on behalf of the City of Hamilton, to enter into, execute and administer all agreements and documents necessary to implement the purchases and grants outlined above on terms and conditions satisfactory to the General Manager of the Healthy and Safe Communities Department or their designate and in a form satisfactory to the City Solicitor;
- (d) That up to \$5.925M for 2024 emergency response expenditures be referred to the 2024 tax operating budget for Council consideration to address the needs experienced by unsheltered individuals and individuals requiring assistance from Hamilton's emergency shelter system items;
 - (i) The continuation of shelter hotel overflow for families experiencing homelessness at an anticipated cost of \$4.64M annually
 - (1) \$4.45M for emergency hotel shelter overflow beds for families experiencing homeless.
 - (2) \$190K to fund temporary mobile case management team supporting families experiencing homelessness who are housed in hotel overflow beds.
 - (ii) The continuation of 20 additional beds in the women's emergency shelter system, through 46 West South as a temporary emergency shelter (run by Good Shepherd Centre Hamilton), from April 1, 2024 to December 31, 2024 at a cost of \$952K (annualized cost of \$1.267M)
 - (iii) \$333K to enhance diversion programs within shelters to prevent homelessness for an estimated 600 individuals
- (e) That up to \$2.3M be referred to the 2024 Tax Operating budget for Council consideration to support individuals experiencing homelessness in securing successful tenancies and prevent homelessness as referenced in the plan to end chronic

homelessness and the Housing Sustainability and Investment Roadmap;

- (i) \$2M increase to the Municipal Housing Benefit equivalent to Rent-Geared-to-Income to end homelessness for an estimated 332 households, in order to reflect the commitment to support 500 households in this way through the HSIR.
 - (ii) Up to \$1.2M to Indwell to provide continued high level supports for 24 units at City Housing Hamilton King William that will take individuals from encampments or the by name list until provincial commitment for these costs can be obtained.
- (f) That expansion of the Housing Services Division's 2024 budgeted complement by 5.0 permanent FTEs to be referred to the 2024 Tax Operating Budget to support execution of recommendations (d) through (e), with annual cost in 2024 of approximately \$502K;
- (i) 2.0 FTEs, Emergency Shelter Case Managers, to support expanded shelter capacity at an annual cost in 2024 of approximately \$199K for salaries, benefits and ancillary costs.
 - (ii) 3.0 FTEs, a Senior Project Manager, a Housing Support Worker, and a Housing Services Clerk, to design and administer programs offering permanent housing solutions at an annual cost in 2024 of approximately \$303K
- (g) That Council approve in principle the concept of an advance multi-year municipal commitment of \$31M (e.g. \$10.33M per year over 3 years) towards the creation of 200 units supportive housing in order to maximize opportunities for affordable housing providers to leverage provincial and federal funds for projects in development and that Housing Secretariat report back to Council in Q3 on financing options and recommended parameters by which Council would delegate decision making authority to staff to work with providers, identify highest impact projects and administer and allocate these funds to enable flexibility and nimble decision-making;
- (h) That Council direct staff to explore an approach to subsidizing funding of up to 100 additional Residential Care Facility spaces to provide additional permanent housing options for individuals

requiring shelter and to report back to Council in Q4 2023 with opportunities and costs;

- (i) That Council direct staff to assess Hamilton's current ratio of investment in emergency response compared with upstream housing interventions versus emergency response and propose a policy framework to guide City of Hamilton's future municipal investment in the housing sector to shift from emphasis on emergency response to homelessness prevention and permanent housing solutions that decrease reliance on emergency interventions; and,
- (j) In recognition that funding of housing with supports is not within the municipal tax levy mandate or resources, that Council direct staff to work with the Mayor's office to pursue funding from upper levels of government for the \$1.2M in operating costs for 2024 associated with Indwell King William, the \$3.6M in annual operating costs for permanent housing at the Dorothy Day Centre and the \$2.6M in annual operating costs for transitional housing at the YWCA currently subsidized by the municipality, which have no sustainable funding source, as well as other projects that require similar annual operating costs to provide the supportive housing capacity required to address local need;

The following amendment was defeated.

- (g) That ~~Council approve in principle~~ **staff be directed to report back on** the concept of an advance multi-year municipal commitment of \$31M (e.g. \$10.33M per year over 3 years) towards the creation of 200 units supportive housing in order to maximize opportunities for affordable housing providers to leverage provincial and federal funds for projects in development and that Housing Secretariat report back to Council in ~~Q3 Q4~~ on financing options and recommended parameters by which Council would delegate decision making authority to staff to work with providers, identify highest impact projects and administer and allocate these funds to enable flexibility and nimble decision-making;

For disposition of this matter, refer to Item 1.

(g) DISCUSSION ITEMS (Item 10)

(i) Advisory Committee for Persons with Disabilities (ACPD) Report 23-008 - August 8, 2023 (Item 10.1)

(1)

Item 3 to Advisory Committee for Persons with Disabilities (ACPD) Report 23-008 - August 8, 2023, respecting Accessible Open Spaces and Parklands Working Group Update, **was amended** as follows:

(3) Accessible Open Spaces and Parklands Working Group Update (Item 9.6)

(a) That ~~the Advisory Committee for Persons with Disabilities requests that~~ staff be directed to investigate options for off-road transportation systems for people with disabilities to be able to engage areas of the City where accessibility is not feasible (e.g. trails, beaches etc.) **and report back to the Public Works Committee**; and

(b) That ~~the Advisory Committee for Persons with Disabilities requests that staff be directed the report back should include information gathered following consultation~~ with other public agencies within the City with respect to their properties for the potential purchase of off-road transportation systems for people with disabilities, for example the Hamilton Conservation Authority, Marydale Park and the Royal Botanical Gardens.

For disposition of this matter, refer to Item 3 (c).

(2)

Item 5 to Advisory Committee for Persons with Disabilities (ACPD) Report 23-008 - August 8, 2023, respecting The Advisory Committee for Persons with Disabilities' Housing Issues Working Group's Recommendations to Improve Accessible Housing in CityHousing Hamilton Buildings, **was amended** to add a subsection (b), as follows:

(5) The Advisory Committee for Persons with Disabilities' Housing Issues Working Group's Recommendations to Improve Accessible Housing in CityHousing Hamilton Buildings (Item 12.2)

- (b) *That staff be directed to forward the Advisory Committee for Persons with Disabilities' report entitled: "ACPD Housing Working Group's Recommendations to Improve Accessible Housing in CityHousing Hamilton Buildings for Simplified Customer Service, Better Quality of Life and More Stable Housing in Accordance With the AODA" to the Chief Executive Officer of CityHousing Hamilton with a request to add this matter to the agenda of an upcoming meeting of the CityHousing Hamilton Board of Directors.*

For disposition of this matter, refer to Item 3 (e).

(h) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

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

The amendments to the Outstanding Business List, were approved, as follows:

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

Annual Report on the Operations of the Hamilton Urban Precinct Group LP, with regard the lands known as the FirstOntario Centre, the Hamilton Convention Centre and the FirstOntario Concert Hall
OBL Item: U

Added: March 23, 2022 at GIC 22-006 (Item 10(k))

Completed: July 10, 2023 at GIC (Report PED23175)

Proposed Encampment Protocol (HSC20036(f) / PED21188(c))

OBL Item: 2023-FF

Added: May 17, 2023 at GIC (Item 8.1)

Completed: August 14, 2023 at GIC (Item 8.1)

(b) Items Requiring a New Due Date (Item 13.1(b)):

Establishing a Process to Appoint a Municipal Representative to the Hamilton Oshawa Port Authority Board of Directors (PED23021)

OBL Item: 2023-F

Current Due Date: August 14, 2023

Proposed New Due Date: October 18, 2023

Annual Update - Implementation of the Public Art Master Plan

OBL Item: C

Current Due Date: September 20, 2023
Proposed New Due Date: December 6, 2023

Proposal to the Red Hill Valley Joint Stewardship Board for the
Expansion of the Red Hill Valley Parkway
OBL Item: Y
Current Due Date: September 20, 2023
Proposed New Due Date: April 2024

Agreements with Aeon, including a Master Development Agreement
and/or proposed Agreement(s) of Purchase and Sale, based on the
materials submitted by Aeon Studio Group, for Barton-Tiffany Lands
OBL Item: EE
Current Due Date: September 20, 2023
Proposed New Due Date: October 18, 2023

Stairs at Grant Boulevard, Hamilton (Ward 13)
OBL Item: 2023-U
Current Due Date: September 20, 2023
Proposed New Due Date: Q2 2024

Redevelopment / Reuse of the former King George School Site, at
77 Gage Avenue North
OBL Item: 2023-JJ
Current Due Date: September 20, 2023
Proposed New Due Date: December 6, 2023

(i) PRIVATE & CONFIDENTIAL (Item 14)

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

The General Issues Committee Closed Session Minutes of August 14,
2023, were approved and shall remain confidential.

(Tadeson/A. Wilson)

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

(ii) Civil Litigation regarding Reimbursement to the City of Costs of Diesel Spill Remediation (LS14029(a)) (City Wide) (Added Item 14.2)

For disposition of this matter, refer to Item 8.

(j) ADJOURNMENT (Item 15)

There being no further business, the General Issues Committee was adjourned at 5:13 p.m.

Respectfully submitted,

Deputy Mayor Jeff Beattie
Chair, General Issues Committee

Tamara Bates
Legislative Coordinator
Office of the City Clerk



The Advisory Committee for Persons with Disabilities is comprised of citizens of the City of Hamilton with a diverse range of disabilities that strive to consider the needs of all in order to make this city a more inclusive, diverse, equitable and accessible place to live.

The ACPD meets at City Hall on the second Tuesday of every month at 4 PM.

For more information you can find us on the Hamilton.ca website under Council and Committees.

You may contact us in the following ways:

Mailing Address:
c/o Office of the City Clerk
71 Main Street West, 1st floor
Hamilton ON
L8P 4Y5
905-546-2424
clerk@hamilton.ca

Advisory Committee for Persons with Disabilities



A.C.P.D.

What is the ACPD?

The Advisory Committee for Persons with Disabilities recommends to the City of Hamilton policy, procedure and standards that address the needs and concerns of all disabilities. Our task is to identify barriers in municipal programs and try to prevent new barriers from being created in accordance with the ODA (Ontarians with Disabilities Act) and the AODA (Accessibility for Ontarians with Disabilities Act) in matters of Customer Service, Employment, Transportation, Design of Public Spaces and Information and Communication.

Have a disability related issue?

Any Citizen can raise disability related issues or ask questions of the ACPD. We will decide if the issue is within our mandate as an Advisory Committee of Council and send it to the appropriate working group for discussion and recommendations. The issue is then sent back to the ACPD for approval. The Advisory Committee for Persons with Disabilities reports directly to the General Issues Committee. You can begin the process by filling out a "Request to Speak to a Committee of Council form" available online at hamilton.ca or by forwarding an email to clerk@hamilton.ca



ACPD Housing Working Group's Recommendations to Improve Accessible Housing in CityHousing Hamilton Buildings for Simplified Customer Service, Better Quality of Life and More Stable Housing in Accordance With the AODA.

Background

The Housing Working Group spent considerable time over the past two years studying the AODA and a document written in part by the provincial government called "Unlocking the AODA" to learn how the AODA affected housing without saying housing. We managed to identify 17 points of intersection between Housing and the AODA. After inviting Amanda Warren-Ritchie from CityHousing and discussing them with her, we narrowed that list to 15 points that need to be addressed. They are itemized below and recommendations for improvement attached.

- 1. Employers over 50 people are required to be WCAG 2.0 AA web compliant by the end of 2021.**
 - CityHousing does not monitor or test WCAG 2.0 AA web compliance independently, instead relying on the City to have ensured their compliance. As there are still some issues with accessibility on City websites, it is recommended that CityHousing do their own testing

to ensure the forms and documents used by tenants are fully accessible to all available technologies such as screen readers. Compliance is only the minimum standard and in many places, that isn't enough to achieve accessibility. Having a dedicated CityHousing Staff to develop testing protocols and work towards full accessibility is recommended.

2. New picnic tables, benches and other seating must be installed on level, hard surfaces and connected to accessible pathways.

- CityHousing is taking steps to make any new build's public spaces fully accessible as well as announced that they will retrofit all existing buildings to accessible standards by 2027. The design of accessibility of public spaces is covered by many regulations and guidelines; The Accessibility for Ontarians with Disabilities Act (AODA), The Ontario Building Code (OBC), The Integrated Accessibility Standards Regulations (IASR), Barrier Free Design Guidelines (BFDG) and the principles of Universal Design. This can often lead to contradictory requirements or gaps not covered under any legislation.

During the pandemic, all chairs and amenities were removed from all properties. When they were reinstalled, there was an opportunity to make at least one or two amenities at each building accessible

while the equipment and personnel were on-site and available. While this was technically not a new build, it was a missed opportunity to improve conditions in some small way. We believe that dedicated accessibility staff in CityHousing would be able to take advantage of opportunities like this to ensure accessibility was improved one step at a time as well as assist in planning large scale improvement projects.

3. Playgrounds need to be fully accessible and those with disabilities should be consulted before construction.

- At least one playground has been installed at a CityHousing property that is not accessible. No consultation occurred with the residents to ensure accessibility needs were addressed. A dedicated accessibility department/staff would be better equipped to ensure accessibility and address resident concerns.

4. Required to follow IASR guidelines regarding accessible parking spaces.

- CityHousing is currently in the process of unifying parking policies across all buildings. We will be unable to confirm proper adherence to IASR guidelines until that time. A dedicated accessibility

department/staff would be able to assist in this process to ensure proper accessibility with regards to parking.

5. If service counters are offered, at least one needs to be fully accessible. 3% of seating in waiting areas is required to accommodate all mobility devices.

- While the service counter on the third floor of the CityHousing offices is in compliance with the minimum AODA guidelines, more effort should be made to improve its accessibility by adding enhancements like contrast strips, tactile marking and pictographic signage to name a few. A dedicated Accessibility department/staff would be able to help with this.

There is currently one waiting area at CityHousing which is the service counter area on the third floor. There is at least 3% of space for mobility devices.

6. Common areas like the front lobbies, laundry rooms or common rooms need to be accessible under the above mentioned guidelines.

- As was mentioned, CityHousing has committed to making all properties and common areas fully accessible by 2027. We don't know if that will be to a minimum AODA standard or if they will attempt to

make them fully accessible. We recommend that a dedicated accessibility department/staff would be able to ensure the correct improvements are made thereby saving money from having to retrofit or modify afterwards.

7. Housing providers are required to have maintenance plans in place to ensure that the AODA is being adhered to despite the disruptions.

- There is no process for tenants to complain during ongoing work except to deal with the project manager and contractor directly. This is intimidating for many and there should be an independent channel for requesting resolutions. This can also include things like snow removal and grounds keeping. A dedicated department/staff would be able to voice concerns of tenants and work with the contractors and property/project managers to establish proper protocols.

8. Accessibility awareness, equity and accommodation training must be provided to all employees, contractors and volunteers.

- The current training covers the Human Rights Code as well as the AODA. This is proving insufficient in practice as the AODA requires customer service training when dealing with different disabilities and

sensitivity training to better understand and empathize when addressing the needs of person with disabilities. While compliance is being met, there are too many issues when contractors interact with tenants that require accommodation. A dedicated department/staff would be able to develop special training modules for employees, contractors and volunteers as well as document their completion and track problems.

9. Housing providers must place notice and bulletin boards at accessible levels.

- There are many buildings without bulletin boards at the correct height for people in mobility devices. There is also a problem with notices for people with vision loss. A dedicated accessibility department/staff would be able to address these problems.

10. Leaving notices of entry on doors is not enough with disabled tenants. They may not leave very often and wouldn't see the notice with enough time. More effort is required.

- There is currently no list for people that need accommodations like better notification protocols or more time to prepare. A dedicated accessibility department/staff could assist by keeping a voluntary master list for each building and advising on the best

method of communication for those with special requirements.

11. Toxic chemicals can trigger Multiple Chemical Sensitivities (MCS). The least toxic should be used when required.

- A dedicated accessibility department/staff would be able to formulate a Multiple Chemical Sensitivities policy for each building dependent on the requirements of tenants based on the information provided on the abovementioned voluntary master list. This would improve the health and wellbeing of tenants, no matter their condition.

12. Accommodations need to be made when showing new units to prospective tenants.

- Currently the policy is to attempt to accommodate when asked for, but there is no standard policy. A dedicated department/staff would be able to provide an array of accommodations that would be available so that prospective tenants could ask for them in confidence. It is suggested to remind people of the options for accommodation at several points in the process as is done with employment. This will help to get honest requirements for modifications before they move in and allow the prospective tenant to assess the space on their needs.

13. An AODA Compliance Report is required every two years. Online Compliance must be reviewed as well.

- Reporting is currently taking place annually to Jessica Bowen but we were informed that they don't test their own online compliance. A dedicated accessibility department/staff would be able to ensure website accessibility independently of City Staff.

14. Housing providers are required to make accommodations up to the point of Undue Hardship.

- There is a clearly defined process to request modifications in the home that involves CityHousing staff, a medical professional and the tenant. Considering the housing crisis currently in progress and the fact that the HWG promotes the principle of aging in place, we are recommending that a dedicated department/staff would be better able to address the concerns and fears of tenants and serve as a neutral representative in these matters between them and the Property Managers to make modifications as their physical conditions change. Due to the fact that affordable housing is scarce, we have learned that people with disabilities are reluctant to approach the property managers to ask for

modifications for fear that they will be labelled problem tenants. It doesn't matter that there is no evidence of CityHousing responding in this matter, the fear is what we must address. An independent representative would better encourage people to ask for the modifications they require and not suffer needlessly. It could also simplify the application process for those that require assistance.

15. Self-service kiosks are required to be fully accessible and can accommodate those with vision loss.

- This is a major issue of concern that is going to require special effort. This is referring to things like the laundry card loading machines as well as washers, dryers, newer stoves and ovens. As these machines become more reliant on touch screens; the displays are nearly impossible for people with vision loss to use. They are also very confusing to some people and explanations on how to use them should be available in pictograms where possible in order to accommodate language and developmental barriers. A dedicated department/staff can work with each building to ensure the laundry facilities and home amenities are accessible for all tenants as they will be modified on a building to building and a unit to unit basis.

Conclusions:

In doing this research, we had difficulty in understanding exactly how the AODA affects housing, because it doesn't specifically mention housing for the most part. This creates issues for Landlords and Property Managers when understanding their responsibilities under the act. Most see the AODA as a checklist that needs to be marked off and nothing more.

In the fifteen points we mentioned above, we have learned that CityHousing is not actually meeting the minimum standards in the act because no one quite understands them.

Using an example above, CityHousing requires all outside contractors to read and sign off on Human Rights Code and AODA training to satisfy accessibility training.

However, according to "Unlocking the AODA" CityHousing is also required to ensure they have accessibility awareness, equity and more detailed accessible customer service training and that is not being done consistently.

CityHousing is required under the act to create a dedicated complaint line/system for people with disabilities to raise issues or provide accessibility related feedback and they have yet to do so. Relying on the Tenant Support

Worker or Property Manager is not an appropriate alternative.

While CityHousing uses the Hamilton.ca network, they need to ensure their own part of it is as accessible as possible. At the very least, they should develop some testing protocols and run all online forms through accessibility testing regularly.

Barriers are still being created at CityHousing properties to date because there is no one on staff that is specifically trained in understanding mobility and accessibility. As we were informed, CityHousing has received a fund to make all its properties accessible by 2027, but if they don't understand what needs to be done, how do they ensure they have achieved accessibility? We believe that spending more money on staff now would ensure the money is spent efficiently as possible and modified in the correct order of priorities.

Self-serve kiosks are another major issue that needs to be addressed, but it needs to be addressed on an individual basis. Having an accessibility department means that people with disabilities can provide confidential information on their personal requirements so they can ensure all tenant's needs are met. Laundry rooms are a particular point of focus as each building will need their own combination of solutions. Home appliances are also an

issue here and this department could work to address this on an individual basis.

Finally, given the precarious nature of housing, people are not asking for the modifications they need in their home as they don't want to put their housing at risk. This is necessary though as we know that aging in place is the most economical option at the moment. Requiring tenants to request modifications through their property manager is too intimidating for fear of being labelled a problem tenant. We have no evidence of this actually happening, but that doesn't change the fact that the fear exists. We need a dedicated staff member/department that can represent tenants in these requests as a neutral party.

With regards to extreme heat and climate change, an accessibility department can use their confidential voluntary list of required accommodations as well as the voluntary vulnerable persons list to create peer support programs in buildings that can support them. Adapting living spaces in a rapidly changing environment can present challenges that may be improved by a dedicated staff. This department could also assist in creating education programs on how to manage extreme weather and climate events as they occur.

While AODA compliance is the minimum standard, the ODA specifically requires that we identify, eliminate and prevent barriers. With respect to housing, the AODA's lack

of any detailed requirements has become a barrier itself and we need to ask how to make these properties and residences truly accessible. The only way we can see to do that is to bring in people that are trained in equity and accessibility and/or to form a citizen advisory committee comprised of tenants from CityHousing properties that can represent these interests.

As to the department itself, we recommend that we start small, hiring one or maybe two FTEs. As the department establishes itself however, more staff may be needed, at least temporarily, as CityHousing has over 7000 units in its current portfolio. If you take the lower national average of persons with disabilities at 22% that gives us 1540 units that may need some level of accommodation. That is a huge job as well as the properties and common areas themselves.

Possible Benefits include:

- Improved Accessibility of Both Property and Residences
- Improved Communications and Website Access
- Clear Complaint or Suggestion Process
- Cost Efficiency By Ensuring Improvements are Done Correctly and In Proper Order
- Improved Modification Process
- Safer and More Enjoyable Tenancy

- Community Outreach and Education
- Public Health Communications and/or Collaborations
- Improved Housing Stability

Recommendations:

The ACPD's Housing Working Group recommends the following:

1. CityHousing creates a separate department that is to ensure all properties are achieving accessibility or at least taking steps to improve it. This can be done through the following steps:
 - a. Begin by touring each property and listing steps that need to be taken in a priority list to be addressed as labour and finances allow. This will ensure that money allocated to improving accessibility is used as efficiently as possible.
 - b. Create a hotline/complaints system to provide necessary feedback as is required under the act.
 - c. Review the CityHousing website/application forms to ensure they are achieving full accessibility. This may require the development of testing protocols.
 - d. Review and modify the current system to request modifications in the home and serve as an intermediary between the tenant and the property manager.

- e. Review any new construction or renovation plans to ensure they are addressing accessibility as well as trying to incorporate Universal Design, because it will save money over time.
- f. Review each property's maintenance plans to ensure they are taking accessibility into full account.
- g. Review accessibility training protocols and suggest improvements.
- h. Participate in Public Health's Extreme Heat Working Group as a representative of CityHousing and assist in updating the Community Heat Response Plan going forward.
- i. Attend ACPD Housing Working Group meetings on a biannual basis to maintain regular communication channels

COMMERCIAL DISTRICT REVITALIZATION GRANT (CDRG) PROGRAM



A. PROGRAM DESCRIPTION

The Commercial District Revitalization Grant Program (the Program) is intended to provide Grants that will support long-lasting and predominantly exterior physical improvements to the appearance, accessibility and environmental sustainability of commercial or mixed-use commercial properties located within strategic commercial districts, including Business Improvement Areas (BIA), whose visibility and long-term success contributes to Hamilton’s image for both residents and visitors. Activities supported by this program include:

- Exterior building façade improvements;
- Exterior/interior improvements that achieve Accessibility for Ontarians with Disabilities Act (AODA) standards;
- Exterior building/property improvements which improve appearance or functionality including those that enhance environmental sustainability of the building/property; and
- Limited interior mechanical/ventilation improvements for restaurant uses.

This Program is not intended to provide support for temporary or non-permanently affixed improvements. Additional details regarding ineligible costs/improvements are provided in Section C.

This Program will apply to commercial units on properties zoned to permit commercial uses which are located within the Ancaster, Barton Village, Binbrook, Concession Street, Downtown Hamilton, Dundas, Locke Street, Ottawa Street, Stoney Creek, Waterdown and Westdale Commercial District CIPAs, the Mount Hope/Airport Gateway CIPA and the Strategic Commercial Corridor CIPAs as collectively defined through the Revitalizing Hamilton’s Commercial Districts Community Improvement Project Area (RHCD CIPA) By-law.

Grants provided under this Program shall be provided to the Applicant who is the Owner registered on title of the property that is the subject of the Program application or an authorized commercial tenant of said property.

The Economic Development Division will periodically review the terms and availability of this Program and undertake updates from time to time subject to City Council approval and/or direction.

All costs associated with the improvement/development and the requirements of this Program are to be borne by the Applicant including construction, design, development charges, administration fees, professional services, appraisals, inspections, legal and registration fees, where applicable except where deemed eligible within Section C herein.

The City retains the right to assess the reasonableness of costs and which costs are eligible for funding under the terms of the Program.

B. PROGRAM ELIGIBILITY AND GRANT CRITERIA

1. Applications to this Program must meet the goals of the Revitalizing Hamilton’s Commercial Districts Community Improvement Plan (RHCD CIP).
2. This Program will apply to commercial units on properties zoned to permit commercial uses which are located within the Ancaster, Barton Village, Binbrook, Concession Street, Downtown Hamilton, Dundas, Locke Street, Ottawa Street, Stoney Creek, Waterdown and Westdale Commercial District CIPAs, the Mount Hope/Airport Gateway CIPA and the Strategic Commercial Corridor CIPAs as collectively defined through the RHCD CIPA By-law.
3. Notwithstanding paragraph two, this program shall not apply to a currently operating or proposed adult entertainment parlour, body rub establishment, correctional facility, corrections residence, emergency shelter, lodging house or residential care facility as defined in the applicable Zoning By-law or to a property where a designated heritage building has been demolished.
4. The maximum Grant amount under this Program is paid on a matching basis (50%-50%) for eligible work to a maximum of:
 - a. \$10,000 per municipal address applying to a commercial space/building or \$12,500 per municipal address applying to a corner commercial space/building; or
 - b. For properties located within a BIA and eligible CIPA with the exception of dormant BIAs as defined by the Dormant Business Improvement Area Status Procedure:
 - i. For municipal addresses applying to a commercial space/building with a linear foot street frontage greater than twenty-five feet (25’ or 7.6 metres), grants will be paid on a matching basis of \$400 per linear foot of street frontage up to a maximum of \$20,000 with the actual grant being the lesser of 50% of the estimated cost for the proposed work and the amount of street frontage multiplied by \$400 per linear foot; or
 - ii. For municipal addresses applying to a commercial space/building with a linear foot street frontage of twenty-five feet (25’ or 7.6 metres) or less,

Grant amounts will be paid on a matching basis to a maximum of \$10,000;
or

- iii. For municipal addresses applying to a corner commercial space/building the maximum Grant amount is \$25,000 with the Grant amount determined by the measurement of the street frontage and the measurement of the corner / exposed wall multiplied by \$400 per linear foot.
5. A maximum Grant in accordance with paragraph four herein may be provided for each commercial unit within a building which has its own municipal address and separate ground floor street entrance.
6. For properties located within a BIA and eligible CIPA with the exception of dormant BIAs as defined by the Dormant Business Improvement Area Status Procedure, an additional matching Grant above and beyond that provided for in paragraph four b. to a maximum of \$10,000 may be provided for artfully designed façade improvements or art pieces placed on private property that can be viewed by the public in accordance with paragraph eight herein.
7. Eligible interior improvements shall not exceed:
 - a. \$5,000 of the total Grant provided; or
 - b. 50% of the eligible maximum grant when located within an active BIA.
8. Costs associated with artfully designed façade improvements or art pieces to be located on private property are eligible under this Program with eligibility determined at the discretion of the General Manager of Planning and Economic Development (GM).

The Applicant will provide an adequate brief and rendering of the proposed art piece.

The City will review and evaluate all proposed art projects.

The City may consult with the following when determining eligibility of art pieces: Commercial Districts and Small Business Section and/or the Director of Culture and Tourism or representative. When located within an active BIA, the BIA’s Board of Management will be consulted.

The City will reserve the right to deem what is eligible for funding under the arts component.

Murals/art pieces shall not contain any advertising or identification of a product or business.

Murals must be appropriate for public display, must not fall under the definition of a sign under Sign By-law No. 10-197 as amended and must not be subject to royalty rights. The

9. Prior to any Grant being provided:
- a. Any outstanding building code, fire code or property standards orders or any other order applicable to the property(s) or the project by any governmental authority shall be rectified; and
 - b. Any tax arrears on the subject property(s) as well as tax arrears on other properties owned by the Applicant within the City of Hamilton shall be paid.

10. Commercial property owners / authorized tenants are eligible for a maximum Grant per eligible municipal address during a five-year period (i.e. multiple applications or one application could be submitted however the sum of the Grant amounts approved will be no more than the maximum amount allowed per eligible municipal address). This period applies from the date of application under this Program or any previous iteration of this Program.

Notwithstanding the above, exceptions may be made at the sole discretion of the GM where a new tenant / owner is occupying the commercial space/building and applies for new signage.

11. Notwithstanding paragraphs four, 10 and 15 herein, and subject to the availability of funding, the following shall apply respecting Grants solely for improvements to a commercial or mixed-use commercial property required due to damage from fire, vandalism or a natural disaster such as a flood, earthquake or hurricane:
- a. The Grant shall not be counted towards the maximum available Grant amount otherwise available to the subject property within a five-year period in accordance with paragraph 4 herein;
 - b. 100% of the Program eligible costs identified in Section C herein may be considered up to the maximum Grant amount contained in paragraph 4.a and b. herein; and,
 - c. The Applicant shall only be required to submit one quote respecting the required improvements.

Assisting commercial property owners / authorized tenants to repair damage due to fire, vandalism (not including graffiti) or a natural disaster such as a flood, earthquake or hurricane will help mitigate some of the capital improvements costs involved during the recovery phase. The Grant is not intended to replace property insurance claims, rather, it is to assist a property owner / authorized tenant with eligible costs that are not covered by their insurer due to the deductible amount or due to limits set by their insurance policy. As such, a Grant provided under this Program cannot be used to pay the costs resulting from any damage or vandalism where those costs are also reimbursed to the tenant or owner under any applicable insurance policy. A refund of any Grant under this Program to the

City of Hamilton shall be required if it is determined, after the Grant has been paid, that costs subject to the Grant were also reimbursed under an insurance policy.

In recognition that a property owner / authorized tenant may have work completed within hours or days of the damage occurring for safety reasons or in order to prevent further damage to the commercial space/building i.e. replacement of broken windows, an exception to the requirement that applications be submitted prior to works commencing will be allowed only in the instance when a commercial space/building has been damaged due to fire, vandalism (not including graffiti) or a natural disaster such as a flood, earthquake or hurricane. If the work has commenced or has been completed, applications must be submitted within seven days of the date the damage occurred. Completed works must meet the requirements of the City of Hamilton By-law 07-170, as amended, being a by-law to license and regulate various businesses and dictating when a contractor must be licensed with the City of Hamilton to complete works i.e. a contractor must hold a valid Building Repair license with the City of Hamilton to replace a window with a window frame (however if only the glazing being replaced the contractor is not required to be licensed with the City of Hamilton). All quotes / invoices submitted with the application will be reviewed by a Building Inspector to ensure the cost is at the industry standard.

Where funding is requested for a commercial space/building that has been damaged due to fire, vandalism or a natural disaster such as a flood, earthquake or hurricane earthquake or hurricane, each Applicant shall provide the following documentation to support the application:

- a. Evidence of property insurance coverage for the subject property in force as of the date of the damage. Evidence shall be provided by way of a copy of the Declaration Page of the property insurance policy or a Certificate of Insurance. Evidence shall include the following information: subject property address, deductible amount;
- b. Supporting damage estimate / invoices to support the application;
- c. Copy of Proof of Loss (or other proof of settlement) from the Applicant’s Insurer; and
- d. A police report for the vandalism subject to the application.

Exceptions may be provided to requirements c. and. Above where the Applicant can demonstrate extenuating circumstances which shall be outlined in a formal request submitted by the Applicant and considered at the direction of the Manager of Commercial Districts and Small Businesses.

12. A Grant provided under this Program shall exclude any damage that is caused by the property owner or occupant (i.e. a tenant) of that property. For example, costs incurred because of self-inflicted damage such as vandalism or arson would not be covered by this Program.

A refund of any Grant under this Program to the City of Hamilton would be required if it is determined after the Grant has been paid that the damage was caused by the property owner and/or occupant (i.e. a tenant) of the property.

13. Commercial property owners registered on title as well as tenants authorized in writing by the registered property owner are eligible to apply for a Grant under the Program.
14. Commercial properties are to be identified by municipal address to identify multiple and separate commercial units with separate ground floor street entrances.
15. Eligibility requirements for the Program relating to the work to be funded will be specifically identified. Two separate cost estimates for the work are to be provided. Please note a contractor licensed with the City of Hamilton may be required to undertake the work. For more information on work that requires a licensed contractor please refer to the Application Form or contact the Building Division at (905) 546-2424 Ext. 2720.

In the case where the Applicant is the owner of a contracting company and wishes to utilize their company to undertake the improvements, one cost estimate from an arms-length contractor will also be required. The owner may present an estimate based on material only.

Grants will be calculated based upon lowest cost estimate.

A Building Inspector will review all estimates provided for the purpose of ensuring competitiveness.

16. Relative to the proposed improvements, a Building Inspector will perform an initial and final inspection / investigation to confirm compliance with various Acts, Regulations and City By-laws, but not limited to including the Ontario Building Code, Property Standards By-Law, Trade Licensing By-Law and Sign By-law.
17. Approval and the receiving of financial assistance under this Program shall not preclude eligibility, approval and the receiving of financial assistance for the same subject property under any other available municipal program. However, where specific work is the subject of this Program and any other Program the total Grant for the work across all applicable programs shall not exceed 50% of the total cost of the specific work.
18. Proposed improvements are to be completed within one year from the date the Program application was approved in order to be eligible for payment. A one-year extension may be authorized by the Manager of Commercial Districts and Small Business if an Applicant has extenuating circumstances which would warrant an extension.
19. Work completed must be consistent with estimates, and work proposed and identified within the application unless previously discussed and approved by the Manager of Commercial Districts and Small Business.

**Appendix “C” to General Issues Committee
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20. The Applicant shall provide to the City’s Commercial Districts and Small Business Section copies of paid invoices and proof of payment to the satisfaction of the GM for all work undertaken for the commercial space/building for which the Grant is applicable. This documentation is to be provided prior to the final inspection.
21. A City Building Inspector’s final inspection report confirming all works have been carried out satisfactorily must be provided prior to release of any Grant monies.
22. A Grant under this Program will be provided to an approved Applicant if all terms and conditions of this Program have been satisfied including payment of all property taxes and all eligible works have been completed at the discretion of the GM.
23. At the sole discretion of the Manager of Commercial Districts and Small Business, partial payments for works completed can be processed consistent with the payment process described herein.
24. At the sole discretion of the Manager of Commercial Districts and Small Business, the Grant cheque can be made jointly payable to the Applicant and the contractor if such a request has been received from the Applicant.
25. A successful Applicant will enter into an agreement with the City containing (but not limited to) the terms and conditions set out in this program description.
26. Improvements/developments commenced prior to submitting an application are ineligible for funding under the Program. Works commenced after submitting an application but prior to approval of an application may be eligible for funding under the Program with eligibility determined by the GM in their sole, absolute and unfettered discretion. An Applicant shall assume the risk of any costs incurred after an application has been submitted but prior to approval under this Program having been received.
27. Where a Program application has been submitted by a property owner and accepted by the City but not yet approved, and the subject property(s) are to be transferred to a new property owner, the City may permit the transfer or assignment of the application to the new owner at the sole, absolute and unfettered discretion of the GM. The future owner who has been requested to become the Program Applicant and receive funding under this Program shall be subject to appropriate due diligence for the purposes of paragraph 30, 31 and 32 herein. An assignment or transfer may require the assignee or transferee to submit an application, assignment or transfer agreement and/or such other documents as determined by the GM in their sole, absolute and unfettered discretion.
28. Approval of the Program application is at the absolute discretion of the GM and subject to the availability of funds.

29. Without limiting the discretion as set out in paragraph 28 herein, City Council or its delegate, whether or not an Applicant satisfies the requirements of the Program, may in its sole discretion, reject any application received from an Applicant where, in the opinion of Council, the commercial relationship between the City and the Applicant has been impaired by, but not limited to, the Applicant being involved in litigation with the City. Applicants shall include but not be limited to the following: the Applicant identified on the application form and, if a corporation, any person or entity with an interest in the corporation or any officer or director of the corporation as determined by the City in its sole, absolute and unfettered discretion.
30. Without limiting the discretion as set out in paragraph 28 herein, City Council or its delegate, whether or not an Applicant satisfies the requirements of the Program, may in its sole discretion, reject any application without further consideration where due diligence undertaken by the City identifies property tax arrears owed on the subject property(s) or other properties owned by the Applicant within the City of Hamilton, non-compliance with respect to Zoning By-law regulations or there exist outstanding property standards, building code or fire code orders on the subject property(s).
31. Without limiting the discretion as set out in paragraph 28, herein, City Council or its delegate, whether or not an Applicant satisfies the requirements of the Program, may in its sole discretion, reject any application received from an Applicant where there is credible information that the Applicant has been involved recently or repeatedly in illegal activity supporting the conclusion that they will not conduct themselves with honesty and integrity in undertaking the activity, operation or business for which a Loan and Grant under this Program is being sought. For corporate Applicants, the Applicant, for the purposes of this paragraph 31, will be considered to be the corporation, the officers and directors of the corporation and the shareholders and this paragraph 31 shall apply jointly and severally to each of them.
32. Buildings, uses and improvements/developments shall conform to the City’s Official Plan(s), applicable Secondary Plan(s), Zoning By-Laws(s), Site Plan approval and any other applicable and approved municipal policies, by-laws or guidelines (e.g. urban design guidelines) and any other laws applicable to the improvement/development.
33. Eligibility of costs associated with exterior signage will be evaluated in terms of:
 - a. Compliance with the City’s Sign By-law No. 10-197 as amended; and
 - b. Design and aesthetics in accordance with all applicable City urban design policies and guidelines.

Signage deemed by the City to not meet one or both of these criteria shall not be eligible under this Program.

C. ELIGIBLE/INELIGIBLE IMPROVEMENTS AND COSTS

Eligible exterior improvements include:

- Replacement or repairing of storefronts;
- Improvements and or upgrades to windows, doors, cornices and parapets;
- Barrier-free entrances to property (ramps, doors and automatic door openers);
- Addition of new lighting and upgrading of existing fixtures, on exterior of the façade and within the storefront area normally associated with the display area;
- Awning replacements and / or additions;
- Brick repairs and / or pointing;
- Painting and façade treatments;
- Installation or improvement of signage (in accordance with Section B, paragraph 34 herein);
- Permanent fencing;
- Permanent decks/patios located on private property;
- Surveillance cameras affixed to the exterior of the property (must comply to the Fortification By-law No. 10-122, as amended);
- Long-lasting landscaping on private property including tree plantings, statuary, rain gardens and perennial vegetation to a maximum of \$3,000 per application as part of the total Grant awarded;
- installation of permanent exterior electric vehicle charging stations to a maximum of 50% of the total Grant available under this Program;
- Depaving of existing hard surfaces (excluding areas containing required parking spaces) where the surface area will be replaced by a porous material to a maximum of 50% of the total Grant available under this Program;
- Installation of sustainable electric power generating equipment, including solar panels and micro-wind turbines, to a maximum of 50% of the total Grant available under this Program;
- Installation of an exterior living green wall covering a minimum 50% of a street facing façade to a maximum 50% of the total Grant available under this Program; and
- Other permanent exterior improvements deemed eligible at the sole discretion of the GM.

Eligible interior improvements include only the following:

- Barrier-free washrooms;
- Ramps to access barrier-free washrooms;
- Widening of doors to meet Accessibility for Ontarians with Disabilities Act (AODA) requirements;
- Interior signage to meet AODA requirements;
- Commercial kitchen cooking exhaust / ventilation systems;
- Sprinkler systems; and
- Other improvements deemed health, safety and accessible issues eligible at the sole discretion of the GM.

Eligible improvements when a property has been damaged due to fire, vandalism (not including graffiti except as provided for in Section F) or a natural disaster such as a flood, earthquake or hurricane:

- Façade Improvements: windows, doors, storefronts, awnings, signage, surveillance cameras or other items deemed eligible at the sole discretion of the GM; and
- Limited Interior Improvements: barrier-free washrooms or commercial kitchen cooking exhaust / ventilation systems (the Grant will be no more than 50% of the maximum Grant per municipal address for interior improvements).

Other eligible costs include only the following:

- Architectural, engineering, lawyer’s, BCIN designer, building permit, sign permit, site plan application, road occupancy permit, street occupancy permit and encroachment agreement application fees are eligible up to 100% of the cost to a maximum of \$3,000 per application as part of the total grant awarded for completed works; and
- Public art/mural located on private property (in accordance with Section B, paragraph eight herein).

Ineligible costs/improvements include:

- Any temporary or non-permanently affixed improvement such as, but not limited to, outdoor patio furniture, interior furniture, plexiglass partitions or display case equipment;
- Artificial landscaping elements including trees, plants and grass;
- Roofing (apart from mansard roofs above the eligible frontage);
- Sandblasting;
- Outdoor heating and cooling equipment;

- Program application fees;
- Business interruption expenses;
- Business equipment;
- Sewer/drain repair;
- Paving;
- Tools;
- Restoration/conservation specifically related to heritage features on commercial properties designated under the *Ontario Heritage Act*;
- Any other cost where a property has been damaged for one of the aforementioned reasons contained in Section B, paragraph 11 herein at the sole discretion of the GM; and
- Any other cost/improvement deemed not to meet the intent of this Program at the sole discretion of the GM.

D. PROGRAM APPLICATION CRITERIA

A complete Program application shall be submitted to the Economic Development Division prior to the commencement of works that are the subject of a Program application. Required documents and information forming a complete application shall be identified within the Program’s application form.

An application fee is payable upon submission of application, except for applications which are solely with respect to improvements arising from fire, vandalism or a natural disaster, such as a flood, earthquake or hurricane, in accordance with Section B, paragraph 11, in which case no application fee shall be required. The fee will be authorized through a user-fee by-law passed by City Council. The rate of the fee may be changed from time to time as approved by City Council and will be identified on the Program’s application form.

Commercial properties are to be identified in the application by municipal address to identify multiple and separate commercial units with separate ground floor street entrances.

Applications to this program are subject to the approval of GM in their sole discretion and subject to the availability of funding.

Applications shall include plans, estimates, contracts and other details as may be required to satisfy the City as to the cost of the improvement/development and conformity with the objectives of the Revitalizing Hamilton’s Commercial Districts Community Improvement Plan.

E. PROGRAM ADMINISTRATION

Economic Development Division staff will review applications for eligibility in collaboration with other City departments as required with approval of applications subject to a decision by the GM in their sole and unfettered discretion.

Applicants and properties will be the subject of due diligence undertaken by the City prior to any approval being provided or payment of a Grant under this Program. This will include, but may not be limited to, confirmation of the following: all property taxes are paid and current on the subject property(s) or other properties owned by the Applicant within the City of Hamilton, the property is in compliance with Zoning By-law regulations, that there are no outstanding property standards, building code or fire code orders on the subject property(s) and that the Applicant is not in litigation with the City. Failure to comply with any of the above will result in an application not being approved or, if the application is approved, non-payment of a Grant under this Program.

Approved Applicants shall be required to enter into a Grant Payment Agreement with the City.

The City reserves the right to require the submission of any additional documentation or enter into any additional agreements as deemed necessary by the City to ensure the goals and purpose of this Program and the Revitalizing Hamilton's Commercial Districts Community Improvement Plan are met.

Applications to this Program not yet approved by City Council (or its delegate) shall be subject to any changes to the terms of this Program which are approved by Council prior to the application being approved.

F. TEMPORARY ELIGIBILITY AND TERMS FOR GRAFFITI REMOVAL

1. Only the following terms shall apply to Grant applications made solely in respect of graffiti removal: Section A, paragraphs 1,2,3 and 12 of Section B and this Section F.
2. A maximum of one Grant equaling \$200.00 is permitted per instance of graffiti removal occurring on a façade of a commercial or mixed-use commercial building within an eligible CIPA, to a total maximum of five instances of graffiti removal totaling \$1,000.00 per eligible property within a single calendar year.
3. Applications respecting graffiti removal may:
 - a. Be submitted per instance or may include instances at the same eligible property as part of a single application to a maximum of five graffiti incidents per application; and,
 - b. Be retroactive beginning from, and including, the date of City Council's approval of the provisions contained in this Section F.

4. A Grant provided under this Program with respect to graffiti removal shall not be counted towards the maximum available Grant amount otherwise available to the subject property within a five-year period in accordance with Section B, paragraphs 4 and 10 herein.
5. Applications under this Program which are solely in respect to graffiti removal shall include the following supporting documents to form a complete application:
 - a. Digital photograph of the graffiti subject to the application which shall provide the necessary visual context to identify the applicable building and its location and contain the required meta data to confirm the date the picture was taken, or such other supporting information deemed acceptable by the City, and
 - b. Proof of property ownership or commercial tenancy of the subject property the determination of acceptable documentation being at the discretion of the City and may include, but not be limited to, a signed and in effect lease or property tax bill.
6. Prior to Grant payment, a digital photograph confirming the removal of graffiti shall be required to be submitted to the City. The photograph shall provide the necessary visual context to identify the applicable building and its location and contain the required meta data to confirm the date the picture was taken, or such other supporting information deemed acceptable by the City.
7. Grants are subject to the availability of funding.
8. The eligibility of graffiti removal for consideration under this Program shall be at the sole discretion of the City.
9. Applications under this Program which are solely in respect to graffiti removal shall not be subject to an application fee.
10. The provisions contained in this Section F will expire on March 31, 2025. This period may be shortened or extended without amendment to these terms at the discretion of City Council.
11. The City reserves the right to require the submission of any additional documentation or enter into any additional agreements as deemed necessary by the City to ensure the goals and purpose of this Program and the Revitalizing Hamilton’s Commercial Districts Community Improvement Plan are met.
12. Notwithstanding any provision contained in this Section F, the City may cancel the terms of this Section F and the eligibility of graffiti removal under this Program at any time and without notice. However, applications already submitted to the City prior to cancellation

will continue to be eligible for consideration and potential approval in accordance with this Section F and applications already approved at the time of cancellation of this Section F will be paid the Grant in accordance with the terms of the Program.