



COMMUNITY BENEFITS PROTOCOL SUB-COMMITTEE REPORT 24-001

2:00 p.m.

May 28, 2024

Room 264, City Hall, 2nd Floor
71 Main Street West, Hamilton, Ontario

Present: Councillors C. Kroetsch (Chair), T. Hwang, M. Tadeson and M. Wilson
K. Andrus (Vice-Chair) and V. Nikolskaya

**Absent
with Regrets:** Councillor N. Nann - Personal
C. Craven, M. Ellerker

THE COMMUNITY BENEFITS PROTOCOL SUB-COMMITTEE PRESENTS REPORT 24-001 AND RESPECTFULLY RECOMMENDS:

1. Procurement Pilots Undertaken Utilizing Social Value (FCS24035) (City Wide) (Outstanding Business List Item) (Item 9.1)

That Report FCS24035 respecting Procurement Pilots Undertaken Utilizing Social Value, be received.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

12. NOTICES OF MOTION

12.2 Policy Framework for Voluntary Donations for Community Benefits

CHANGES TO THE ORDER OF AGENDA ITEMS:

Item 5.1 - Correspondence from Hamilton Community Benefits Network respecting The Successes of Community Benefits Agreements and Item 5.2 -

Correspondence from Hamilton Community Benefits Network respecting Municipal Social Procurement Policies in Canada: An Environmental Scan and Recommendations for Hamilton are to be considered following the consideration of Item 7 - Delegations.

The agenda for the May 28, 2024, Community Benefits Protocol Sub-Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

K. Andrus declared a Non-Disqualifying interest to Item 5.1 – Correspondence from Hamilton Community Benefits Network respecting The Successes of Community Benefits Agreements; Item 5.2 – Correspondence from Hamilton Community Benefits Network respecting Municipal Social Procurement Policies in Canada: An Environmental Scan and Recommendations for Hamilton; and Item 6.1 - Amandeep Saini, Research Shop, McMaster University, respecting Item 5.2, Correspondence from Hamilton Community Benefits Network respecting Municipal Social Procurement Policies in Canada: An Environmental Scan and Recommendations for Hamilton as he was involved with the creation of these documents through his work at the Hamilton Community Benefits Network.

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

(i) September 28, 2023 (Item 4.1)

The Minutes of the September 28, 2023, meeting of the Community Benefits Protocol Sub-Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) Amandeep Saini, Research Shop, McMaster University, respecting Item 5.2, Correspondence from Hamilton Community Benefits Network respecting Municipal Social Procurement Policies in Canada: An Environmental Scan and Recommendations for Hamilton (Item 6.1)

The delegation request from Amandeep Saini, Research Shop, McMaster University, respecting Item 5.2, Correspondence from Hamilton Community Benefits Network respecting Municipal Social Procurement Policies in Canada: An Environmental Scan and Recommendations for Hamilton, was approved for today's meeting.

(e) DELEGATION (Item 7)

(i) Amandeep Saini, Research Shop, McMaster University, respecting Item 5.2, Correspondence from Hamilton Community Benefits

**Network respecting Municipal Social Procurement Policies in Canada:
An Environmental Scan and Recommendations for Hamilton (Item 7.1)**

Amandeep Saini, Research Shop, McMaster University, was granted an additional 25 minutes, beyond the 5-minute time limit, to complete their delegation respecting Item 5.2, Correspondence from Hamilton Community Benefits Network respecting Municipal Social Procurement Policies in Canada: An Environmental Scan and Recommendations for Hamilton.

Amandeep Saini, Aiden McIlvaney, Ananya Yadov, and Brooklyn Lanosky, Research Shop, McMaster University addressed Committee respecting Item 5.2, Correspondence from Hamilton Community Benefits Network respecting Municipal Social Procurement Policies in Canada: An Environmental Scan and Recommendations for Hamilton.

The delegation from Amandeep Saini, Research Shop, McMaster University, respecting Item 5.2, Correspondence from Hamilton Community Benefits Network respecting Municipal Social Procurement Policies in Canada: An Environmental Scan and Recommendations for Hamilton, was received.

- (ii) Staff were directed to report back to the Community Benefits Protocol Sub-Committee by Q4 2024 with an analysis of the recommendations contained within the presentation material from Amandeep Saini, Aiden McIlvaney, Ananya Yadov, and Brooklyn Lanosky, Research Shop, McMaster University addressed Committee respecting Item 5.2, Correspondence from Hamilton Community Benefits Network respecting Municipal Social Procurement Policies in Canada: An Environmental Scan and Recommendations for Hamilton.

(f) COMMUNICATIONS (Item 5)

- (i) The following Communications were approved, ***as amended***:
 - (a) Correspondence from Hamilton Community Benefits Network respecting The Successes of Community Benefits Agreements (Item 5.1)

Recommendation: Be received ***and referred to staff for appropriate action.***
 - (b) Correspondence from Hamilton Community Benefits Network respecting Municipal Social Procurement Policies in Canada: An Environmental Scan and Recommendations for Hamilton (Item 5.2)

Recommendation: Be received ***and referred to staff for appropriate action.***

(g) NOTICES OF MOTION (Item 12)

Councillor Hwang introduced the following Notice of Motion:

(i) Light Rail Transit Early Works Community Employment Benefits (Item 12.1)

WHEREAS, the construction of the Light Rail Transit (LRT) project and the delivery of regular operation and service will create significant employment opportunities;

WHEREAS, community benefits agreements ensure residents have equitable opportunities and economic inclusion through commitments to social procurement and social enterprise opportunities;

WHEREAS, the Pillar One “Employment Opportunities” of Metrolinx’s Community Benefits and Supports Program, and reiterated by their President and Chief Executive Officer Phil Verster, looks to promote apprenticeship training and workforce development opportunities for local communities and equity seeking groups;

WHEREAS, Metrolinx, through project delivery on the Finch West, Eglinton Cross Town and Hazel McCallion LRTs, has gained substantial experience in delivering Community Employment Benefits and providing apprenticeship training and workforce development opportunities for local communities and equity seeking groups; and

WHEREAS, The City of Hamilton has been responsible for the delivery of several LRT early works, including Wentworth – Construction of a 500mm and 200mm watermain, Sherman – Construction of a 300mm watermain; and, Rosewood/Main – Construction of a 1200mm watermain paid for by Metrolinx.

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to work with Metrolinx, to identify projects, and attempt to deliver community employment benefits and social procurement ideals to the City-led procurement for any future LRT early works tendered in 2025 and beyond;
- (b) City Staff report back to the relevant committees the findings of those conversation with Metrolinx, including any challenges, barriers or successes; and

- (c) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor and Metrolinx while meeting the City's procurement policy and authority to award the contracts.

(ii) Policy Framework for Voluntary Donations for Community Benefits (Added Item 12.1)

The Rules of Order were waived to allow for the introduction of a Motion respecting Policy Framework for Voluntary Donations for Community Benefits.

(h) MOTIONS (Item 11)

(i) Policy Framework for Voluntary Donations for Community Benefits (Added Item 11.1)

The Motion was placed on the floor as follows:

WHEREAS, Community Benefits Agreements have become a growing tool in other Ontario cities;

WHEREAS, the City of Ottawa has been using Community Benefits Agreements as a tool to negotiate between private developers, communities, and city staff as part of major development applications in Ottawa, such as the Manor Park Estates and Herongate agreements;

WHEREAS, a number of formats for Community Benefits Agreements have been used by other communities, including the City of Ottawa, over the last several years in the case of voluntary donations and other community benefits,

WHEREAS, voluntary contributions have not been advanced by Ward Councillors and staff for developments because there is an absence of a policy framework governing such contributions;

WHEREAS, interpretations from the City of Ottawa Integrity Commissioner to Ottawa Councillors have indicated that the provision of voluntary donations for community benefits is a policy matter;

WHEREAS the City of Hamilton has no existing donations to the City for Community Benefits Policy to specifically address such developer contributions or provide guidance to Members of Council; and

WHEREAS other municipalities, including Ottawa and Toronto, have established a policy to provide a framework for voluntary donations for community benefits.

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to reach out to the City of Ottawa and the City of Toronto respecting best practices and lessons learned on the use of Community Benefit Agreements and voluntary donations and report back to the Community Benefits Protocol Sub-Committee;
- (b) That staff be directed to:
 - (i) Work with Councillors of the Community Benefits Sub-Committee to identify projects in their wards which might be used as a template to prototype certain types of Community Benefits Agreements/Voluntary donations agreements;
 - (ii) Begin opening dialogue with any developers identified by the Ward Councillors to understand expectations and the potential for voluntary community benefit donations; and
 - (iii) Report back to the Community Benefits Protocol Sub-Committee with suggested project requirements for prototype agreements.

Chair Kroetsch relinquished the Chair to Vice-Chair Andrus for the remainder of the meeting.

The Motion above respecting Policy Framework for Voluntary Donations for Community Benefits (Added Item 11.1) was WITHDRAWN.

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

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

The following amendments to the Community Benefits Protocol Sub-Committee's Outstanding Business List, were approved:

- (1) Items Considered Complete and to be Removed (Item 13.1(a)):
 - (i) Hamilton Community Benefits Protocol Sub-Committee Update
Added: September 28, 2023 at Community Benefits Protocol Sub-Committee (Item 3)
Addressed as Item 9.1 on today's agenda.

(j) **ADJOURNMENT (Item 15)**

There being no further business, the Community Benefits Protocol Sub-Committee adjourned at 4:00 p.m.

Respectfully submitted,

Councillor Cameron Kroetsch
Chair, Community Benefits
Protocol Sub-Committee

Karl Andrus
Vice-Chair, Community Benefits
Protocol Sub-Committee

Matt Gauthier
Legislative Coordinator
Office of the City Clerk