CITY COUNCIL
MINUTES

Wednesday, February 22, 2012
5:00 p.m.
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Mayor R. Bratina
Councillors C. Collins, B. Clark, T. Jackson, B. Johnson, J. Farr,
L. Ferguson, S. Merulla, B. Morelli, J. Partridge, R. Pasuta,
M. Pearson, R. Powers, B. McHattie, S. Duvall and T. Whitehead

Mayor Bratina called the meeting to order and called upon Pastor David Cummings of
the Hamilton Christian Fellowship, to lead Council in prayer. Mayor Bratina expressed
Councils condolences to the family of Carter Button.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. ADDED CORRESPONDENCE

5.8 Final Report of the Ontario Ombudsman respecting Closed Meeting Complaints

 Recommendation: Be received.

5.9 Correspondence from Scott Medhurst, President Toromont CAT, and
Randy Casson, President Battlefield, respecting resolution
calling on the City to boycott businesses or products that have
relationships with Caterpillar Inc.

 Recommendation: Be received.

2. ADDED COMMITTEE REPORTS

6.4 General Issues Committee Report 12-005
3. NOTICE OF MOTION

8.1 Application for an Amendment to Glanbrook Zoning By-law No. 464 for Lands located at 2674 Upper James Street (Glanbrook) (PED11209(a)) (Ward 11)

(Pearson/Ferguson)
That the Agenda for the City Council meeting being held on February 8, 2012, be approved, as amended.  CARRIED

DECLARATIONS OF INTEREST

Councillor L. Ferguson declared a conflict of interest respecting Item 5.9, Correspondence from Scott Medhurst, President Toromont CAT, and Randy Casson, President Battlefield, respecting resolution calling on the City to boycott businesses or products that have relationships with Caterpillar Inc, and Item 7.2 respecting Caterpillar Corporation’s Breach of the Investment Canada Act, as his daughter is an employee of Toromont.

CEREMONIAL ACTIVITIES/ANNOUNCEMENTS

3.1 Presentation of Certificates of Achievement for Ontario Heritage Trust Community Recognition

Mayor Bratina presented the Ontario Heritage Trust’s Heritage Community Recognition Award to Anne Charlton, Art French and Sylvia Wray in recognition of their many years of service on the Hamilton Municipal Heritage Committee.

3.2 Presentation of Certificate of Achievement for 2011 Young Heritage Leaders

Mayor Bratina presented the 2011 Young Heritage Leaders Achievement Award to Spencer McKee for his contribution to the conservation of Ontario’s heritage. Alissa Denham-Robinson, Chair of the Municipal Heritage Committee addressed Council on the importance of supporting heritage and volunteerism in the Community.

APPROVAL OF MINUTES

4.1 February 8, 2012

(Pearson/Partridge)
That the Minutes of the February 8, 2012, meeting of Council be approved, as presented.  CARRIED
4.2 February 10, 2012 (Special Meeting)

(Pearson/Partridge)
That the Minutes of the February 10, Special meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(Whitehead/Duvall)
That Council Communications 5.1 through 5.9 be approved, as amended, as follows:

5.1 Correspondence from Cornelie Lefevre, Project Manager, Canadian Association of Nurses in Oncology, respecting Canadian Oncology Nursing Day on April 3, 2012 in the City of Hamilton

(Whitehead/Collins)
Recommendation: Be received.

5.2 Correspondence from the Honourable Leona Aglukkaq, Minister of Health, in response to City’s correspondence respecting Perfluorooctane Sulphate contamination at John C. Munro/Hamilton International Airport

(Powers/Ferguson)
Recommendation: Be received, and the Ward Councillor be involved in the ongoing consultations respecting this matter.

5.3 Correspondence from 9-1-1 Ontario Advisory Board seeking financial assistance

(Farr/Jackson)
Recommendation: Be received.

5.4 Correspondence from Monique Taylor, M.P.P., Hamilton Mountain, to the Honourable Deb Matthews, Minister of Health and Long-Term Care, respecting funding for additional ambulance crew to be on call 12 hours a day in Hamilton

(Duvall/Pearson)
Recommendation: Be received and forwarded to the Director of Emergency Services.

5.5 Letter of Thanks from Dr. David Galbraith, Ph.D., Chair, Cootes to Escarpment Steering Committee, for the City’s financial commitment for Cootes to Escarpment Park System land acquisition

(Powers/Pearson)
Recommendation: Be received.
5.6 Resolution 2012-0025 from the Town of Halton Hills respecting Private Members Bill to Pave Highway Shoulders

(Ferguson/Pearson)
Recommendation: Be referred to the General Manager of Public Works for a report to the Public Works Committee.

5.7 Resolution 2012-0046 from the Town of Halton Hills respecting Provincial Regulations regarding Commercial Fill Operations

(Whitehead/Morelli)
Recommendations: Be referred to the General Manager of Planning and Economic Development for a report to the Planning Committee.

5.8 Final Report of the Ontario Ombudsman respecting Closed Meeting Complaints

(Powers/Partridge)
Recommendation: Be received.

5.9 Correspondence from Scott Medhurst, President Toromont CAT, and Randy Casson, President Battlefield, respecting resolution calling on the City to boycott businesses or products that have relationships with Caterpillar Inc.

(Powers/Partridge)
Recommendation: Be received, and the request of Toromont to appear at a General Issues Committee meeting be approved. CARRIED

(Powers/Johnson)
That Council move into Committee of the Whole for consideration of the Committee Reports. CARRIED

AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 12-002

(Johnson/Pearson)
That the SECOND Report of the Audit, Finance & Administration Committee be adopted, and the information section received. (attached hereto) CARRIED

EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 12-002

(Partridge/Powers)
That the SECOND Report of the General Issues Committee be adopted, and the information section received. (attached hereto) CARRIED
Item 5  Development Charge Exemption Policies for the Expanded Downtown Hamilton Community Improvement Project Area and Protected Heritage Across the City and Demolition Credit Extension for 85 Robinson Street (FCS12015) (City Wide)

(Clark/Farr)
That Sub-section (g) be amended by inserting the words “and redevelopment” after the word “intensification” to read as follows:

(g) That staff of the Corporate Services Department and the Planning & Economic Development Department be directed to undertake and report back to the General Issues Committee on a comprehensive review of City Development Charges and their impact on intensification and redevelopment; Amendment CARRIED

The Motion as Amended CARRIED on the following Recorded Vote:

Total: 15
Nays: L. Ferguson
Total: 1

(Bratina/Partridge)
That the FOURTH Report of the General Issues Committee be adopted as amended and the information section received. (attached hereto) CARRIED

(Merulla/Collins)
That the 48-hour rule be waived for the introduction and consideration of General Issues Committee Report 12-005. CARRIED

Item 1  Waste Collection and Procurement Processes 2013-2020

The Motion CARRIED on the following Recorded Vote:

Total: 13
Nays: L. Ferguson, B. McHattie, B. Johnson
Total: 3
(Bratina/Partridge)
That the FIFTH Report of the General Issues Committee be adopted and the information section received. (attached hereto)  
CARRIED

(Powers/Johnson)
That the Committee of the Whole Rise and Report.  
CARRIED

MOTIONS

7.1 U.S. Steel's Intentions respecting Hamilton’s Hilton Works

(Merulla/Morelli)
WHEREAS the Investment Canada Act has led to the purchase and operation of the former Steel Company of Canada to the U.S. Steel Corporation;

AND WHEREAS the Investment Canada Act has been breached, as a direct result of the conditions placed on the sale by the Investment Canada Act, and litigation followed by the Federal Government, which was settled prematurely;

AND WHEREAS U.S. Steel has stated publicly that they are operating all U.S. Plants to maximum capacity excluding Hamilton Canada's Hilton Works from steel production;

Therefore be it resolved:

That Prime Minister Harper intervene on this crisis and that U.S. Steel Executives provide details surrounding their intentions of Hamilton Canada's Hilton Works to the City of Hamilton.

(Merulla/Morelli)
That the Motion be amended by deleting the words following “Therefore be it resolved” to be replaced with the following:

(a) That an invitation be extended to U.S. Steel Executives to attend a future General Issues Committee meeting to address their intentions respecting Hamilton Hilton Works in the City of Hamilton.

(b) That correspondence be forwarded to Prime Minister Stephen Harper and the Federal government requesting information on how they will hold U.S. Steel accountable for the settlements of the lawsuit and uphold the $250 million decision as well as the operation of both their plants.

Amendment CARRIED
Main Motion as Amended CARRIED

7.2 Caterpillar Corporation’s Breach of the Investment Canada Act

(Merulla/Morelli)
That Item 7.2 respecting Caterpillar Corporation’s Breach of the Investment Canada Act, be TABLED.  
CARRIED
7.3 Application for an Amendment to Glenbrook Zoning By-law No. 464 for Lands Located at 2674 Upper James Street (Glenbrook) (PED11209(a)) (Ward 11)

(Clark/Johnson)
That approval be given to Zoning Application ZAC-10-051, as Amended, by Prime Limousine Services Inc., Zafar Choudry, Owner, for a change in zoning from the Deferred Development “DD” Zone to the Airport-Related Business “M5-270” Zone and Airport-Related Business-Holding “H-M5-270” Zone, with a Special Exception and Holding Provision, in the Township of Glenbrook Zoning By-law No. 464, to add a Transportation Depot as a permitted use on the lands located at 2674 Upper James Street (Glenbrook), as shown on Appendix “A” to Report PED11209, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED11209(a), which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(b) That the proposed change in zoning is consistent with the Provincial Policy Statement (PPS), and conforms with the Places to Grow Plan, the Hamilton-Wentworth Official Plan, and the Township of Glenbrook Official Plan.

CARRIED

7.4 2012 Budget Deliberations - Full-Time Equivalents (FTE)

(Powers/Pasuta)
That the 2012 City of Hamilton budget reflect no net increase in FTE's in the City's work force as compared to the 2011 approved FTE numbers, with the exception of Council-approved 2012 Budget Enhancements and Council-approved 2012 Operating Impacts from Capital Projects.

CARRIED

NOTICES OF MOTION

Councillor Clark introduced the following Notice of Motion:

8.1 Application for an Amendment to Glenbrook Zoning By-law No. 464 for Lands Located at 2674 Upper James Street (Glenbrook) (PED11209(a)) (Ward 11)

That approval be given to Zoning Application ZAC-10-051, as Amended, by Prime Limousine Services Inc., Zafar Choudry, Owner, for a change in zoning from the Deferred Development “DD” Zone to the Airport-Related Business “M5-270” Zone and Airport-Related Business-Holding “H-M5-270” Zone, with a Special Exception and Holding Provision, in the Township of Glenbrook Zoning By-law No. 464, to add a Transportation Depot as a permitted use on the lands located at 2674 Upper James Street (Glenbrook), as shown on Appendix “A” to Report PED11209, on the following basis:
(a) That the draft By-law, attached as Appendix “B” to Report PED11209(a), which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(b) That the proposed change in zoning is consistent with the Provincial Policy Statement (PPS), and conforms with the Places to Grow Plan, the Hamilton-Wentworth Official Plan, and the Township of Glanbrook Official Plan.

(Clark/Johnson)
That the rules of order be waived in order to introduce a motion respecting, Application for an Amendment to Glanbrook Zoning By-law No. 464 for Lands Located at 2674 Upper James Street (Glanbrook) (PED11209(a)) (Ward 11).

CARRIED

For disposition on this matter refer to Item 7.3.

Councillor Powers introduced the following Notice of Motion:

8.2 2012 Budget Deliberations - Full-Time Equivalents (FTE)

That the 2012 City of Hamilton budget reflect no net increase in FTE's in the City's work force as compared to the 2011 approved FTE numbers, with the exception of Council-approved 2012 Budget Enhancements and Council-approved 2012 Operating Impacts from Capital Projects.

(Powers/Pasuta)
That the rules of order be waived in order to introduce a motion respecting 2012 Budget Deliberations - Full-Time Equivalents (FTE's).

CARRIED

For disposition on this matter refer to Item 7.4.

STATEMENT BY MEMBERS

Members of Council used this opportunity to discuss matters of general interest.

PRIVATE AND CONFIDENTIAL

None.

BY-LAWS

(Whitehead/Duvall)
That Bills No. 036 to 052 attached hereto, be passed, that the Corporate Seal be affixed thereto, and that the By-laws be numbered and signed by the Mayor and the City Clerk and read as follows:
By-law No.

12-036  To Adopt Official Plan Amendment No. 142 to the former Town of Ancaster Official Plan; Respecting: 114 Wilson Street West, Ancaster

12-037  To Amend Zoning By-law No. 87-57 (Ancaster), Respecting Lands Located at 114 Wilson Street West, in the former Town of Ancaster, now in the City of Hamilton

12-038  To Adopt Official Plan Amendment No. 141 to the former Town of Ancaster Official Plan; Respecting: 452 Springbrook Drive, Ancaster

12-039  To Amend Zoning By-law No. 87-57 (Ancaster), Respecting Lands Located at 452 Springbrook Avenue, in the former Town of Ancaster, now in the City of Hamilton

12-040  To Amend Zoning By-law No. 05-200, Respecting Lands Located at 452 Springbrook Avenue, Ancaster

12-041  To Adopt Official Plan Amendment No. 228 to the former City of Hamilton Official Plan; Respecting: 555 Sanatorium Road, Hamilton

12-042  To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 555 Sanatorium Road, Hamilton

12-043  To Amend Zoning By-law No. 05-200, Respecting Lands Located at 555 Sanatorium Road, Hamilton

12-044  To Adopt Official Plan Amendment No. 229 to the City of Hamilton Official Plan; Respecting: 15 Emerson Street

12-045  To Amend Zoning By-law No. 6593 (Hamilton), as Amended by By-law No. 95-02 and By-law No. 95-33, Respecting Lands Located at 15 Emerson Street, Hamilton

12-046  To Adopt Official Plan Amendment No. 86 to the former Township of Glanbrook Official Plan; Respecting: Lands Located east of Royal Windsor Drive and south of Pumpkin Pass, known municipally as 8 Country Fair Way, Glanbrook

12-047  To Amend Zoning By-law No. 464 (Glanbrook), Respecting Lands Located at 8 Country Fair Way

12-048  To Amend Zoning By-law No. 464 (Glanbrook), Respecting Lands Located at 2674 Upper James Street, Glanbrook

12-049  To Permanently Close an Unassumed Portion of Webster Street, Established by Registered Plan 780, formerly in the Township of West Flamborough, now in the City of Hamilton, designated as Part 6 on Reference Plan 62R-17776

12-050  To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking:
Schedule 6 – Time Limit Parking
Schedule 8 – No Parking Zones
Schedule 12 – Permit Parking Zones
Schedule 14 – Wheelchair Loading Zones

12-051  To Authorize the Borrowing upon Serial Debentures in the Principal Amount of $42,000,000.00 Towards the Cost of the Water Program Capital Improvements and Wastewater Program Capital Improvements
By-law No. 12-052 To Confirm the Proceedings of City Council

CARRIED

(Pearson/Johnson) That, there being no further business, the City Council meeting adjourned at 7:08 p.m.

CARRIED

Respectfully submitted,

Mayor B. Bratina

R. Caterini
City Clerk
February 22, 2012
Present:  Councillors B. Johnson (Chair), B. Morelli and R. Powers

Absent with Regrets:  Councillor B. Clark – Illness
                     Councillor M. Pearson (Vice Chair) – AGCO Pre-hearing

Also Present:  C. Murray, City Manager
               T. Tollis, City Treasurer
               T. McCabe, General Manager, Planning & Economic Dev. Dept.
               M. McChesney, Director, Information Services
               S. Paparella, Legislative Coordinator, Office of the City Clerk

THE AUDIT, FINANCE & ADMINISTRATION COMMITTEE PRESENTS REPORT 12-002
AND RESPECTFULLY RECOMMENDS:

1. Freedom of Information Quarterly Report (October 1 to December 31, 2011) (CL11002(c)) (City Wide) (Item 5.1)

   That Report CL11002(c), respecting the Freedom of Information Quarterly Report (October 1 to December 31, 2011), be received.

2. Treasurer's Apportionment of Land Taxes for Property in Flamborough (FCS12005(a)) (Ward 15) (Item 5.2)

   That the 2010 land taxes in the amount of $1,517 for 81–95 Nisbet Boulevard, Flamborough (Roll #2518 303 420 23045 0000) be apportioned and split amongst the eight newly created parcels as set out in Appendix “A” to Report 12-002.
3. **Tax Appeals Under Section 357 and 358 of the Municipal Act (2001)** (FCS12007(a)) (City Wide) (Item 5.3)

(a) That Appendix “B” attached to Report 12-002 respecting the “Tax Write-Offs processed under Section 357 of the Municipal Act, 2001”, in the amount of $43,563 be approved;

(b) That Appendix “C” attached to Report 12-002 respecting the “Tax Appeals due to a Gross or Manifest Clerical Error, Pursuant to Section 358 of the Municipal Act, 2001”, in the amount of $20,964 be approved.

4. **Development Charge Exemption – Mission Services of Hamilton Inc., Conversion of 196 Wentworth St. N, Hamilton (from Educational Facility to Multi-Use)** (FCS12008) (City Wide) (Item 8.1)

(a) That the Municipal Development Charge (DC) Liability of $596,245 resulting from the conversion of 196 Wentworth St. N, Hamilton (owned by Mission Services of Hamilton Inc.), from use as a Post Secondary School academic or teaching facility (Mohawk College) to a multi use facility, be exempted;

(b) That Development Charge Deferral Agreement #140 between the City of Hamilton and Mission Services of Hamilton Inc. (Mission Services) be amended as per Recommendation (a).

5. **2011 External Audit Plan (FCS12016) (City Wide)** (Item 8.2)

(a) That the changes to the scope of audit work in the City of Hamilton’s 2011 External Audit Plan, as listed below, be approved:

(i) Ontario Employment Assistance Service by the Ministry of Training, Colleges and Universities.

(b) That the City of Hamilton’s 2011 External Audit Plan in Grant Thornton’s Report FCS12016, attached as Appendix “D” to Report 12-002, be approved.

6. **Desktop and Mobile Computer Contract Award and Management Policies (FCS11022(a)) (City Wide)** (Item 8.3)

(a) That a 5 year replacement lifecycle for standard computers and a 4 year replacement lifecycle for high capacity computers be approved.
(b) That the lifecycle for ruggedized mobile computers be established at 4 years for a 12 month trial period, during which time performance data will be captured to determine an appropriate lifecycle for ruggedized mobile computer devices.

7. **Network Communications Standardization (FCS12019) (City Wide) (Item 8.4)**

(a) That equipment manufactured by Cisco Systems be established as the Corporate Standard for networking, communications components and associated hardware including Unified Communications components providing the backbone network infrastructure of the City’s Internet Protocol (IP) phone services, desktops, wireless, and application communications throughout the city’s network;

(b) That staff be authorized to deviate from this standard only when required by a specific software solution;

(c) That this Corporate Standard be reviewed again in 2016.

8. **Governance Sub-Committee Report 12-001, February 6, 2012 (Item 8.5)**

(a) **Ward Budgets (Item 4.1)**

That the following recommendations be forwarded to the General Issues Committee 2012 operating budget process for further deliberations:

(i) That all Ward Councillor’s office budget be increased by $2600 to assist with administration coverage from sick leave and vacation;

(ii) That all Ward Councillor’s office budget be increased by $6000 per ward to provide for 2 seasonal information mailings;

(iii) That the annual “Inner City Fund” remain at the current level of funding;

(iv) That the annual “Geographic Factor” be increased to $2500;

(v) That a new “Population Factor” of $.50 for each of the first 15,000 thence $.75 for each of the remaining population in each ward as outlined in Appendix “A” to Governance Review Report 12-001.
(b) **Ward Boundary Review – (CL11004(a)) (City Wide) (Outstanding Business List Item) (Item 4.2)**

That Report CL11004(a) respecting Ward Boundary Review, be forwarded to the General Issues Committee for further deliberations.

(c) **Reinstatement of the French Advisory Committee – Correspondence from the ACFO (Item 4.3)**

That the correspondence from the ACFO respecting the reinstatement of the French Advisory Committee, be received.

9. **Grants Sub-Committee Report 12-001, February 9, 2012 (Item 8.6)**

(a) **Convention and Sports Grants Review (GRA11017) (City Wide) (Item 4.1)**

That Report GRA11017, respecting the Convention and Sports Grants Review, be received.

(b) **Community Partnership Program Event Road Closure Services – Dundas Cactus Festival and Dundas Cactus Parade Grant Review (GRA12004) (Ward 13) (Item 5.1)**

(i) That the 2010 Community Partnership Program funding request for the Dundas Cactus Festival, in the amount of $715.11, for traffic equipment and services costs, be approved.

(ii) That the 2010 Community Partnership Program grant for the Dundas Cactus Festival, in the amount of $715.11, for traffic equipment and services costs, be released to the organization.

(iii) That staff be directed to adjust the Community Partnership Program base funding, for the years 2010 and onward, for the Dundas Cactus Festival and the Dundas Cactus Parade, for the costs of traffic equipment and services, as follows:

1. Dundas Cactus Festival ($715.11)
2. Dundas Cactus Parade ($238.37)
(c) **Community Partnership Program Event Road Closure Services – 2011 Event Funding Update (GRA11016) (City Wide) (Item 5.2)**

(i) That funding in the amount of $160.15 (exclusive of 13% HST), for Shalom Village’s annual Hanukkah Hustle, to cover the cost of Roads services of November 20, 2011, to be funded from the 2011 Community Partnership Program, be approved.

(ii) That funding in the amount of $282.43 (exclusive of 13% HST), for Hamilton Wentworth Catholic District School Board’s Pilgrimage, to cover the cost of Roads services of October 23, 2011, to be funded from the 2011 Community Partnership Program, be approved.

(iii) That the following groups receive an annual grant within the Special Events Category of the Community Partnership Program, to be transferred from the Event Road Closure Services budget to the Special Events budget base for the total amount of $442.58, in lieu of Event Road Closure Services to cover the cost of Roads services:

1. Hanukkah Hustle (Shalom Village) in the amount of $160.15, exclusive of 13% HST

2. Pilgrimage (Hamilton Wentworth Catholic District School Board) in the amount of $282.43, exclusive of 13% HST.

(d) **The Canadian Ballet Youth Ensemble Grant Request (Item 5.3)**

That the correspondence, respecting the one time funding request from the Canadian Ballet Youth Ensemble, for $35,000 to hire the Hamilton Philharmonic Orchestra form the 2011 Hamilton Nutcracker, be referred to staff for a report back to the Grants Sub-committee.

(e) **2011 Community Partnership Program – Culture Stream Late Applications from Dundas Pipes and Drums (GRA11012) (City Wide) (Item 5.4)**

That the funding request in the amount of $3,000, from Dundas Pipes & Drums, for its Continuous Learning, Improvement and Growth program, be received.
(f) 2011 Final Community Partnership Program Budget Update (GRA12002) (City Wide) (Item 5.5)

(i) That the additional Event Road Closure Services (ERCS) billings for 2011 in the amount of $98,301, be approved and funded from the remaining 2011 Community Partnership Program Surpluses.

(ii) That the overall 2011 Community Partnership Program (CPP) Surplus, in the amount of $44,355, be transferred to the Grants Reserve Account #112230.

(g) Requests for Advance 2012 Community Partnership Program Payments (GRA12001) (City Wide) (Item 5.6)

(i) That staff be authorized and directed to provide advance monthly payments, to 2012 Community Partnership Program applicants, as shown in Appendix “E” to Report 12-002, based upon 2011 funding levels, prior to final approval of the 2012 Community Partnership Program budget.

(ii) That any outstanding arrears due to the City of Hamilton, by any of the organizations, listed in Appendix “E” to Report 12-001, be paid in full utilizing the approved advance funding, prior to the organization receiving any Community Partnership Program funding.

(h) 2011 Special Events funding for Ottawa Street BIA for Traffic Services (GRA12005) (City Wide) (Item 5.7)

That funding in the amount of $246.35 (pro-rated), for the Traffic Services request submitted by the Ottawa Street BIA for the Street Sale, which took place on September 24, 2011, to be funded from the 2011 Community Partnership Program – Special Events budget, be approved.

(i) Mardi Gras Festival Base Funding (Item 6.2)

(i) That the Hamilton Mardi Gras Festival’s base funding status remain at its current 2011 approved amount of $32,796.05 for 2012; providing that the Mardi Gras Festival continues to qualify under the Council approved Community Partnership Program (CPP), maintains its 2011 ranking (score) on their 2013 application, and that funding is available through the CPP budget, at that time.

(ii) That the Hamilton Mardi Gras Festival’s base transfer from Event Road Closure Services to cash funding approved, as shown below,
be maintained for 2012; providing that the Mardi Gras Festival continues to qualify under the Council approved Community Partnership Program (CPP), maintains its 2011 ranking (score) on their 2013 application, and that funding is available through the CPP budget, at that time:

1. Police Services $6,303.29

(j) Emergency Funding Request – Flamborough Women’s Resource Centre (Item 7.1)

(i) That the Emergency Funding request in the amount of $33,134.29, submitted by Interval House for the Flamborough Women’s Resource Centre; be approved, contingent upon the receipt and review/rating of a Community Partnership Program application.

(ii) That emergency funding, in the amount of $33,134.29, for the Flamborough Women’s Resource Centre, be immediately released upon review/rating of their Community Partnership Program application.

(iii) That, if approved, the $33,134.29 in emergency funding paid to the Flamborough Women’s Resource Centre, be repaid to the Community Partnership Program through the Housing Services Division’s Operating budget, once approved through the 2012 Operating budget process.

(k) Compassion Ministries – Additional 2011 Tipping Fees (Item 7.2)

That Compassion Ministries, be provided $411.00 to cover 2011 tipping fees for additional tonnage, to be funded from the 2011 Community Partnership Program.

(l) Ancaster Heritage Days (Item 7.3)

(i) That Police Service ERCS, in the amount of $6,641.11, for the Ancaster Heritage Days Parade, be suspended for 2012 and reinstated for 2013.

(ii) That’s the Roads and Traffic costs, in the amount of $735.42 for roads and $638.00 for traffic, for the Ancaster Heritage Days Parade, be suspended for 2012 and reinstated for 2013.
(m) Erland Lee Museum (Item 7.4)

That Community Partnership Program Funding, in the amount of $2,943, be provided to the Erland Lee Museum for 2012, contingent upon staff receiving additional information.

10. Citizen Appointment to the Hamilton Status of Women Committee (Item 9.1)

That Katherine Kalinowski be appointed to the Hamilton Status of Women Committee for the balance of the 2010 to 2014 term of Council or until such time as a successor is appointed by Council.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

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

(i) Added as Item 8.5, Governance Sub-Committee Report 12-001, February 6, 2012.

(ii) Added as Item 8.6 – Grants Sub-committee Report 12-001, February 9, 2012

The agenda for the February 13, 2012 Audit, Finance & Administration Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i) January 18, 2012 (Item 3.1)

That the Minutes of the January 18, 2012 meeting of the Audit, Finance and Administration Committee were approved as presented.
(d) DELEGATIONS (Item 6)

(i) Mark McMaster, respecting a Request for Exemption from Development Charges at 168 West Avenue North, Hamilton (Item 6.1)

Mr. McMaster addressed Committee respecting his Request for Exemption from Development Charges at 168 West Avenue North, Hamilton. Mr. McMaster's comments included, but were not limited to, the following:

- West Avenue North (at Cannon) in a residential neighbourhood zoned I1.
- Formerly used as a place of worship, was deemed to have a Development Charge Liability in excess of $26,000 (same as new single-family home) by the City's Finance Department.
- Borders the previous Downtown Community Improvement Plan area.
- Included in the recently expanded area, but is still subject to Development Charges.
- Since requesting to appear before this committee, I have heard that the Finance Department will soon recommend that the expanded area be exempt from DC.
- Took possession of the property on April 1, 2011.
- The congregation had folded and the property had been listed for sale for almost two years.
- The religious organization renting the property twice attempted to purchase it, but was unable to raise the money.
- Potential buyers passed after realizing that the expense of development charges added to the cost of repair and renovations would put the effective purchase price far beyond market value.
- Intends to live there and to run a recording studio there.
- Does not make sense that a property, initially developed long before development charges existed, becomes subject to them now.
- Application of DC, in such cases, discourages owners from applying for permits and so effectively prevents the City from collecting taxes on higher assessed value.
- Collecting a development charge in this case contradicts the stated aim of the Development Charges By-law -- "...to pay for increased capital costs required because of increased needs for services arising from development of the area to which said By-law applies." as no expansion of existing services and no capital costs would be incurred by the City as a result of the renovation.
- Future business use of the proposed development is not expected to generate profit.
- Property is already much improved since the transfer of ownership (roof, windows, paving).
• Other necessary improvements (fencing, landscaping, facade) will be compromised or delayed if subject to DC.

The presentation by Mark McMaster, respecting a Request for Exemption from Development Charges at 168 West Avenue North, Hamilton, was received.

(e) 2011 External Audit Plan (FCS12016) (City Wide) (Item 8.2)

Melanie Dugard, Grant Thornton LLP, provided an overview of the 2011 External Audit Plan.

The presentation by Melanie Dugard, Grant Thornton LLP, respecting the 2011 External Audit Plan, was received.

(f) Desktop and Mobile Computer Contract Award and Management Policies (FCS11022(a)), subsections (c) and (d) (Item 8.3)

Report FCS11022(a), respecting the Desktop and Mobile Computer Contract Award and Management Policies (FCS11022(a)), subsections (c) and (d), was lifted from the table.

(g) Governance Sub-Committee Report 12-001, February 6, 2012 (Item 8.5)

Sub-section (d) of the Governance Sub-committee Report 12-001, as amended, which reads as follows, was tabled to the March 19, 2012 Audit, Finance & Administration Committee meeting:

(d) Review of the City’s Procedural By-law – Standing Committee Mandates as it relates to recent department reporting structure changes (City Wide) (CL12001) (Item 4.4)

(i) That the Culture and Tourism Division cease reporting to the Emergency and Community Services Committee, and report to the General Issues Committee for a one year trial period commencing in April 2012;

(ii) That Culture and Tourism Division’s reports pertaining to museums and heritage preservation matters, report to the Planning Committee;

(iii) That the Hamilton Veterans Committee continue to report to the Emergency & Community Services Committee;
(iv) That the Arts Advisory Commission report to the General Issues Committee;

(v) That the Hamilton Historical Board report to the Planning Committee;

(vi) That staff be directed to report back to the Governance Review Sub-Committee prior to the end of the one year term with results of the one year trial.

(h) GENERAL INFORMATION/OTHER BUSINESS (Item 11)

11.1 Amendments to the Outstanding Business List

(a) The following proposed new due date was approved:

(i) Item “E” – Annual Performance Reporting – Savings Generated from the Management of Information Services Contracts
   Current Due Date: February 13, 2012
   Proposed New Due Date: March 19, 2012

(b) The Item respecting the Desktop and Computer Contract Award and Management Policies were considered complete and removed from the Audit, Finance & Administration Committee’s outstanding Business List.

(i) ADJOURNMENT (Item 13)

There being no further business, the Audit, Finance and Administration Committee adjourned at 10:35 a.m.

Respectfully submitted,

Councillor B. Johnson, Chair
Audit, Finance and Administration Committee

Stephanie Paparella
Legislative Coordinator
February 13, 2012
APPORTIONMENT OF TAXES

That the original land taxes recorded against:

Roll #2518 303 420 23045 0000 – (81-95 Nisbet Boulevard, Flamborough) in the amount of $1,516.48 for the year 2010 be split amongst the eight newly created lots listed below:

<table>
<thead>
<tr>
<th>YEAR</th>
<th>ADDRESS</th>
<th>ROLL NUMBER</th>
<th>APPORTIONED ASSESSMENT</th>
<th>TAX AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>95 Nisbet Blvd.</td>
<td>2518 303 420 23045</td>
<td>14,270</td>
<td>$190.60</td>
</tr>
<tr>
<td>2010</td>
<td>93 Nisbet Blvd.</td>
<td>2518 303 420 23046</td>
<td>14,145</td>
<td>188.94</td>
</tr>
<tr>
<td>2010</td>
<td>91 Nisbet Blvd.</td>
<td>2518 303 420 23047</td>
<td>14,145</td>
<td>188.94</td>
</tr>
<tr>
<td>2010</td>
<td>89 Nisbet Blvd.</td>
<td>2518 303 420 23048</td>
<td>14,145</td>
<td>188.94</td>
</tr>
<tr>
<td>2010</td>
<td>87 Nisbet Blvd.</td>
<td>2518 303 420 23049</td>
<td>14,145</td>
<td>188.94</td>
</tr>
<tr>
<td>2010</td>
<td>85 Nisbet Blvd.</td>
<td>2518 303 420 23051</td>
<td>14,145</td>
<td>188.94</td>
</tr>
<tr>
<td>2010</td>
<td>83 Nisbet Blvd.</td>
<td>2518 303 420 23052</td>
<td>14,145</td>
<td>188.94</td>
</tr>
<tr>
<td>2010</td>
<td>81 Nisbet Blvd.</td>
<td>2518 303 420 23053</td>
<td>14,393</td>
<td>192.24</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td></td>
<td>113,533</td>
<td>$1,516.48</td>
</tr>
</tbody>
</table>
### Appendix B to Item 3 of AFA Report 12-002

**City of Hamilton**  
**Corporate Services Department**  
**Taxation Division**  
**Section “357” Appeals of the Municipal Act, 2001**

<table>
<thead>
<tr>
<th>Appeal No.</th>
<th>Property Address</th>
<th>Roll Number</th>
<th>Explanation</th>
<th>YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>357-11-196</td>
<td>70 King St W</td>
<td>003380170000000</td>
<td>Exempt City purchased</td>
<td>2011</td>
</tr>
<tr>
<td>357-11-190</td>
<td>23-25 Lake Ave S</td>
<td>003480112000000</td>
<td>Exempt building demolished area used for handicap access to place of worship</td>
<td>2011</td>
</tr>
<tr>
<td>357-11-136</td>
<td>77 James St N</td>
<td>020124024800000</td>
<td>Exempt City occupies Suite 305</td>
<td>2011</td>
</tr>
<tr>
<td>357-10-196</td>
<td>4 Tiffany St</td>
<td>020125576200000</td>
<td>Exempt Denied - purchased by the City tenants still occupying the space</td>
<td>2010</td>
</tr>
<tr>
<td>357-10-290</td>
<td>28 Rebecca St</td>
<td>020154504000000</td>
<td>Exemption denied does not meet criteria as &quot;small theatre&quot;</td>
<td>2010</td>
</tr>
<tr>
<td>357-09-145</td>
<td>53 Gibson Ave</td>
<td>030235004900000</td>
<td>Tax Class Conversion IT to CT used but not owned by religious organization</td>
<td>2009</td>
</tr>
<tr>
<td>357-11-043</td>
<td>53 Gibson Ave</td>
<td>030235004900000</td>
<td>Tax Class Conversion IT to CT used but not owned by religious organization</td>
<td>2011</td>
</tr>
<tr>
<td>357-11-201</td>
<td>150 Hillyard St</td>
<td>030272024700000</td>
<td>Tax Class Conversion tenant vacated Oct 31st (Scrapman)</td>
<td>2011</td>
</tr>
<tr>
<td>357-11-201</td>
<td>150 Hillyard St</td>
<td>030272024700000</td>
<td>Tax Class Conversion tenant vacated Oct 31st (Scrapman)</td>
<td>2011</td>
</tr>
<tr>
<td>357-11-182</td>
<td>597 Upper Ottawa St</td>
<td>060563010300000</td>
<td>Fire in March 2011 rendering the home unlivable</td>
<td>2011</td>
</tr>
<tr>
<td>357-11-104</td>
<td>280 East 24th</td>
<td>070665017000000</td>
<td>Tax Class Conversion now all residential</td>
<td>2011</td>
</tr>
<tr>
<td>357-10-166</td>
<td>666-682 Concession St</td>
<td>070672008400000</td>
<td>Exempt Hamilton Health Sciences</td>
<td>2010</td>
</tr>
<tr>
<td>357-10-167</td>
<td>666-682 Concession St</td>
<td>070672008400000</td>
<td>Exempt Hamilton Health Sciences</td>
<td>2010</td>
</tr>
<tr>
<td>357-10-232</td>
<td>666-682 Concession St</td>
<td>070672008400000</td>
<td>Exempt Hamilton Health Sciences</td>
<td>2010</td>
</tr>
<tr>
<td>357-11-105</td>
<td>1304 Upper Gage</td>
<td>070691053600000</td>
<td>Exemption the site if vacant land not used in conjunction with adjoining place of worship</td>
<td>2011</td>
</tr>
<tr>
<td>357-10-294</td>
<td>631 Mohawk Rd W</td>
<td>081071035500000</td>
<td>Exempt now used in conjunction with the place of worship</td>
<td>2010</td>
</tr>
<tr>
<td>357-11-106</td>
<td>157 Terrence Park</td>
<td>140230356000000</td>
<td>Gross or Manifest Error billed twice old and new house</td>
<td>2011</td>
</tr>
<tr>
<td>357-11-052</td>
<td>1123 Garner Rd E</td>
<td>140280158000000</td>
<td>Gross or Manifest Error billed twice</td>
<td>2011</td>
</tr>
<tr>
<td>357-11-168</td>
<td>202 Rosemary Lane</td>
<td>140350170000000</td>
<td>Demolition of old house</td>
<td>2011</td>
</tr>
<tr>
<td>357-11-169</td>
<td>48 King St W</td>
<td>260190072000000</td>
<td>Demolition of original structures</td>
<td>2011</td>
</tr>
<tr>
<td>357-11-110</td>
<td>3 Delsey St</td>
<td>260220364000000</td>
<td>Demolition of garage</td>
<td>2011</td>
</tr>
<tr>
<td>357-11-178</td>
<td>0 Highway 403</td>
<td>260270119070000</td>
<td>Exempt property part of Highway 403</td>
<td>2011</td>
</tr>
<tr>
<td>357-11-171</td>
<td>1300 Highway 5 W</td>
<td>301240644000000</td>
<td>Exempt property purchased by MTO in January /11</td>
<td>2011</td>
</tr>
<tr>
<td>357-11-172</td>
<td>1300 Highway 5 W</td>
<td>301240644000000</td>
<td>Exempt remainder of property purchased by MTO in November /11</td>
<td>2011</td>
</tr>
<tr>
<td>357-11-170</td>
<td>1054 4th Con Rd W</td>
<td>302310018000000</td>
<td>Demolition of original structures</td>
<td>2011</td>
</tr>
<tr>
<td>357-11-111</td>
<td>224 5th Con Rd E</td>
<td>303420170000000</td>
<td>Demolition of original house</td>
<td>2011</td>
</tr>
<tr>
<td>357-11-189</td>
<td>9300 Airport Rd</td>
<td>903310322170000</td>
<td>Exempt tenant vacated June 30 (LK Trailers )</td>
<td>2011</td>
</tr>
</tbody>
</table>

**TOTAL**
<table>
<thead>
<tr>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>-998.01</td>
</tr>
<tr>
<td>-971.76</td>
</tr>
<tr>
<td>-13,464.36</td>
</tr>
<tr>
<td>0.00</td>
</tr>
<tr>
<td>0.00</td>
</tr>
<tr>
<td>-2,800.84</td>
</tr>
<tr>
<td>-4,524.98</td>
</tr>
<tr>
<td>1,292.62</td>
</tr>
<tr>
<td>-1,293.63</td>
</tr>
<tr>
<td>-384.53</td>
</tr>
<tr>
<td>-318.46</td>
</tr>
<tr>
<td>-2,111.40</td>
</tr>
<tr>
<td>-1,053.64</td>
</tr>
<tr>
<td>-532.18</td>
</tr>
<tr>
<td>0.00</td>
</tr>
<tr>
<td>-2,616.01</td>
</tr>
<tr>
<td>-2,050.74</td>
</tr>
<tr>
<td>-1,530.47</td>
</tr>
<tr>
<td>-984.16</td>
</tr>
<tr>
<td>-1,839.68</td>
</tr>
<tr>
<td>-25.68</td>
</tr>
<tr>
<td>-5,267.05</td>
</tr>
<tr>
<td>-1,129.56</td>
</tr>
<tr>
<td>-289.09</td>
</tr>
<tr>
<td>-443.50</td>
</tr>
<tr>
<td>-213.78</td>
</tr>
<tr>
<td>-12.95</td>
</tr>
<tr>
<td><strong>-43,563.84</strong></td>
</tr>
</tbody>
</table>
Appendix C to Item 3 of AFA Report 12-002

B- overcharge (Assessment Roll)
B1 - overcharged-application denied
E - Exempt

<table>
<thead>
<tr>
<th>Appeal No.</th>
<th>Property Address</th>
<th>Roll Number</th>
<th>Reason</th>
<th>Explanation</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>22863</td>
<td>53 Gibson Ave</td>
<td>030235004900000</td>
<td>B</td>
<td>Tax Class Conversion IT to CT used but not owned by religious organization</td>
<td>2010</td>
<td>-4516.53</td>
</tr>
<tr>
<td>22895</td>
<td>4 Fall Fair Way</td>
<td>901340001010000</td>
<td>E</td>
<td>Lands dedicated to the City</td>
<td>2010</td>
<td>-17.39</td>
</tr>
<tr>
<td>23482</td>
<td>631 Mohawk Rd W</td>
<td>081071039500000</td>
<td>E</td>
<td>Now used as being part of the &quot;place of worship&quot;</td>
<td>2009</td>
<td>-2549.00</td>
</tr>
<tr>
<td>23779</td>
<td>17 James St N</td>
<td>020124024800000</td>
<td>E</td>
<td>Exempt Suite 305 used as capital facility</td>
<td>2010</td>
<td>-13080.60</td>
</tr>
<tr>
<td>22894</td>
<td>10 Fall Fair Way</td>
<td>901340004900000</td>
<td>E</td>
<td>Lands dedicated to the City</td>
<td>2010</td>
<td>-530.54</td>
</tr>
</tbody>
</table>

**Total** |                                  |               |           |                                                                              |       | **-20,694.06** |

City of Hamilton
Corporate Services Department
Taxation Division
Section "358" Appeals of the Municipal Act, 2001
Realty Tax Applications for overcharges
Report to the Audit, Finance & Administration Committee –
Initial communication on audit planning

The City of Hamilton
For the year ended December 31, 2011
January 12, 2012

To the members of the Audit, Finance & Administration Committee of
The Corporation of the City of Hamilton

We’re pleased to enclose our Report to the Audit, Finance & Administration Committee – Initial communication on audit planning. The purpose of this document, and our upcoming meeting to discuss its content, is to initiate effective two way communication with you regarding our financial statement audit engagement of The Corporation of the City of Hamilton (the City) for the year ending December 31, 2011. This communication will assist the committee in understanding the terms of the audit engagement; our proposed audit strategy and the level of responsibility assumed by Grant Thornton LLP under Canadian auditing standards (CAS).

This communication has been prepared to comply with the requirements outlined in CAS 260 Communication with those Charged with Governance. The information in this document is intended solely for the information and use of the Audit, Finance & Administration Committee, Council and management. It is not intended to be distributed or used by anyone other than these specified parties.

If you have any particular comments, concerns or additional expectations that may require us to undertake additional work over and above that which is currently contemplated, please do not hesitate to raise them at our next scheduled meeting.

Yours sincerely,
Grant Thornton LLP

Melanie Dugard, CA
Principal
Contents

The City of Hamilton – Environmental scan – changes in business, regulations and standards 2
Achieving effective governance 4
Quality assurance, independence and communication 5
Our audit approach 6
Client service team 11
Audit timetable 12
Fee schedule 13
Appendix A – Accounting developments 14
Appendix B – Auditing developments 16
Appendix C – Letter of independence 17
We consider all relevant factors when preparing an audit plan specifically tailored to your municipality.

The following is a summary of recent changes to the municipality's business environment, regulatory environment in which it operates, and relevant accounting and auditing standards.

We have considered these factors in preparing the 2011 audit plan for the City of Hamilton.

**Municipal-specific changes and business environment**

As part of our audit planning, we have discussions with management and staff in various departments to determine if there have been any significant changes that would impact our audit approach. We noted no significant changes in the processing of tax revenues, employee compensation, or within the purchasing department that would impact our overall audit strategy. Our planning for the other audits performed as part of our contract with the City did not identify any other significant matters impacting our approach for the 2011 audit of the City.

**Canadian standards**

**Accounting standards**

Accounting standards issued by the Accounting Standards Board which may affect the City for the current and future years include:

- Section PS 3450 Financial instruments, Section PS 2601 Foreign currency translation and Section PS 1201 Financial statement presentation
- Section PS 3260 Liability for contaminated sites
- Section PS 3510 Tax Revenue
- Section PS 3410 Government Transfers, revised
- Withdrawal of Government assistance — Application of CICA Handbook — Accounting Section PS 3800

Further detail of the changes to accounting standards and their applicability to the City, are included in Appendix A. If you have any questions about these changes we invite you to raise them during our next meeting. We will be pleased to address your questions.

**Auditing standards**

The Auditing and Assurance Standard Board (AASB) has adopted the International Standards on Auditing (ISAs) as Canadian Auditing Standards (CASs). These CASs are in effect for year ended
December 31, 2011. Our audit plan and resulting audit strategy comply with the new CASs and as a result you may note a change in our audit procedures related to group audits, auditing estimates, use of experts and communications with those charged with governance. The most significant change is the wording of our standard report and when we date the audit report.

Auditing standards issued by the AASB that may change the nature, timing and extent of our audit procedures on The City of Hamilton and our communication with those charged with governance include:

- CAS 450 – Evaluation of Misstatements Identified During the Audit
- CAS 620 – Using the Work of an Auditor’s Expert

Further detail of the changes to auditing standards and their applicability to The City of Hamilton, are included in Appendix B.
Achieving effective governance

There are several fundamental components of effective governance. The Audit, Finance & Administration Committee plays a key role in achieving strong governance, particularly with respect to financial reporting.

Roles in ensuring strong financial reporting

| Role of the Audit, Finance & Administration Committee | • Help set the tone for the City by emphasizing honesty, ethical behaviour and fraud prevention
| • Oversee management, including ensuring that management establishes and maintains internal controls to provide reasonable assurance regarding reliability of financial reporting
| • Directly oversee the work of the external auditors including reviewing, discussing and approving audit plan |
| Role of management | • Prepare financial statements in accordance with Canadian GAAP for public sector organizations
| • Design, implement and maintain effective internal controls over financial reporting processes
| • Exercise sound judgment in selecting and applying critical accounting principles
| • Safeguard assets
| • Prevent, detect and correct errors
| • Provide representations to external auditors
| • Assess quantitative and qualitative impact of misstatements discovered during the audit on fair presentation of the financial statements |
| Role of Grant Thornton LLP | • Provide an audit opinion that the financial statements are in accordance with Canadian GAAP for public sector entities
| • Conduct our audit in accordance with Canadian Auditing Standards
| • Maintain independence and objectivity
| • Be a resource to the Audit, Finance & Administration Committee and management
| • Implement an effective two way communication process that reports matters of interest to the Audit, Finance & Administration Committee and obtains input from the committee on audit risk matters |
Quality assurance, independence and communication

Quality assurance
Grant Thornton LLP has a robust quality control program that forms a core part of our client service. We combine internationally developed audit methodology, advanced technology, rigorous review procedures, mandatory professional development requirements, and the use of specialists to deliver high quality audit services to our clients. In addition to our internal processes, we are subject to inspection and oversight by standard setting and regulatory bodies. We are proud of our firm’s approach to quality assurance and would be pleased to discuss any aspect with you at your convenience.

Independence
We have a rigorous process where we continually monitor and maintain our independence. We are required to communicate this annually to the Audit, Finance & Administration Committee of The City of Hamilton in writing and have attached our letter of independence as Appendix C. The process of maintaining our independence includes, but is not limited to:

- Identification of threats to our independence and putting into place safeguards to mitigate those threats. For example, we evaluate the independence threat of any non-audit services provided to the City; and
- Confirming the independence of our engagement team members.

Communication with the Audit, Finance & Administration Committee
Effective and timely communication is key to quality service. In conducting our audit we will communicate as required with the Audit, Finance & Administration Committee so that issues and concerns are addressed in a timely and productive manner. We also require the Audit, Finance & Administration Committee’s input and perspective on various risk assessment matters such as fraud risk, compliance with laws and regulations and we welcome the Audit, Finance & Administration Committee’s view on the municipality’s system of internal controls.

We encourage the members of the Audit, Finance & Administration Committee to contact us at any time if questions or concerns arise.
Our audit approach

An understanding of the municipality drives the Grant Thornton LLP audit approach. The audit methodology is risk based and specifically tailored to the City as depicted below:

Our tailored audit approach results in procedures designed to respond to an identified risk. The greater the risk of material misstatement associated with the account, transaction or balance, the greater audit emphasis placed in terms of audit verification and analysis.
Appendix D to Item 9(g) of AF&A Report 12-002
Page 9 of 20

Other communications
As a result of our audit process we will communicate in our “results report” information on the following matters:

- Misstatements, other than trivial errors;
- Fraud;
- Misstatements that may cause future financial statements to be materially misstated;
- Illegal or possibly illegal acts, other than those considered inconsequential; and
- Material weaknesses and significant deficiencies in internal control over financial reporting.

Internal control
Our audit includes gaining an understanding of the City’s internal control over financial reporting. Our understanding will focus on processes associated with the identified financial statement risk areas (see below). The audit team uses this understanding to determine the nature, extent and timing of our audit procedures.

Our understanding may also result in valuable internal control findings for your consideration. Please note that the objectives of a financial statement audit are different from fiduciary control objectives. Therefore, management and the Audit, Finance & Administration Committee cannot rely on our findings to discharge their responsibilities in this area.

Risk assessment
Our risk assessment process has identified the following areas where we will focus our attention:

<table>
<thead>
<tr>
<th>Risk area</th>
<th>Planned audit procedures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taxation</td>
<td>Test the existence of taxation and other receivables at December 31, 2011.</td>
</tr>
<tr>
<td></td>
<td>Recalculation of the net taxable assessment based on verified assessment rolls and approved levies.</td>
</tr>
<tr>
<td></td>
<td>Assess adequacy of allowance for doubtful accounts by testing subsequent receipts, reviewing management estimates and examining support for the value of underlying property.</td>
</tr>
<tr>
<td>Purchases and payables</td>
<td>Analytical assessment of expenses based on expectations.</td>
</tr>
<tr>
<td></td>
<td>Review supporting documentation and management estimates with respect to the completeness and accuracy of significant year-end accruals.</td>
</tr>
<tr>
<td>Provisions for employee benefits and landfill closure/post-closure costs</td>
<td>Review assumptions used by management, and any available independent reports.</td>
</tr>
<tr>
<td></td>
<td>Recalculation of the present value calculation for the future liability.</td>
</tr>
<tr>
<td>Grants and subsidies</td>
<td>Review of the allocation of funds between fiscal periods to determine if it is appropriate.</td>
</tr>
<tr>
<td></td>
<td>Review of grant terms to determine if any deferrals, receivables or payables are appropriate.</td>
</tr>
</tbody>
</table>
### Materiality

The purpose of our audit is to provide an opinion as to whether your financial statements present fairly, in all material respects, the financial position, results of operations and cash flows in accordance with Canadian accounting standards for public sector entities as of December 31, 2011. Therefore, materiality is a critical auditing concept and as such we apply it in all stages of the engagement.

Applying the concept of materiality at the planning and execution stage of the engagement recognizes that the audit team cannot verify every balance, transaction or judgment made in the financial reporting process. During audit planning, we make a preliminary assessment of materiality for purposes of developing our audit strategy, including determining the extent of our audit procedures. During the completion stage, we consider not only the quantitative assessment of materiality, but also qualitative factors, in assessing the impact on the financial statements, our audit opinion and the matters reported to the Audit, Finance & Administration Committee.

### Fraud considerations

We are responsible for planning and performing the audit to obtain reasonable assurance as to whether the financial statements are free of material misstatement caused by error or by fraud. Our audit procedures comply with the requirements of CAS 240 Auditor’s Responsibility Relating to Fraud in an Audit of Financial Statements. CAS 240 heightens the auditors’ awareness of the potential for fraud when planning and executing audits and it emphasizes the need for professional scepticism during the audit. In addition, the auditing standard requires us to communicate with you on matters related to fraud including obtaining your perspective on the risk of fraud within the municipality and whether you are aware of or suspect any fraudulent activity. If our audit procedures identify fraud or we suspect fraud, we will report such matters to you.

The following provides a summary of some of the fraud-related procedures we plan to perform during the audit:

| Commitments and contingencies | Verify accuracy and reasonableness of amounts and disclosures, with reference to correspondence with lawyers. |
| Capital assets                | Review of supporting documentation for capital asset additions with respect to the validity of the additions. |
|                              | Review of disposals to determine if any gain/loss is calculated appropriately. |
|                              | Recalculation of depreciation expense, as well as deemed dispositions for pooled assets. |
|                              | Review of capital project costs to determine if any additional costs should be capitalized. |
| Employee compensation        | Review the calculation of salary and wage accruals to determine if the amounts were calculated appropriately. |
|                              | Analytical assessment of employee-related expenses based on expectations. |

Fraud can occur in any organization, at any time, and can be perpetrated by anyone.
• Discuss amongst the engagement team where the financial statements may be susceptible to material misstatement due to fraud.
• Gather information to identify the risks of material misstatement due to fraud, including our understanding of internal control and making detailed inquiries to senior management, internal audit and members of the Audit, Finance & Administration Committee.
• Using the information gathered in our risk assessment process.

**Use of work of internal audit**
We will review and consider the internal audit reports issued in the year and assess the consequences of their findings on our audit approach.

**Use of experts**
We intend to use the work of experts for the following:

• Landfill closure obligations,
• Verification of the fair value of asset backed commercial paper and master asset vehicles, and
• Employee future benefit liability

**Client assistance and readiness**
Client assistance and readiness are integral to the successful meeting of our targeted report release date. As presented further below, it is also critical in meeting our agreed fee. To facilitate the communication process, we will provide management with a letter detailing expected assistance and the critical milestone dates.
We are committed to executing our audit in a most effective, efficient and timely manner. We will provide the following deliverables to the Audit, Finance & Administration Committee:

- Initial communication on audit planning,
- Audit report on the financial statements of the City,
- Communication of audit results, and
- Management letter that provides our observations and recommendations regarding internal controls based on matters identified during the course of our audit.
Client service team

We have assembled a team of outstanding professionals to demonstrate our commitment to quality and service to the City. Below are the senior members of our team, should you need to contact us.

<table>
<thead>
<tr>
<th>Engagement member</th>
<th>Role</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Melanie Dugard</td>
<td>Engagement principal</td>
<td>(289) 313-3378</td>
<td><a href="mailto:Melanie.Dugard@ca.gt.com">Melanie.Dugard@ca.gt.com</a></td>
</tr>
<tr>
<td>Joanne Rogers</td>
<td>Concurring partner</td>
<td>(416) 960-2379</td>
<td><a href="mailto:Joanne.Rogers@ca.gt.com">Joanne.Rogers@ca.gt.com</a></td>
</tr>
<tr>
<td>Barb Carnegie</td>
<td>Audit manager</td>
<td>(289) 313-3386</td>
<td><a href="mailto:Barbara.Carnegie@ca.gt.com">Barbara.Carnegie@ca.gt.com</a></td>
</tr>
<tr>
<td>Graeme Morissey</td>
<td>Audit senior</td>
<td>(289) 313-3356</td>
<td><a href="mailto:Graeme.Morissey@ca.gt.com">Graeme.Morissey@ca.gt.com</a></td>
</tr>
</tbody>
</table>
Audit timetable

<table>
<thead>
<tr>
<th>Date</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 19 – 23, 2011</td>
<td>Audit planning and update of information technology processes and controls</td>
</tr>
<tr>
<td>December 31, 2011</td>
<td>Date for bank and tax confirmations</td>
</tr>
<tr>
<td>February 2012</td>
<td>Meeting with Audit, Finance &amp; Administration Committee and presentation of Report to the Audit, Finance &amp; Administration Committee – Initial Communication on Audit Planning</td>
</tr>
<tr>
<td>March 26 – April 20, 2012</td>
<td>Year-end visit</td>
</tr>
<tr>
<td>May 2012</td>
<td>Preliminary clearance to be provided on draft financial statements</td>
</tr>
<tr>
<td>May 2012</td>
<td>Meeting with the Audit, Finance &amp; Administration Committee and presentation of Report to the Audit, Finance &amp; Administration Committee – Communication of Audit Results</td>
</tr>
</tbody>
</table>
Fee schedule

Fee proposal considerations
Upfront and periodic discussions are central to our approach in dealing with fees. Our goal is to avoid surprises by having early and frank communication. We wish to provide the City with a competitive price and fair value, while also allowing sufficient audit hours to conduct an effective audit and deliver quality service.

We have established a proposed fee for the audit for the year ended December 31, 2011 that is based on the level of activity and the anticipated complexity of the audit of the City’s financial statements, and is in accordance with our quoted fee provided under RFP C6-10-06.

The proposed fee is based on receiving the following from management:

• Draft financial statements including the notes to the financial statements,
• All working papers and schedules as outlined in our requirements letter,
• Trial balance together with reconciled control accounts,
• All books and records made available to us when requested, and
• Use of the City’s staff to help us locate information and provide explanations.

Our ability to deliver the services outlined in the agreed timetable and our proposed fee will depend upon these schedules being available/tasks being completed by the due dates. If there are any variances to the above plan, we will discuss them with you and agree to any additional fees before costs are incurred, wherever possible.

Any unforeseen work outside the scope of this proposal will be billed separately after discussion with appropriate City management.
## Appendix A – Accounting developments

<table>
<thead>
<tr>
<th>Public Sector Accounting Board</th>
<th>Effective date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section PS 3450 Financial Instruments, Section PS 2601 Foreign currency translation and Section PS 1201 Financial statement presentation</td>
<td>The new requirements are all required to be applied at the same time. For governments, the sections are effective for fiscal years beginning on or after April 1, 2015. For government organizations, the sections are effective for fiscal years beginning on or after April 1, 2012. Earlier adoption is permitted.</td>
</tr>
<tr>
<td>Section PS 3450 Financial instruments is a new section that establishes standards for recognizing and measuring financial assets, financial liabilities and non-financial derivatives.</td>
<td></td>
</tr>
<tr>
<td>Section PS 2601 Foreign currency translation revises and replaces Section PS 2600 Foreign currency translation.</td>
<td></td>
</tr>
<tr>
<td>Section PS 1201 Financial statement presentation revises and replaces Section PS 1200 Financial statement presentation.</td>
<td></td>
</tr>
<tr>
<td>The issuance of these new sections also includes consequential amendments to:</td>
<td></td>
</tr>
<tr>
<td>• Introduction to accounting standards that apply only to government not-for-profit organizations</td>
<td></td>
</tr>
<tr>
<td>• Section PS 1000 Financial statement concepts</td>
<td></td>
</tr>
<tr>
<td>• Section PS 1100 Financial statement objectives</td>
<td></td>
</tr>
<tr>
<td>• Section PS 2125 First-time adoption by government organizations</td>
<td></td>
</tr>
<tr>
<td>• Section PS 2500 Basic principles of consolidation</td>
<td></td>
</tr>
<tr>
<td>• Section PS 2510 Additional areas of consolidation</td>
<td></td>
</tr>
<tr>
<td>• Section PS 3060 Government partnerships</td>
<td></td>
</tr>
<tr>
<td>• Section PS 3070 Investments in government business enterprises</td>
<td></td>
</tr>
<tr>
<td>• Section PS 3230 Long-term debt</td>
<td></td>
</tr>
<tr>
<td>• Section PS 3310 Loan guarantees</td>
<td></td>
</tr>
<tr>
<td>• Section PS 4200 Financial statement presentation by not-for-profit organizations</td>
<td></td>
</tr>
<tr>
<td>PSG-6 Including results of organizations and partnerships applying fair value measurement was withdrawn as a result of the issuance of these sections.</td>
<td></td>
</tr>
<tr>
<td>Section PS 3260 Liability for contaminated sites</td>
<td></td>
</tr>
<tr>
<td>This Section establishes the recognition criteria, measurement and disclosure requirements for reporting liabilities associated with remediation of contaminated sites that either are not in use or resulted from unexpected environmental events (such as a toxic spill or natural disaster).</td>
<td></td>
</tr>
<tr>
<td>This section applies to fiscal years beginning on or after April 1, 2014. Earlier adoption is encouraged.</td>
<td></td>
</tr>
<tr>
<td>Public Sector Accounting Board</td>
<td>Effective date</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td><strong>Section PS 3510 Tax Revenue</strong>&lt;br&gt;This Section establishes standards for the recognition, measurement and disclosure of tax revenue in government financial statements.</td>
<td>This section applies to fiscal years beginning on or after April 1, 2012. Earlier adoption is encouraged.</td>
</tr>
<tr>
<td><strong>Section PS 3410 Government Transfers, revised</strong>&lt;br&gt;This Section replaces the existing Section PS 3410, <em>Government Transfers</em>. This Section establishes standards for recognition, presentation and disclosure for government transfers to individuals, organizations and other governments from both a transferring government and a recipient government perspective.</td>
<td>This section applies to fiscal years beginning on or after April 1, 2012. Earlier adoption is encouraged.</td>
</tr>
<tr>
<td><strong>Withdrawal of Government assistance – Application of CICA Handbook – Accounting Section PS 3800</strong>&lt;br&gt;The section will be removed as IFRS standard IAS 20 <em>Accounting for Government Grants and Disclosure of Government Assistance</em> will be applicable to government business enterprises and other government entities choosing to apply IFRS. For those other government organizations following the PSA Handbook, there is sufficient guidance on this matter elsewhere in the Handbook.</td>
<td>Withdrawal of section is effective for fiscal years beginning on or after January 1, 2011.</td>
</tr>
</tbody>
</table>
Appendix B – Auditing developments

**Canadian Auditing Standards (CASs) issued by the CICA**

<table>
<thead>
<tr>
<th>CAS 450 – Evaluation of Misstatements Identified During the Audit</th>
<th>Effective date</th>
</tr>
</thead>
<tbody>
<tr>
<td>This CAS, combined with CAS 320, replaces Section 5142, Materiality. The significant changes from the existing standard are as follows:</td>
<td>Applies to audit of financial statements for periods commencing on or after December 15, 2009.</td>
</tr>
<tr>
<td>• the auditor is required to request that management correct all the misstatements accumulated during the audit in all cases, regardless of whether the financial statements are materially misstated. This differs from the current guidance in Section 5142 in that auditors previously encouraged management to correct all non-trivial misstatements.</td>
<td></td>
</tr>
<tr>
<td>• if management refused to correct known misstatements, the auditor is required to obtain an understanding of management’s reasons for not making the corrections.</td>
<td></td>
</tr>
<tr>
<td>• the auditor is also required to request to those charged with governance that uncorrected misstatements be corrected.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>This CAS will replace Section 5049, Use of Specialists in Assurance Engagements. The significant change from the existing standard is that the requirements in determining the need for an auditor’s expert are now more explicitly defined.</td>
<td></td>
</tr>
</tbody>
</table>

Audit • Tax • Advisory
Grant Thornton LLP, A Canadian Member of Grant Thornton International Ltd
Appendix C – Letter of independence

January 12, 2012

Dear Audit, Finance & Administration Committee Members:

We have been engaged to audit the financial statements of The City of Hamilton (the City) for the year ending December 31, 2011.

Canadian generally accepted auditing standards require that we communicate at least annually with you regarding all relationships between the City and its related entities, and Grant Thornton LLP that, in our professional judgment, may reasonably be thought to bear on our independence. Related entities include:

- Hamilton Police Services Board
- Tourism Hamilton Inc.
- The Hamilton Entertainment and Convention Facilities Inc.
- The Hamilton Public Library Board
- The Hamilton Street Railway Company
- CityHousing Hamilton Corporation
- Ancaster Business Improvement Area
- Barton Street Village Business Improvement Area
- Concession Street Business Improvement Area
- Downtown Hamilton Business Improvement Area
- International Village Business Improvement Area
- King Street West Business Improvement Area
- Locke Street Business Improvement Area
- Main Street West Esplanade Business Improvement Area
- Downtown Stoney Creek Business Improvement Area
- Ottawa Street Business Improvement Area
- Waterdown Business Improvement Area
- Westdale Business Improvement Area
- Dundas Business Improvement Area
- Flamborough Recreation Sub-Committees
- Hamilton Utilities Corporation, and
- Hamilton Renewable Power Inc.
In determining which relationships to report, these standards require us to consider relevant rules and related interpretations prescribed by the appropriate provincial institute and applicable legislation, covering such matters as:

1. holding a financial interest, either directly or indirectly, in a client;
2. holding a position, either directly or indirectly, that gives the right or responsibility to exert significant influence over the financial or accounting policies of a client;
3. personal or business relationships of immediate family, close relatives, partners or retired partners, either directly or indirectly, with a client;
4. economic dependence on a client; and
5. provision of services in addition to the audit engagement.

We have prepared the following comments to facilitate our discussion with you regarding independence matters arising since January 12, 2011.

We are not aware of any relationships between the City, its related boards/entities, listed above, and Grant Thornton LLP that, in our professional judgment, may reasonably be thought to bear on our independence, that have occurred from January 12, 2011 to January 12, 2012.

We confirm that we are independent with respect to the City within the meaning of the Rules of Professional Conduct of the Institute of Chartered Accountants of Ontario as of January 12, 2012.

This report is intended solely for the use of the Audit, Finance & Administration committee, management, and others within the City and should not be used for any other purposes.

We look forward to discussing with you the matters addressed in this letter.

Yours sincerely,

Grant Thornton LLP

[Signature]

Melanie Dugard, CA
Principal
Community Partnership Program Advance Payments

Based upon the 2011 amounts, these payments will be distributed as monthly payments, pending Council approval. Any difference between the 2011 and 2012 approved grants will be adjusted, as necessary, throughout the remainder of the year:

<table>
<thead>
<tr>
<th>ORGANIZATION</th>
<th>PROGRAM</th>
<th>2012 3 MONTHS ADVANCE</th>
<th>2011 APPROVED BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Information Services</td>
<td>Community Information Services</td>
<td>$20,307.00</td>
<td>$81,228.00</td>
</tr>
<tr>
<td>Salvation Army</td>
<td>Young Parent Resource</td>
<td>$26,000.00</td>
<td>$104,000.00</td>
</tr>
</tbody>
</table>
Present: Councillor J. Partridge, Chair  
Councillor T. Whitehead, Vice-Chair  
Councillors S. Duvall, J. Farr, T. Jackson, B. McHattie, S. Merulla and B. Morelli  

Also Present: Councillor R. Pasuta  
J.A. Priel, General Manager, Community Services  
A. Bradford, Director of Culture  
B. Atanas, Market Manager  
G. Hendry, Director, Housing Services  
D. Brodati, Policy and Program Specialist  
E. Filippone, Legal Services  
B. Browett, Director of EMS  
I. Bedioui, Legislative Assistant, City Clerk’s Office  

THE EMERGENCY AND COMMUNITY SERVICES COMMITTEE PRESENTS REPORT 12-002 AND RESPECTFULLY RECOMMENDS:  

1. **Tenant Advisory Committee Report, respecting Investment in Affordable Housing Program – Hamilton’s Allocation (Item 5.2)**  

That the Mayor, on behalf of Council, write a letter to the Ministry of Municipal Affairs and Housing advocating for additional funding for Hamilton through the Investment in Affordable Housing for Ontario Program.
2. **Investment in Affordable Housing for Ontario (CS11079(b)) (City Wide) (Item 7.1)**

   (a) That the Program Delivery and Fiscal Plan for the Investment in Affordable Housing for Ontario Program, hereto attached as Appendices “A” and “B” be approved and forwarded to the Ministry of Municipal Affairs and Housing;

   (b) That the General Manager of the Community Services Department or her designate be authorized to make future amendments to the Program Delivery and Fiscal Plan as necessary to account for and reflect changing socio-economic, housing market and housing needs.


4. **Ontario Defibrillator Access Initiative (ODAI) (HES12004) (City Wide) (Item 8.12)**

   (a) That Emergency Medical Services (EMS) staff, as the designated Public Access Defibrillation Program Lead for Hamilton, be directed to support the Ontario Defibrillator Access Initiative of the Provincial Government and the Heart & Stroke Foundation of Ontario (HSFO) as outlined in Appendix “A” attached to Report HES12004;

   (b) That EMS staff be directed to work with local community partners including City departments and the HSFO to acquire as many Automated External Defibrillators (AEDs) as made available through this OADI, which at this time provides for an estimated grant for Hamilton at approximately $300,000 in capital assets and $300,000 in training and related operational supplies in support of the local Public Access Defibrillation Program;

   (c) That commencing in the 2013 budget process, EMS staff be directed to request an increase of $30,000 annually to the reserve, to cover the cost of replacement AEDs to ensure a long-term sustainable Public Access Defibrillation Program for Hamilton; given that the average AED lifespan is 10 years, it is estimated that a contribution of $30,000 per year will provide sufficient sustainability.

   (d) That EMS staff be directed to explore options to ensure that the city-wide AED program remains financially sustainable.
5. Funding for the Flamborough Women's Resource Centre (CS12006) (Ward 15) (Item 8.2)

That annualized funding in the amount of $138,488 for the Flamborough Women's Resource Centre be referred to the 2012 budget process.

6. Early Black Community on Hamilton Mountain – formerly titled “Little Africa” Commemorative Plaque wording (Report 06-003(a)(HBB)) (Ward 7) (Item 8.3)

That the revised wording for the Early Black Community on Hamilton Mountain commemorative plaque (formerly titled “Little Africa”), hereto attached as Appendix “C”, be approved.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised there is an added delegation request from Renee Wetselaar of the Affordable Housing Flagship wishing to address Committee at the next meeting. It is added as Item 4.3 and copies have been distributed:

The agenda for the February 13, 2012 Emergency & Community Services Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were none declared.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

The Minutes of the January 18, 2012 meeting were approved as presented.

(d) DELEGATION REQUESTS (Item 4)

The following delegation requests were approved and the rules of order waived to allow them to address Committee today:

4.1 Shane Coleman, Hamilton Farmers’ Market President, concerning stall allocation and contract. (Referred from January 18, 2012 meeting.)
4.2 Judy MacDonald-Musitano wishing to address Committee at this meeting regarding issues of stallholder contracts, health conditions, Agricultural representation as a farmer and Ontario producer and wholesaler of produce locally and the Ontario Food Terminal.

The following delegation request was approved to address Committee at a future meeting:

4.3 Renee Wetselaar, Affordable Housing Flagship, wishing to present their business plan regarding pocket housing and affordable housing in Hamilton.

(e) VARIOUS ADVISORY COMMITTEE MEETING MINUTES (Item 5.1):

The following Advisory Committee Meeting Minutes were received:

(i) Hamilton Youth Advisory Committee, October 18, 2011
(ii) Hamilton Youth Advisory Committee, November 22, 2011
(iii) Hamilton Youth Advisory Committee, December 20, 2011
(iv) Food & Shelter Advisory Committee, November 10, 2011
(v) Arts Advisory Commission, November 22, 2011

(f) PUBLIC HEARINGS/DELEGATIONS (Item 6):

(i) Shane Coleman, Hamilton Farmers’ Market President, concerning stall allocation and contract. (Referred from January 18, 2012 meeting.) (Item 4.1)

Prior to addressing Committee, Mr. Coleman was advised by the Chair and legal staff, that the Market By-law does not provide him with a right of appeal in his circumstances because his stallholder contract has expired and he chose not to renew it. The Emergency and Community Services Committee has no authority to deal with the issue of the contract directly or the stall.

Shane Coleman addressed Committee and read from a prepared statement expressing concerns with the process and suggesting that a liaison committee be formed. A copy was provided to the Clerk for the record and is hereto attached as Appendix “D”.

On a motion, Mr. Coleman’s delegation was received.

(ii) Judy MacDonald-Musitano wishing to address Committee at this meeting regarding issues of stallholder contracts, health conditions, Agricultural representation as a farmer and Ontario producer and wholesaler of produce locally and the Ontario Food Terminal. (Item 4.2)
Judy MacDonald-Musitano addressed Committee expressing her concerns with the way that the City is managing the Market. She submitted a list of questions, a copy of a City letter referencing the Peer Review Committee and photos of the Market garbage room and washroom for the Clerk’s records, copies of which are hereto attached as Appendix “E”.

On a motion, Committee received Ms. MacDonald-Musitano’s delegation.

(g) STAFF PRESENTATIONS (Item 7)

(i) Investment in Affordable Housing for Ontario (CS11079(b)) (City Wide) (Item 7.1)

David Brodati, Policy and Program Specialist addressed Committee with the aid of a PowerPoint presentation. Copies of the hand-out were distributed. His comments included but were not limited to the following:

- Investment in Affordable Housing (IAH) – Overview;
- Investment in Affordable Housing Funding Allocation;
  - Hamilton’s allocation;
- City’s Role – IAH Program Administration;
- IAH Program Components;
- Historical Funding Breakdown – Last 5 Years;
- Developing the PDFP Elements to consider;
- Consultation to date;
- Option 1: New rental construction;
- Option 2: No New rental construction;

David Brodati responded to questions from Committee.

On a motion, Committee approved the staff report and received the presentation.

(ii) EMS Monthly Response Time Performance Report – January 1, 2011 to December 31, 2011 (HES12003) (City Wide) (Item 7.2)

Brent Browett, EMS Director addressed Committee with the aid of a PowerPoint presentation. Copies of the hand-out were distributed. His comments included but were not limited to the following:

- Overview of Paramedic Service
- Demands – substantial increase in emergency calls;
- Results;
- 2012 Paramedic Service Work Plan;

City Council – February 22, 2012
Brent Browett responded to questions from Committee.

On a motion, Committee received the staff report and presentation.

(h) DISCUSSION ITEMS

(i) Ontario Defibrillator Access Initiative (ODAI) (HES12004) (City Wide) (Item 8.1)

Brent Browett briefly presented his report respecting the Ontario Defibrillator Access Initiative. He provided a hand-out that was distributed indicating that the results of a recent study found a doubling of neurologically intact survival with the use of an onsite automated external defibrillator (AED) while the survival benefit of a dispatched AED use was much smaller.

(i) MOTIONS

(i) Commemoration of Diamond Jubilee of Queen Elizabeth II (Item 9.1)

That staff be directed to prepare an assessment of the opportunities (in the form of events and/or a legacy project) and potential funding sources to commemorate the Diamond Jubilee of Queen Elizabeth II and report back to the Emergency and Community Services Committee.

(j) GENERAL INFORMATION (Item 11)

(i) Outstanding Business List (Item 11.1)

(1.) The following Item was identified as completed and removed from the Outstanding Business List:

   Item - “U” - Report back on alternative funding for the Flamborough Women’s Resource Centre (Item 8.2 on this agenda.)

(2.) The due dates of the following Items were amended:

(i) Item – “C” - Recreation Access Policy (Needs Assessment)
    Current Due Date: February 13, 2012
    New Due Date: May 14, 2012

(ii) Item – “D” - Investigation of Lands Suitable for the Development of Recreation Facilities and Seniors Centres
    Current Due Date: February 13, 2012
    New Due Date: November 12, 2012

City Council – February 22, 2012
(iii) Item –"H“ - Needs Assessment – Ice Rinks in the Stoney Creek Area  
Current Due Date: February 13, 2012  
New Due Date: September 12, 2012

(iv) Item –"I“ - Feasibility of Utilizing the City of Ottawa’s Somerset Gardens Mixed Tenure Affordable Housing Model in Hamilton  
Current Due Date: February 13, 2012  
New Due Date: March 19, 2012

(v) Item –"L“ - Letter regarding the Needs of the Ancaster Senior Achievement Centre  
Current Due Date: February 13, 2012  
New Due Date: June 11, 2012

(vi) Item –"M“ - Summer Music Events in Gage Park  
Current Due Date: February 13, 2012  
New Due Date: April 10, 2012

(vii) Item –"O“ - Motion by Councillor Farr respecting Shuttle Bus Service for the Patrons of the Hamilton Farmers’ Market  
Current Due Date: February 13, 2012  
New Due Date: April 10, 2012

(k) ADJOURNMENT

There being no further business, the Emergency & Community Services Committee meeting, adjourned at 3:08 p.m.

Respectfully submitted,

Councillor J. Partridge, Chair  
Emergency & Community Services Committee

Ida Bediou
Legislative Co-ordinator
February 13, 2012
1. Proposed Plan

The City of Hamilton in collaboration with community stakeholders is developing a Housing and Homelessness Action Plan that will fulfill the Provincial requirement for a 10 year local housing plan as directed by the Long-Term Affordable Housing Strategy.

Phase 1 of Hamilton’s Housing & Homelessness Action Plan will be brought to City Council for endorsement in June 2012. Phase 1 of the Action Plan will be the strategic plan phase, encompassing a vision, values and principles, key issues that need to be addressed, broad strategies and outcomes. Phase 2 anticipated to be brought to City Council by the end of 2012 will include an implementation strategy involving more detailed actions, targets, measurements, responsibilities and costing.

The planning necessary to strategically utilize funding programs such as IAH to address housing and homelessness issues in Hamilton is part of the rigorous planning and community engagement process being undertaken in the development of Hamilton’s Housing & Homelessness Action Plan. Although the Provincial deadline for the IAH Program Delivery & Fiscal Plan (PDFP) is well ahead of the timeline for completion of Hamilton’s Action Plan; some of the planning and need assessment work already undertaken as part of the Action Plan, including community consultation on the IAH was used to inform the PDFP.

1) Current Housing Need in Hamilton

A series of background reports have been produced to inform Hamilton’s Housing & Homelessness Action Plan. This report is an environmental scan of housing and homelessness in Hamilton and contains much data on housing need. The report is available on the City’s web site at www.hamilton.ca/HousingActionPlan

The following are some of the key housing need indicators in Hamilton contained in the above referenced report:

- 18.1% of people live below the Low Income Cut-off (2006 Census)
- 9.7% of people receive social Assistance (based on December 2010 OW & ODSP data)
- 20.6% of renter households and 6.7% of owner households pay more than 50% of their income on shelter (2006 Census)
- 10.4% of renter households and 4.6% of owner households were in core housing need (2006 Census)
As of November 2011, 5,759 households are on the waitlist for social housing (City of Hamilton, Access to Housing data)

In 2010, 3,780 individuals stayed in an emergency shelter (non VAW) (City of Hamilton HIFIS 2011)

1,296 individuals/women accessed a Violence Against Women shelter in 2009/10 (MCSS)

2) How IAH will be used to address affordability and issues in Hamilton.

Allocation of funding to Hamilton under the IAH program represents a significant decline in federal and provincial investment in Hamilton. While Hamilton’s notional allocation of $16.8 million over the 4 year program is appreciated, it pales in comparison to the $66 million received by Hamilton over the previous 5 years under the same program streams that are now bundled in IAH.

Therefore, given that the IAH allocation to Hamilton is not sufficient to address housing need in our community, and given the timing of the IAH program ahead of the completion of Hamilton’s Housing & Homelessness Action Plan, the City is treating IAH as a maintenance program, essentially extending existing commitments and historical allocations within the program streams except for new rental construction.

3) Selected IAH program components.

Hamilton’s PDFP is summarized below:

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 year housing allowances (450 households)</td>
<td>$5,400,000</td>
</tr>
<tr>
<td>Ontario Renovates (265 households)</td>
<td>$4,500,000</td>
</tr>
<tr>
<td>New rental construction (36 households)</td>
<td>$5,400,000</td>
</tr>
<tr>
<td>Homeownership down payment (40 households)</td>
<td>$731,233</td>
</tr>
<tr>
<td>Program administration @ 5% of notional allocation:</td>
<td>$843,749</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td><strong>$16,874,982</strong></td>
</tr>
</tbody>
</table>

Hamilton is focusing on housing allowances and Ontario Renovates because these program streams:

- Target most in need;
- Take advantage of opportunities presented by the Hamilton housing market in terms of higher vacancy rates (4.2% in 2010), relatively affordable rents ($720 AMR in 2010) and older housing stock in need of repair (12.5% of rental units in need of major repair); and
- Involve relatively low program funding investment on a cost/household basis.
Housing Allowances

Housing allowances are preferable to rent supplements for the IAH program because given the shallower subsidy, more households can receive assistance. Also there are approximately 450 existing housing allowance clients in the current program in Hamilton and their funding is scheduled to terminate in 2013. These clients are also on the waitlist for social housing. A five year extension of housing allowances would provide these households enough time to be offered a social housing unit. Given the overall limited amount of IAH funding, staff are recommending targeting the housing allowances to existing clients to extend their subsidy, rather than to new clients.

Ontario Renovates

Hamilton has been delivering the RRAP program for 40 years. The City has been allocated $1.5 million annually for RRAP by the federal government each of the last six years.

Under Hamilton’s PDFP, the RRAP annual allocation of $1.5 million will continue as Ontario Renovates for the three year period, totaling $4.5 million. This is in recognition of the important role the existing housing stock plays in the Hamilton housing market. Hamilton’s housing stock is ageing and little new purpose built rental housing is being created.

New Rental Housing Construction

On a per unit basis, this is the most expensive program stream under IAH. Given land, construction and ancillary costs in the Hamilton market, it is likely that the full $150,000 per unit capital subsidy would be required to ensure the financial feasibility of projects, particularly if rents are to be set below 80% of average market rent.

The PDFP will have funding of $5.4 million for new rental construction, which would create 36 units of new rental housing. While an expensive option and while only producing 36 units, the City feels it is important to have some element of new rental housing supply as part of IAH, particularly given the ageing of the existing rental stock and the lack of private market construction of rental housing, affordable or otherwise.

Homeownership Down Payment Assistance

There was very strong demand for the Canada-Ontario Affordable Housing homeownership component in Hamilton and a waitlist of 37 prospective applicants exists for down payment assistance.

While not targeting the most in need, the City feels it is important to include a homeownership component homeownership helps create wealth and access to homeownership can assist people to move through the housing continuum. Renters entering homeownership vacate rental units that then become available on the market.
4) **Whether or not the program components will be stacked to deepen affordability.**

Given that housing allowances will be used to extend commitments to existing housing allowance clients whose subsidy will be ending, no stacking of program components will occur.

5) **Expected Results**

**Housing Allowances**

Under IAH in Hamilton, 450 existing housing allowance clients will continue to receive subsidy for an additional 5 years until 2018. These clients are on the waitlist for social housing and it is anticipated that 90% (400) of these clients will be housed in social housing by the end of the 5 year housing allowance stream of IAH. However, this will not decrease the size of the waitlist in Hamilton because in 2010, 3,028 new chronological applicants were added to the waitlist while only 666 were housed from the waitlist. This is reflected in the growth of the waitlist from December 2009 to December 2011 by about 13%. We expect this trend to continue forward, so at best the impact of the IAH housing allowance program in Hamilton will be a slight slowing of the rate of increase to the social housing waitlist.

**Ontario Renovates**

There are 11,278 dwelling units in need of major repair in Hamilton (2006 Census). Based on the average RRAP loan amount of $17,000 per unit over the previous 5 years, it is anticipated that 265 households or only 2.3% of units in need of major repair will be assisted.

**New Rental Housing Construction**

Given land, construction and ancillary costs in the Hamilton market, it is likely that the full $150,000 per unit capital subsidy would be required to ensure the financial feasibility of projects. As such, based on an allocation of $5.4 million to this program component, 36 new units will be created for moderate income households.

Hamilton’s new Urban Official Plan identifies a need for 629 new residential rental units annually to meet projected growth – 377 of which should be affordable to low and moderate income households. However, given that no new purpose built rental housing is occurring in Hamilton without some form of government assistance and given previous trends in rental housing demolition and condominium conversions, the addition of 36 new rental units to the housing stock will make virtually no impact to the overall supply and will not significantly assist Hamilton in meeting its annual supply target.
Homeownership

Based on an average loan amount of $18,000 under the previous COAHP homeownership assistance program, 40 households will receive assistance.
Instructions for completing the Program Delivery and Fiscal Plan (PDFP):

The PDFP is comprised of three sections:
1) Proposed Plan
2) Planned Financial Commitments
3) Projected Take-Up

Please fill out the highlighted cells in each section completely, where applicable

The PDFP outlines each Service Manager's (SM) planned financial commitments and projected take-up for their IAH annual notional allocations for Years 2 to 4.
SMs may select which program components they will deliver from the list provided in the charts below.
PDFPs must be Council-approved and requires ministry approval.
The PDFP is due no later than February 28, 2012.
PDFPs are required to be updated on a quarterly basis with progress to date. SMs are required to update the "Year 2 Update" tab as well as capture any changes in the other tabs.
PDFP quarterly updates do not require Council approval

<table>
<thead>
<tr>
<th>Service Manager /DSSAB</th>
<th>City of Hamilton</th>
</tr>
</thead>
<tbody>
<tr>
<td>SM / DSSAB Contact Name</td>
<td>Gillian Hendry</td>
</tr>
<tr>
<td>Date of Council Approval</td>
<td></td>
</tr>
<tr>
<td>Date Submitted to MMAH</td>
<td></td>
</tr>
</tbody>
</table>
1. Proposed Plan

Briefly describe how you intend to use your IAH allocation to address the housing needs of your communities. The proposed plan should cover the following issues:

1) Current housing needs in your communities
2) How IAH funding will be used to address issues and affordability in your local housing market
3) Selected IAH program components: Rental Housing, Homeownership, Ontario Renovates, Rent Supplement, Housing Allowance - and reasons for their selection
4) Whether or not IAH program components will be stacked to deepen affordability and improve access to households in need
5) Expected results

The proposed plan is intended to be a summary of the details outlined in the charts below and should be no longer than two pages. The proposed plan may be submitted as a Word document.
2. Planned Financial Commitments

Complete the following tables to indicate how much of your annual allocation you plan to commit to each program component in each year and each quarter of the IAH program. “Commit” is defined as the SM entering into a funding agreement with a proponent, client, or landlord. Funding agreements are specific to each program component:

- Rental - Contribution Agreement
- Homeownership - Agreement of Purchase and Sale, Confirmation of purchaser and unit eligibility
- Ontario Renovates - Project Information Form, Confirmation of Security, Letter of Agreement or Funding Agreement, as required
- Rent Supplement - Landlord Agreements, Agreements with delivery agencies if applicable
- Housing Allowance - Client Applications, Agreements with delivery agencies if applicable

Enter the full amount of the IAH funding to be committed in the year in which you plan to make the commitment (i.e. to sign the appropriate funding agreement).

Enter the amount to be used as administration fees for each year. Administration fees cannot exceed 6% of your total three-year funding allocation. No administration fees are to be included for Year 1 (2011-12), as all SMs will be provided with a $100,000 administration fee for this year.

If you received approval to bring forward funds in Year 1, please include the approved funding in the column for Year 1 for each applicable program component.

Please provide your best estimate when completing the highlighted sections.

**PLANNED FINANCIAL COMMITMENTS BY YEAR**

<table>
<thead>
<tr>
<th>Program Component</th>
<th>Year 1 2011-12</th>
<th>Year 2 2012-13</th>
<th>Year 3 2013-14</th>
<th>Year 4 2014-15</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enter your total SM allocation for each fiscal year (a)</td>
<td>309,410</td>
<td>6,615,527</td>
<td>6,937,333</td>
<td>3,012,712</td>
<td>16,874,982</td>
</tr>
<tr>
<td>Rental Housing</td>
<td>0</td>
<td>0</td>
<td>5,400,000</td>
<td>0</td>
<td>5,400,000</td>
</tr>
<tr>
<td>Homeownership</td>
<td>0</td>
<td>731,233</td>
<td>0</td>
<td>0</td>
<td>731,233</td>
</tr>
<tr>
<td>Northern Repair</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>0</td>
</tr>
<tr>
<td>Rent Supplement</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Housing Allowance</td>
<td>0</td>
<td>4,320,000</td>
<td>0</td>
<td>1,080,000</td>
<td>5,400,000</td>
</tr>
<tr>
<td>Ontario Renovates</td>
<td>N/A</td>
<td>1,535,895</td>
<td>1,264,363</td>
<td>1,679,742</td>
<td>4,500,000</td>
</tr>
<tr>
<td>SM Administration Fees</td>
<td>309,410</td>
<td>28,399</td>
<td>252,970</td>
<td>252,970</td>
<td>843,749</td>
</tr>
<tr>
<td>TOTAL (b)</td>
<td>309,410</td>
<td>6,615,527</td>
<td>6,937,333</td>
<td>3,012,712</td>
<td>16,874,982</td>
</tr>
<tr>
<td>Variance (a-b)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>SM Administration Fees Flat</td>
<td>100,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

City of Hamilton
2. Planned Financial Commitments

For each program component, enter the full amount of IAH funding to be committed in the quarter in which you plan to make the commitment (i.e., to sign the appropriate funding agreement). A quarterly plan is required for each fiscal year. Please provide your best estimate when completing the highlighted sections.

**Year 2 - 2012-13 Quarterly Plan**

<table>
<thead>
<tr>
<th>Program Component</th>
<th>Planned Financial Commitment - $s</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Quarter 1</td>
<td>Quarter 2</td>
</tr>
<tr>
<td></td>
<td>Apr - Jun</td>
<td>Jul - Sep</td>
</tr>
<tr>
<td>Rental Housing</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Homeownership</td>
<td>360,000</td>
<td>371,233</td>
</tr>
<tr>
<td>Rent Supplement</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Housing Allowance</td>
<td>4,320,000</td>
<td>0</td>
</tr>
<tr>
<td>Ontario Renovates</td>
<td>500,000</td>
<td>500,000</td>
</tr>
<tr>
<td>SM Administration Fees</td>
<td>7,100</td>
<td>7,100</td>
</tr>
<tr>
<td><strong>TOTAL (b)</strong></td>
<td>5,187,100</td>
<td>578,333</td>
</tr>
<tr>
<td>Variance (a-b)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Year 3 - 2013-14 Quarterly Plan**

<table>
<thead>
<tr>
<th>Program Component</th>
<th>Planned Financial Commitment - $s</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Quarter 1</td>
<td>Quarter 2</td>
</tr>
<tr>
<td></td>
<td>Apr - Jun</td>
<td>Jul - Sep</td>
</tr>
<tr>
<td>Rental Housing</td>
<td>0</td>
<td>5,400,000</td>
</tr>
<tr>
<td>Homeownership</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Rent Supplement</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Housing Allowance</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Ontario Renovates</td>
<td>500,000</td>
<td>500,000</td>
</tr>
<tr>
<td>SM Administration Fees</td>
<td>63,243</td>
<td>63,243</td>
</tr>
<tr>
<td><strong>TOTAL (b)</strong></td>
<td>563,243</td>
<td>5,983,243</td>
</tr>
<tr>
<td>Variance (a-b)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Year 4 - 2014-15 Quarterly Plan**

<table>
<thead>
<tr>
<th>Program Component</th>
<th>Planned Financial Commitment - $s</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Quarter 1</td>
<td>Quarter 2</td>
</tr>
<tr>
<td></td>
<td>Apr - Jun</td>
<td>Jul - Sep</td>
</tr>
<tr>
<td>Rental Housing</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Homeownership</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Rent Supplement</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Housing Allowance</td>
<td>1,080,000</td>
<td>0</td>
</tr>
<tr>
<td>Ontario Renovates</td>
<td>500,000</td>
<td>500,000</td>
</tr>
<tr>
<td>SM Administration Fees</td>
<td>63,243</td>
<td>63,243</td>
</tr>
<tr>
<td><strong>TOTAL (b)</strong></td>
<td>1,843,243</td>
<td>563,243</td>
</tr>
<tr>
<td>Variance (a-b)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

City of Hamilton
Complete the following tables by entering the projected unit/household take-up as a result of IAH funding for your SM area. Please complete a table for each applicable program component.

If you received approval to bring forward funds in Year 1, please include the projected unit/household take-up in the column for Year 1 for each applicable program component.

Please provide your best estimate when completing the highlighted sections.

Determination of units for target client groups is at the Service Manager’s discretion.

### Rental Housing Component

<table>
<thead>
<tr>
<th>Activity</th>
<th>Year 1 2011-12</th>
<th>Year 2 2012-13</th>
<th>Year 3 2013-14</th>
<th>Year 4 2014-15</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of rental units created for target client groups, which includes but is not limited to:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Seniors</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Persons with disabilities</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Victims of family violence</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Recent immigrants</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Aboriginal peoples</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Working poor</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Other: (please specify)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Number of rental units created - TOTAL</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

### Homeownership Component

<table>
<thead>
<tr>
<th>Activity</th>
<th>Year 1 2011-12</th>
<th>Year 2 2012-13</th>
<th>Year 3 2013-14</th>
<th>Year 4 2014-15</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of households assisted in purchasing new units</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Number of households assisted in purchasing resale units</td>
<td>0</td>
<td>40</td>
<td>0</td>
<td>0</td>
<td>40</td>
</tr>
<tr>
<td>Total - Households Assisted</td>
<td>0</td>
<td>40</td>
<td>0</td>
<td>0</td>
<td>40</td>
</tr>
<tr>
<td>Average IAH loan amount</td>
<td>0</td>
<td>18,000</td>
<td>0</td>
<td>0</td>
<td>18,000</td>
</tr>
<tr>
<td>Number of units for target client group(s)*: (please specify)</td>
<td>D</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Target client groups include, but are not limited to: seniors, Aboriginal people living off-reserve, persons with disabilities, recent immigrants, working poor, first-time homebuyers.

### Ontario Renovates / Northern Repair

<table>
<thead>
<tr>
<th>Activity</th>
<th>Year 1** 2011-12</th>
<th>Year 2 2012-13</th>
<th>Year 3 2013-14</th>
<th>Year 4 2014-15</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of homes repaired / modified</td>
<td>0</td>
<td>94</td>
<td>74</td>
<td>97</td>
<td>265</td>
</tr>
<tr>
<td>Number of rental units repaired / modified</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Number of units created, such as secondary suites and garden suites</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Total</td>
<td>0</td>
<td>94</td>
<td>74</td>
<td>97</td>
<td>265</td>
</tr>
<tr>
<td>Number of units for target client group(s)*: (please specify)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Victims of family violence</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

* Target client groups include, but are not limited to: seniors, Aboriginal people living off-reserve, persons with disabilities, recent immigrant, **SMs who received funding approval in Year 1 under the Northern Repair component should include their projected take-up in the column for Year 1.

City of Hamilton
### 3. Projected Unit / Household Take-Up

#### Rent Supplement

<table>
<thead>
<tr>
<th>Activity</th>
<th>Year 1 2011-12</th>
<th>Year 2 2012-13</th>
<th>Year 3 2013-14</th>
<th>Year 4 2014-15</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of units receiving a rent supplement</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Number of units for target client group(s)* (please specify)</td>
<td>Victims of family violence</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Target clients include, but are not limited to: seniors, Aboriginal people living off-reserve, families, temporary shelter clients, mental health services clients

**For Rent Supplements to be committed in Year 2:**
- What year will the rent supplements begin? N/A
- Length of term (up to 10 years, no later than March 31, 2023) N/A
- Average monthly rent supplement amount N/A

**For Rent Supplements to be committed in Year 3:**
- What year will the rent supplements begin? N/A
- Length of term (up to 10 years, no later than March 31, 2023) N/A
- Average monthly rent supplement amount N/A

**For Rent Supplements to be committed in Year 4:**
- What year will the rent supplements begin? N/A
- Length of term (up to 10 years, no later than March 31, 2023) N/A
- Average monthly rent supplement amount N/A

#### Housing Allowance

<table>
<thead>
<tr>
<th>Activity</th>
<th>Year 1 2011-12</th>
<th>Year 2 2012-13</th>
<th>Year 3 2013-14</th>
<th>Year 4 2014-15</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of households receiving a housing allowance</td>
<td>0</td>
<td>450</td>
<td>450</td>
<td>900</td>
<td></td>
</tr>
<tr>
<td>Number of households in specific target client group(s)* (please specify)</td>
<td>Victims of family violence</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Target clients include, but are not limited to: seniors, Aboriginal people living off-reserve, families, temporary shelter

**For Housing Allowances to be committed in Year 2:**
- What year will the housing allowances begin? 2013
- Length of term (up to 10 years, no later than March 31, 2023) 48 Months
- Average monthly housing allowance amount 200

**For Housing Allowances to be committed in Year 3:**
- What year will the housing allowances begin? N/A
- Length of term (up to 10 years, no later than March 31, 2023) N/A
- Average monthly housing allowance amount N/A

**For Housing Allowances to be committed in Year 4:**
- What year will the housing allowances begin? 2017
- Length of term (up to 10 years, no later than March 31, 2023) 12 months
- Average monthly housing allowance amount 200
## APPENDIX B - Program Delivery and Fiscal Plan (PDFP) - QUARTERLY UPDATE

### Year 2 - 2012-13 - Financial Commitment Overview

<table>
<thead>
<tr>
<th>Program Component</th>
<th>Total Planned for Year 2</th>
<th>Planned to Date</th>
<th>Actual to Date</th>
<th>Variance</th>
<th>Balance for Year 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rental Housing</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Homeownership</td>
<td>731,233</td>
<td>360,000</td>
<td>0</td>
<td>360,000</td>
<td>731,233</td>
</tr>
<tr>
<td>Rent Supplement</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Housing Allowance</td>
<td>4,320,000</td>
<td>4,320,000</td>
<td>0</td>
<td>4,320,000</td>
<td>0</td>
</tr>
<tr>
<td>Ontario Renovates</td>
<td>1,535,895</td>
<td>500,000</td>
<td>0</td>
<td>500,000</td>
<td>1,535,895</td>
</tr>
<tr>
<td>SM Administration Fees</td>
<td>28,399</td>
<td>7,100</td>
<td>0</td>
<td>7,100</td>
<td>28,399</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>6,615,527</strong></td>
<td><strong>5,187,100</strong></td>
<td><strong>0</strong></td>
<td><strong>5,187,100</strong></td>
<td><strong>6,615,527</strong></td>
</tr>
</tbody>
</table>

### FINANCIAL COMMITMENTS - QUARTER 1 (APRIL - JUNE) UPDATE

As of:

Enter the full amount of the IAH funding that was committed in Quarter 1 (Committed = signing the appropriate funding agreement.)

Enter when you plan to commit the remaining Year 2 balance in Quarters 2 to 4.

Please enter information into the highlighted cells only.

<table>
<thead>
<tr>
<th>Program Component</th>
<th>Financial Commitments by Quarter - $s</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Quarter 1 (Apr - Jun)</td>
</tr>
<tr>
<td>Rental Housing</td>
<td></td>
</tr>
<tr>
<td>Homeownership</td>
<td></td>
</tr>
<tr>
<td>Rent Supplement</td>
<td></td>
</tr>
<tr>
<td>Housing Allowance</td>
<td></td>
</tr>
<tr>
<td>Ontario Renovates</td>
<td></td>
</tr>
<tr>
<td>SM Administration Fees</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX B - Program Delivery and Fiscal Plan (PDFP) - QUARTERLY UPDATE

Year 2 - 2012-13 - Unit/Household Take-Up Overview

Enter the actual number of units / households assisted in Quarter 1 (April to June).
Enter how many units / households you plan to assist in Quarters 2 to 4.
Determination of units for target client groups is at the Service Manager's discretion.

### Rental Housing Component

<table>
<thead>
<tr>
<th>Activity</th>
<th>Total Planned for Year 2</th>
<th>Quarter 1 Apr - Jun</th>
<th>Quarter 2 Jul - Sep</th>
<th>Quarter 3 Oct - Dec</th>
<th>Quarter 4 Jan - Mar</th>
<th>Total Actual to date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Actual</td>
<td>Planned</td>
<td>Planned</td>
<td>Planned</td>
<td>Planned</td>
<td></td>
</tr>
<tr>
<td>Seniors</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Persons with disabilities</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Victims of family violence</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Recent immigrants</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Aboriginal peoples</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Working poor</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Other: (please specify)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Number of rental units created - TOTAL</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

### Homeownership Component

<table>
<thead>
<tr>
<th>Activity</th>
<th>Total Planned for Year 2</th>
<th>Quarter 1 Apr - Jun</th>
<th>Quarter 2 Jul - Sep</th>
<th>Quarter 3 Oct - Dec</th>
<th>Quarter 4 Jan - Mar</th>
<th>Total Actual to date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Actual</td>
<td>Planned</td>
<td>Planned</td>
<td>Planned</td>
<td>Planned</td>
<td></td>
</tr>
<tr>
<td>Number of households assisted in purchasing new units</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Number of households assisted in purchasing resale units</td>
<td>40</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total - Households assisted</td>
<td>40</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Number of units for target client group(s): (please specify)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

* Target client groups include, but are not limited to: seniors, Aboriginal people living off-reserve, persons with disabilities, recent immigrants, working poor, first-time homebuyers.

### Ontario Renovates

<table>
<thead>
<tr>
<th>Activity</th>
<th>Total Planned for Year 2</th>
<th>Quarter 1 Apr - Jun</th>
<th>Quarter 2 Jul - Sep</th>
<th>Quarter 3 Oct - Dec</th>
<th>Quarter 4 Jan - Mar</th>
<th>Total Actual to date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Actual</td>
<td>Planned</td>
<td>Planned</td>
<td>Planned</td>
<td>Planned</td>
<td></td>
</tr>
<tr>
<td>Number of homes repaired / modified</td>
<td>94</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Number of rental units repaired / modified</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Number of units created, such as secondary suites and garden suites</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>94</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Number of units for target client group(s): (please specify)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

* Target client groups include, but are not limited to: seniors, Aboriginal people living off-reserve, persons with disabilities, recent immigrant, working poor.
**APPENDIX B - Program Delivery and Fiscal Plan (PDFP) - QUARTERLY UPDATE**

### Rent Supplement

<table>
<thead>
<tr>
<th>Activity</th>
<th>Total Planned for Year 2</th>
<th>Unit / Household Take-up</th>
<th>Quarter 1 Apr - Jun</th>
<th>Quarter 2 Jul - Sep</th>
<th>Quarter 3 Oct - Dec</th>
<th>Quarter 4 Jan - Mar</th>
<th>Total Actual to date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of units receiving a rent supplement</td>
<td>0</td>
<td>Actual</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of units for target client group(s)*: (please specify)</td>
<td></td>
<td>Planned</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Victims of family violence</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Target clients include, but are not limited to: seniors, Aboriginal people living off-reserve, families, temporary shelter clients, mental health services clients.

### Housing Allowance

<table>
<thead>
<tr>
<th>Activity</th>
<th>Total Planned for Year 2</th>
<th>Unit / Household Take-up</th>
<th>Quarter 1 Apr - Jun</th>
<th>Quarter 2 Jul - Sep</th>
<th>Quarter 3 Oct - Dec</th>
<th>Quarter 4 Jan - Mar</th>
<th>Total Actual to date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of households receiving a housing allowance</td>
<td>0</td>
<td>Actual</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of households in specific target client group(s)*: (please specify)</td>
<td></td>
<td>Planned</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Victims of family violence</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Target clients include, but are not limited to: seniors, Aboriginal people living off-reserve, families, temporary shelter clients, mental health services clients.

Service Manager /DSSAB

SM / DSSAB Contact Name

Date Submitted to MMAH
Black Community on Hamilton Mountain

Beginning in the 1840s, people of African descent purchased plots of land on the Hamilton Mountain brow along today’s Concession Street between Upper Wellington and Upper Sherman Streets. William Bridge Green was a key provider of land to Black settlers, who came from a variety of backgrounds. Most originated in the United States, although Pompey Lewis was African-born and John and Rosanna Spellman were from Santo Domingo. Some were freeborn. Many had been enslaved, and had migrated to free American states before moving north. Others had escaped directly from bondage via the Underground Railroad. They worked as farmers, carters, labourers, skilled trades people and entrepreneurs. Some of these Black landowners divided up their property and sold or rented smaller lots to other Blacks. In 1854, Reverend Joseph P. Williams established an African Methodist Episcopal Church capable of seating 100 people on his property at the top of the future Jolley Cut. Julia Washington Berry operated the tollgate at the top of James Street. William Nelson was caretaker for the Mission Church on Concession Street. Other families included several Johnson households, the Calamese family, the Carters, Connaways, Mallorys, Mortons and Santees. Black barber and leader Josiah Cochrane also bought land here. Although the community later dubbed “Little Africa” persisted for several decades, the vast majority of inhabitants sold their property and purchased homes below the Mountain or moved to other Ontario locales, where some descendants continued to live into the twenty-first century.

Hamilton Historical Board
2011

(242 words)
Good Afternoon Madam Chair

Members of the Council.

My name is Shane Coleman. I have been raised at the Farmers Market. Sleeping under the table at 3am in the morning when I was a child I love the market I love to be of service to the public and I want to make the market more successful for the city and the independent stallholders.

I am here before you today having been made an example of by the department of Culture and Recreation and the Market Supervisors. Through direct and indirect intimidation and victimization.

I found myself unemployed with a loss of my livelihood an unable to support my household and 4 children. Being self employed I have no source of income.

I thank you for the opportunity to come before you here today and I trust we will have resolution that is equitable for all.

I have represented individuals as the President of the stallholders at the Hamilton Farmers Market for the past year. I have been intimidated, belittled, reported and forced out of my business because I take a stand requesting accountability and justice for hard working individuals and citizens at large.

Through the powers that be, making me an example, it has now forced other vendors to attend their place of business intimidated and in fear also of losing their livelihood should they speak out. My attendance since my eviction at the market as a representative of
the stallholders association has continued to be monitored, intimidated and should any area of problems arise, completely ignored.

This form of intimidation I find disrespectful from both the Departments of the City as well as elected officials. Through various attempts of correspondence, I only requested the courtesy of a response, thus I am here before you today.

There are various serious concerns expressed in written documentation from both myself and other members of the stallholder association. Which we will be prepared to address in full before each and everyone of you at a future time and meeting.

I feel because I have brought these issues forward I have been isolated, the only way to which it would appear, the staff responds, is to intimidate and force the individual making the complaint to appear either as a troublemaker, instead of a problem solver.

I was given a stall in 2011, that is “a highly visible sight and a reflection on the entire market” I was lead to understand that my professionalism and product display was an enhancement to the market and I have received such complements from customers of our market.

My family has been a long term paying tenant since 1835 and have never defaulted in stall payments.
I have personally been on the market as an independent stallholder since 2011. I also became President of the Stallholders Association in 2011.

I have witnessed and both represented stallholders, who have been suspended, harassed, intimidated, and ignored although paying premium fees of $27 per square foot and allowed only to run our
businesses a total of 16 days a month. I ask you, can you sustain a living on working only 16 days a month. We are also under a set of rules and a contract to which the City is the landlord and we are the tenants. If any perceived violation by a director or by management the stallholder is suspended or threatened with termination, this form of intimidation makes for a sense of uneasiness and fear in the workplace.

Intimidation letters as well as notices are signed “Please govern yourself Accordingly”

On April 27th, 2011, I attended the Hamilton Farmers Market Subcommittee meeting, and it was brought forward that 42 of the then 67 vendors had all received these letters of termination.

It would appear, this practice of suspension and intimidation is the form to which control of independent business owners is obtained.

Let us keep in mind, that the stallholders are not employees of the City of Hamilton, nor have ever claimed to be, they consist of independent businesses who pay rent for use of the premise. Thus, it is another form of intimidation when pictures are being taken of stalls without written consent, and files being kept on each and every stallholder without accessibility from the stallholder for review.

Under the privacy act, each and every stallholder should have the opportunity with a witness to review their “performance record”

However disclosure has always been denied.

I had informed the manager that stallholders would like to start entering contract negotiations November 11th 2011 which would give each and every vendor the opportunity to seek appropriate legal
counsel, and enter into independent contracts which would be amicable to each party.

I received my renewal contract December 9th, to which I had up to December 23rd to sign. I had concerns, so we consulted legal advice. We requested an extension until such time as the contract would allow for the tenants or stallholders to have some legal representation and amendments. We were denied.

When we expressed concerns we were told to sign by December 23rd or risk termination. Again I reiterate in the private sector such things would be unacceptable.

There are amendments that I feel should be put into place under the current contract, which as it would appear would give us some rights and privileges as opposed to being all one sided.

Thus we felt and I felt personally, I was intimidated into signing or lose your livelihood.

Those who signed under duress were told to remove the statement “under duress” and sign the contract.

I chose not to sign. How wrong I was.

In turn I have been evicted because I did not sign within their given timeline although my contract was officially over December 31st, I had expressed and it was known, that I had intention of renewal, and that I would sign a contract after which time the appropriate amendments
should be made.

I am before you today, I have reapplied as a business owner because I do not wish any peril coming to my family because of lose of livelihood. I wish to continue to go forward in the Farmers’ Market and suggest that a committee be formed for review of stallholders wishing to do business with the City, and that a contract consist of input from all sources including Independent legal advice.

I am suggesting a liaison committee be formed with an independent individual with agricultural background, stallholders, city councillors and 1 representative from the city department responsible, and two independent citizens to review this process.

I am available to discuss further matters and if given the opportunity wish to work to rectify the injustices that are being done even as I speak.

I thank you in advance for your co-operation and resolve to this matter.

Shane Coleman
February 13th, 2012

witness: [signature]
1. Maintenance staff directed by whom to take photos of stallholders and stalls without consent?

2. Is your market manager an officer of the court? 
Is he a licensed investigator with the Ministry of Community Safety and Correction Services? To obtain private and confidential files on citizens 
Who has access to these files? 
Why are they being kept and for what use?

3. Correspondence stating a Peer Review Committee with senior representatives from the following: The Ontario Federation of Agriculture (OFA) 
The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) 
Farmers Markets Ontario 
Local Agricultural and Food Activists all whom sit on your review committee to decide a vendor's qualifications 
Please disclose the names and titles of each committee member and when they meet?

4. Policy on trades and Electricians, Why only one selected company?

5. Who's authority and authorization to intimidate? 
Breaking of the Market by-Law 10-209, policy Category 1

6. Who "BANS" individuals from operating a business?

7. Public Health intervention why are they not intervening?

* When is the earliest appointment for a meeting of all concerned?

[Signature]

[Handwritten note:浦福]
3 November 2010

Re: Hamilton Farmers' Market Stallholder Application Process

In total, 95 applications were received by the deadline of 4:00 pm on Tuesday October 12, 2010. There were many exceptional applications received. Tough decisions had to be made based on the mandate and direction provided by Hamilton City Council. At this time, it is not possible to offer your business a stall in the renovated Market.

The Peer Review Committee spent many hours reviewing and scoring every application based on the Selection Criteria and scoring system as approved by Council. The Peer Review Committee consisted of senior representatives from the following organizations: Ontario Federation of Agriculture, Ontario Ministry of Agriculture, Food and Rural Affairs, Farmers' Markets Ontario, and local agricultural and food activist organizations.

The next meeting of the Hamilton Farmers' Market Transition Sub-Committee is Thursday December 9th. If you wish to make a presentation to the Committee to discuss the results of your application, you must apply as a delegation through the City Of Hamilton website. On the opening page, you would select “Request to Speak to a Committee of Council”. You must fill in all of the requested information. Begin by selecting “Emergency and Community Services” as the Standing Committee. In the space entitled “Reason(s) for delegation request” you should indicate that you wish to make a presentation to the Hamilton Farmers’ Market Transition Sub-Committee to discuss your individual application results. You will be contacted by a Legislative Assistant to confirm your presentation details.

If you have any questions regarding your application or the selection process, please contact Cathy Masterson, Supervisor, Hamilton Farmers’ Market by email at Cathy.Masterson@hamilton.ca or by phone at (905) 546-2424 ext. 2097.

Regards,

Cathy Masterson,
Supervisor, Hamilton Farmers’ Market
General Issues Committee
REPORT 12-004
(as amended by City Council on February 22, 2012)
9:30 a.m.
Wednesday, February 15, 2012
Council Chambers
Hamilton City Hall
71 Main Street West

Present:
Deputy Mayor T. Whitehead (Chair)
Mayor R. Bratina
Councillors C. Collins, S. Duvall, J. Farr, L. Ferguson,
B. McHattie, S. Merulla, B. Morelli, T. Jackson, B. Johnson,
J. Partridge, R. Pasuta, M. Pearson, R. Powers

Absent with Regrets:
Councilor B. Clark, Personal Business

Also Present:
C. Murray, City Manager
R. Rossini, General Manager, Finance and Corporate Services
G. Davis, General Manager, Public Works
T. McCabe, General Manager, Planning and Economic Development
J. A., Priel, General Manager, Community Services
P. Barkwell, City Solicitor
C. Biggs, Co-ordinator, Committee Services/Council/Budgets
A. Grozelle, Legislative Coordinator
S. Paparella, Legislative Coordinator

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 12-004 AND RESPECTFULLY RECOMMENDS:

1. Hamilton Police Services Board Monthly Reports (PSB 11-123 and PSB 12-006) (Item 5.1)

That Hamilton Police Services Board Monthly Reports PSB 11-123 and PSB 12-006 be received.
2. **Concession Street Business Improvement Area (B.I.A.) Revised Board of Management (PED 10250(a)) (Wards 6 and 7) (Item 5.2)**

   That the following individual be appointed to the Concession Street B.I.A. Board of Management:

   Deb Kitchen.

3. **Amended Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application (ERG-06-07) – 1649626 Ontario Inc., 801 and 803 King Street West, 80, 86 and 90 Carling Street, Hamilton (PED07078(a)) (Ward 1) (Item 5.3)**

   (a) That Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application (ERG-06-07), as amended, submitted by 1649626 Ontario Inc., owner of the property at 801 and 803 King Street West, 80, 86, and 90 Carling Street, for an ERASE Redevelopment Grant not to exceed $2,224,875.00 (which includes $525,000 previously approved by Council on February 28, 2007 in approving Item 4 of Economic Development & Planning Committee Report 07-004), payable to 1649626 Ontario Inc. over a maximum of ten (10) years, be authorized and approved in accordance with the terms and conditions of the ERASE Redevelopment Agreement;

   (b) That the Mayor and City Clerk be authorized and directed to execute, on behalf of the City, the associated amended ERASE Redevelopment Grant Agreement with 1649626 Ontario Inc., referred to in subsection (a) with respect to the redevelopment of 801 and 803 King Street West, 80, 86, and 90 Carling Street and all necessary associated documents, all in a form satisfactory to the City Solicitor.

4. **Neighbourhood Development Strategy (CM11007(b)) (City Wide) (Outstanding Business List) (Item 5.4)**

   That Report CM11007(b) respecting Neighbourhood Development Strategy, be received
Sub-section (g) of Item 5 was approved, as amended, as follows:

5. Development Charge Exemption Policies for the Expanded Downtown Hamilton Community Improvement Project Area and Protected Heritage Across the City and Demolition Credit Extension for 85 Robinson Street (FCS12015) (City Wide) (Item 6.1)

(a) That developments in the new expanded Downtown Hamilton Community Improvement Project Area (CIPA) (refer to Appendix “A” of report FCS12015), as per the expanded boundary approved by Council November 16, 2011, be exempted 90% from Development Charges (DC’s), with the exemption being applied after any and all other credits and exemptions have been applied;

(b) That subject to the approval of recommendation (a) of report FCS12015, the remaining DC Liability be exempted Dollar for Dollar based on the development’s voluntary contribution to a Downtown Public Art Reserve;

(c) That subject to the approval of recommendation (b) of report FCS12015, staff of the Planning and Economic Development Department report back to the General Issues Committee on the terms and conditions for the use of a Downtown Public Art Reserve;

(d) That a Development Charges (DC) Exemption Policy of 100% be applied to the Adaptive Reuse of Protected Heritage Properties within the existing building envelope, across the City of Hamilton;

(e) That the expired Municipal Development Charges Demolition Credit in the amount of $291,342 for 85 Robinson Street (formerly Hamilton Thistle Club) be extended to December 31, 2012;

(f) That the amending Development Charges By-law, attached hereto as Appendix B of report FCS12015, being an amendment to Development Charges By-laws 09-143, 11-174 and 11-175, be passed and enacted;

(g) That staff of the Corporate Services Department and the Planning & Economic Development Department be directed to undertake and report back to the General Issues Committee on a comprehensive review of City Development Charges and their impact on intensification and redevelopment;

(h) That staff be directed to investigate the feasibility of including the area on the west side of Emerald Street North to Barton Street East, and the east side of Victoria Avenue North below Barton Street to the CNR tracks, in the Downtown Hamilton Community Improvement Project Area and bring a report back to the General Issues Committee.

(i) That Council determine that no further public meeting is required.

Council – February 22, 2012
6. **Correspondence from Don McLean respecting Report FCS12015 Development Charge Exemption Policies for the Expanded Downtown Hamilton Community Improvement Project Area and Protected Heritage Across the City and Demolition Credit Extension for 85 Robinson Street (Added Item 6.1.1)**

That the written submission provided by Don McLean, attached hereto as Appendix “A”, be received.


   (a) That Appendix “A”, attached to Report PED12020 respecting *Golden Horseshoe Agriculture & Agri-Food Strategy - Food & Farming: An Action Plan 2021*, be received;

   (b) That the formation of a Golden Horseshoe Food and Farming Alliance (GHFFA) be endorsed;

   (c) That City of Hamilton staff be directed to commence working with its partners and community stakeholders to implement specific actions under the *Golden Horseshoe Agriculture & Agri-Food Strategy - Food & Farming: An Action Plan 2021*;

   (d) That the Mayor, on behalf of City of Hamilton, submit a funding request to the Province’s Ministry of Agriculture of Food & Rural Affairs and the Ministry of Municipal Affairs and Housing for the *Golden Horseshoe Agriculture & Agri-Food Strategy - Food & Farming: An Action Plan 2021*; and,

   (e) That a copy of the subject report the *Golden Horseshoe Agriculture & Agri-Food Strategy - Food & Farming: An Action Plan 2021*, be sent to the following local and Provincial Farming Organizations: the Hamilton Wentworth Federation of Agriculture, Ontario Federation of Agriculture, Brant Wentworth Christian Farmers Federation and members of the City of Hamilton Agricultural & Rural Affairs Advisory Committee and Community Food Security Stakeholders Committee.

8. **Hamilton Police Service Forensic Building (FCS12023) (City Wide) (Outstanding Business List) (Item 8.4)**

   (a) That for the 2012 Capital Budget, design work in the amount of $1.5 million for the proposed Police Investigative Services Division Headquarters, be approved;
(b) That subject to the approval of Recommendation (a) of FCS12023, that the $1.5 million be funded as follows, $750,000 from the City’s 2012 Capital Budget vision and $750,000 from the Police Capital Reserve (#110065);

(c) That staff be directed to report back to the General Issues Committee on a financing plan to incorporate the next phase of this project into the 10-year capital budget process.

9. **Stimulus Funding Update (FCS09052(I)) (City Wide) (Item 8.1)**

That Report FCS09052(I) respecting Stimulus Funding Update, be received.

10. **Budget Control Policy (FCS12010(a)) (City Wide) (Item 8.2)**

That the Budget Control Policy (revised), attached hereto as Appendix “B”, be approved.

11. **Budgeted Complement Control Policy (FCS12011(a)) (City Wide) (Item 8.3)**

That the Budgeted Complement Control Policy (revised), attached hereto as Appendix “C”, be approved.

12. **Area Rating Special Capital Re-Investment (FCS12024) (City Wide) (Item 8.5)**

(a) That the proposed Area Rating Special Capital Re-Investment Policy, attached hereto as Appendix “D”, be approved;

(b) That the annual Special Capital Re-Investment be allocated equally across the 8 Ward Special Capital Re-Investment Reserves (Wards 1-8);

(c) That a capital project be created for, and funded by, each of the 8 Ward Special Capital Re-Investment Reserves, in the amount of $100,000, to be used in the respective Ward to fund in-year infrastructure priorities;

(d) That, subject to the approval of Recommendation (c) of Report FCS12024, that any unspent or uncommitted funding in the capital projects be closed at year-end and the unspent and uncommitted proceeds be transferred to the Ward Reserve;

(e) That, subject to the approval of Recommendation (c) of Report FCS12024, the 8 capital projects be set-up annually in conjunction with the approved City of Hamilton Capital Budget.

Council – February 22, 2012

(a) That the directions of the Minister of the Environment to Waste Diversion Ontario, as outlined in his letter of February 9, 2012 to Waste Diversion Ontario, and attached hereto as Appendix “E”, be supported;

(b) That staff be directed staff to work with the Association of Municipalities of Ontario (AMO), Regional Public Works Commissioners of Ontario (RPWCO), Municipal Waste Association (MWA) and Ontario Waste Management Association (OWMA) to respond to the proposals from Waste Diversion Ontario; and to provide updates to the General Issues Committee when necessary;

(c) That copies of this resolution be forwarded to the Minister of the Environment, all area M.P.P.’s, AMO, RPWCO, MWA and OWMA.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

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

ADDED DELEGATION REQUESTS

(i) Request to Appear from Irene Hubar respecting clarification of rental rate at 201-35 King Street West, Hamilton (Added as Item 4.1)

(ii) Request to Appear respecting the Hamilton Farmers’ Market from:

(a) Tilly Johnson – on the behaviour and conditions as a vendor at the Hamilton Farmers’ Market. Stall member for 41 years (Added as Item 4.2)

(b) Judy MacDonald-Musitano, respecting Farmers’ Market issues and resolve (Added as Item 4.3)

(c) Shane Coleman, on behalf of Hamilton Farmers’ Market Stallholders Association, respecting Farmers’ Market issues and resolve (Added as Item 4.4)

ADDED CORRESPONDENCE

(iii) Submission from Don MacLean respecting Development Charges (Cross Reference to Item 6.1) (Added as Item 6.1.1)
ADDED DISCUSSION ITEMS

(iv) Auditor General Model (CM11006) (City Wide) (Added as Item 8.6(a))

(v) Implementation of the Hybrid Auditor General Model (AUD11028) (City Wide) (Added as Item 8.6(b))

NOTE: The above-noted items were referred back to staff by the General Issues Committee at their meeting on February 1, 2012.

(vi) Ward Boundary Review (CL11004(a)) (City Wide) (Added as Item 8.7)

NOTE: The above-noted issue was referred to the General Issues Committee by the Audit, Finance & Administration Committee on February 13, 2012.

ADDED NOTICE OF MOTION

(vi) Ministry of the Environment Direction to Waste Diversion Ontario – February 9, 2012 (Added as Item 10.1)

On a motion, the agenda, amended as follows, was approved:

ADDED DELEGATION REQUEST

(i) Delegation Request from Irene Hubar respecting clarification of rental rate at 201-35 King Street West, Hamilton (Added Item 4.1)

On a motion, the delegation request from Irene Hubar was approved. Ms. Hubar will be invited to attend the February 27, 2012 meeting of the General Issues Committee.

(ii) Requests to Appear respecting the Hamilton Farmers’ Market from:

(a) Tilly Johnson – on the behaviour and conditions as a vendor at the Hamilton Farmers’ Market. Stall member for 41 years (Added as Item 4.2)

(b) Judy MacDonald-Musitano, respecting Farmers’ Market issues and resolve (Added as Item 4.3)

(c) Shane Coleman, on behalf of Hamilton Farmers’ Market Stallholders Association, respecting Farmers’ Market issues and resolve (Added as Item 4.4)

On a motion, the delegation requests from Tilly Johnson, Judy MacDonald-Musitano and Shane Coleman, were denied.
ADDED DISCUSSION ITEMS

(iii) Auditor General Model (CM11006) (City Wide) (Added Item 8.6(a))

(iv) Implementation of the Hybrid Auditor General Model (AUD11028) (City Wide) (Added Item 8.6(b))

On a motion, Reports CM11006 and AUD11028 respecting Auditor General Model and Implementation of the Hybrid Auditor General Model were referred to the March 21, 2012 meeting of the General Issues Committee.

(v) Ward Boundary Review (CL11004(a)) (City Wide) (Added as Item 8.7)

On a motion, Report CL11004(a) respecting Ward Boundary Review was referred to the special General Issues Committee meeting scheduled on February 27, 2012.

(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) APPROVAL OF PREVIOUS MINUTES (Item 3)

On a motion, the Minutes of the February 1, 2012 meeting of the General Issues Committee were approved as presented.

(d) DELEGATION REQUESTS (Item 4)

See Recommendations under “Changes to the Agenda”.

(e) PUBLIC HEARINGS/DELEGATIONS (Item 6)

(i) Development Charge Exemption Policies for the Expanded Downtown Hamilton Community Improvement Project Area and Protected Heritage Across the City and Demolition Credit Extension for 85 Robinson Street (FCS12015) (City Wide) (Item 6.1)

Chair Whitehead advised that pursuant to the Development Charges Act, notice of the public meeting was advertised in the Spectator on January 26, 2012, indicating that all interested parties are invited to attend this meeting and any person who attends the meeting may make representations relating to the proposed Amendment to By-laws 09-143, 11-1784 and 11-175 to amend and expand the Downtown Hamilton Community Improvement Plan Area Exemption, as well as add an exemption for the Adaptive Reuse of Protected Heritage Properties.
The Chair advised that no requests were received in writing from anyone wishing to address the Committee on this matter.

The Chair asked if there was anyone present who wished to speak to this issue. No one came forward.

Committee members discussed the benefits and disadvantages of expanding the Development Charge Exemption area. Committee members debated the focus on Hamilton’s core downtown area in comparison to the other downtown areas within the municipality.

On a motion, Item 5 was amended by adding the following as sub-section (h) and the balance of the sections re-numbered accordingly:

(h) That staff be directed to investigate the feasibility of including the area on the west side of Emerald Street North to Barton Street East, and the east side of Victoria Avenue North below Barton Street to the CNR tracks, in the Downtown Hamilton Community Improvement Project Area and bring a report back to the General Issues Committee.

The Amendment CARRIED on the following vote:

Yeas:  Bratina, Whitehead, McHattie, Farr, Morelli, Merulla, Collins, Jackson, Duvall, Partridge, Pasuta, Powers  
Total Yeas:  12  
Nays:  Pearson, Johnson, Ferguson  
Total Nays:  3  
Absent:  Clark  
Total Absent:  1  

The Main Motion, as amended, CARRIED on the following recorded vote:

Yeas:  Bratina, Whitehead, McHattie, Farr, Morelli, Merulla, Collins, Jackson, Duvall, Partridge, Pasuta, Powers, Pearson  
Total Yeas:  13  
Nays:  Johnson, Ferguson  
Total Nays:  2  
Absent:  Clark  
Total Absent:  1  

See Item 5 for the disposition of this item.
(g) PRESENTATION

(i) Golden Horseshoe Agriculture & Agri-Food Strategy – Food and Farming: An Action Plan 2021 (PED12020) (Item 7.1)

Tim McCabe introduced Margaret Walton, PLANSCAPE, and Peter Lambrick, Chair of the Study Plan, to provide their presentation on the Food & Farming: An Action Plan 2021 and thanked them for the work that they put into the report.

Margaret Walton provided a power point presentation which included the following:

- Benefits of the Plan are to work as a unit to attract new investment and growth in Hamilton; coordinate economic development, planning and public health, nutrition and educational programs; promote municipal priorities based on the Action Plan while cooperating with other municipal partners; and, leverage funding from all levels of government and private foundations for projects.
- Five Opportunities/Actions: Grow the cluster; link, food, farming and health; foster innovation; enable the cluster; and, cultivate new approaches.
- Assistance required from the City: Access to staff resources; support of a Golden Horseshoe Food and Farming Alliance; cooperation and coordination of programming; and, support for funding applications.

A full copy of the presentation is available on-line or through the Office of the City Clerk.

On a motion, the presentation, respecting the Golden Horseshoe Agriculture and Agri-Food Strategy – Food and Farming: An Action Plan 2021, was received.

(ii) Independent External Audit Review of HECFI Operations – Phase II (RFP) (CM11013(b)) (City Wide) (Item 7.2)

Tony Tollis introduced the report and provided the following comments:

- Acknowledge that process is being driven by consultants
- Outlined four objectives
- Because this is still in RFP process, the objective is not to discuss financial details of proposal, but rather to update Committee on what proposals were received and background of the proponents
- Will be entering into clarification process of the RFP’s to understand what is being presented

Council – February 22, 2012
• In summary, no one has come forward to purchase or lease facilities outright; no one is prepared to make significant capital improvements on on-going basis without direct involvement; looking at management contracts and all proponents require a level of subsidy for the first few years
• In the end, the process may come down to which proponent is in the best position to maximize savings from the City’s standpoint
• To that point, staff will come back on March 21 with shortlist of one or few; staff will be bringing forward two options, one being status quo; second option is the strategic plan that has been put together by HECFI and reasonably moved forward by the Board

Mr. John Rockx of KPMG provided a power point presentation respecting HECFI Phase Two: Alternative Service Delivery Options for HECFI Facilities – Search Process, which outlined the following:

• Background, including financial analysis of historical summary of City subsidies; analysis by facility; capital expenditures; observations, overview and objectives of the RFP process
• RFP Results, which include AEG Facilities/Katz Group; Carmen's Group; Global Spectrum/Live Nation; SMG/Forum Equity; Sonic Unyon; Vrancor Group
• NHL Interest
• Operating realities
• Overall observations from proposals received
• Analysis of arena subsidies and performing arts centres/theatres
• Project timetable/next steps

On a motion, the presentation, respecting Report CM11013(b) – Independent External Audit Review of HECFI Operations – Phase II (RFP), was received.

Independent External Audit Review of HECFI Operations – Phase II (RFP)
(CM11013(b)) (City Wide) (Item 7.2)

On a motion, the City Manager (through KPMG) was authorized to meet with all proponents as outlined in report CM11013b to further explore the proposals and report back to the General Issues Committee on March 21st with recommendations to proceed to the negotiations stage with one or more of the proponents.

On a motion, the recommendation was amended by deleting March 21st and replacing it with April 4th in lieu thereof.

The Amendment subsequently CARRIED.
DISCUSSION AGENDA

On a motion, Item 8.4 respecting the Hamilton Police Service Forensic Building (FCS12023) was moved up on the agenda.

Hamilton Police Service Forensic Building (FCS12023) (City Wide) (Outstanding Business List) (Item 8.4)

Superintendent Mike Shea from the Hamilton Police Service was in attendance to speak to the details of the report and respond to questions of the Committee.

On a motion, the following was added as sub-section (c):

(c) That staff be directed to report back to the General Issues Committee on a financing plan to incorporate the next phase of this project into the 10-year capital budget process.

The Main Motion, as amended, CARRIED on the following recorded vote:

Yeas: Bratina, Pearson, Johnson Ferguson, Pasuta, Partridge, Duvall, Jackson, Collins, Merulla, Morelli, Farr, McHattie

Total Yeas: 13

Nays: Whitehead

Total Nays: 1

Absent: Clark, Powers

Total Absent: 2

PROCEDURAL MOTIONS

On a motion, the General Issues Committee recessed for lunch until 1:00 p.m.

On a motion, the regular meeting of the General Issues Committee recessed from 2:40 p.m. to 3:00 p.m., at which time the Committee convened a special General Issues Committee meeting to receive public delegations respecting the 2012 City of Hamilton budget.

On a motion, the regular meeting of the General Issues Committee reconvened at 4:40 p.m.

NOTICES OF MOTION (Item 10)

Councillor M. Pearson introduced the following Notice of Motion:
Ministry of the Environment Direction to Waste Diversion Ontario  
– February 9, 2012

Whereas the Waste Diversion Act was enacted in 2002 to foster Extended Producer Responsibility and compensate municipalities for waste diversion programs;

And Whereas, regulations have been approved for producer responsibility programs for the blue box program, used tires, waste electronics and municipal hazardous and special waste;

And Whereas, the Minister of the Environment has given direction to Waste Diversion Ontario (WDO) to improve oversight of Ontario’s waste diversion programs in his letter to the WDO of February 9, 2012, through a review of WDO governance; full cost recovery from stewards; methods to ensure effective program delivery; policies and procedures on Industry Stewardship Plans; and review of incentive plans for service providers.

And Whereas, the funding approach for producers of municipal hazardous and special waste (MHSW) has not been successful:

And Whereas, the Minister of the Environment has issued a new regulation respecting MHSW to:

(i) ensure producers pay actual cost of waste disposal,
(ii) protect consumers,
(iii) control municipal costs, and
(iv) keep more waste out of landfills and waterways;

And Whereas the Minister has directed Waste Diversion Ontario to undertake program changes that implement the regulation; and

And Whereas, the Minister has issued extremely tight timeframes for Waste Diversion Ontario to respond to the directions, including consultation with municipalities:

Therefore Be It Resolved:

(a) That the directions of the Minister of the Environment to Waste Diversion Ontario, as outlined in his letter of February 9, 2012 to Waste Diversion Ontario, be supported;

(b) That staff be directed staff to work with the Association of Municipalities of Ontario (AMO), Regional Public Works Commissioners of Ontario (RPWCO), Municipal Waste Association (MWA) and Ontario Waste Management Association (OWMA) to respond to the proposals from Waste Diversion Ontario; and to provide updates to the General Issues Committee when necessary;
(c) That copies of this resolution be forwarded to the Minister of the Environment, all area M.P.P.s, AMO, RPWCO, MWA and OWMA.

On a motion, the rules of order be waived in order to allow the opportunity to introduce a motion respecting Ministry of the Environment Direction to Waste Diversion Ontario – February 9, 2012.

The Motion to waive the rules of order CARRIED on the following recorded vote:

Yeas: Pearson, Johnson Ferguson, Pasuta, Partridge, Duvall, Jackson, Collins, Merulla, Morelli, Farr, McHattie
Total Yeas: 12
Nays: Whitehead
Total Nays: 1
Absent: Bratina, Clark, Powers
Total Absent: 3

The Motion respecting the Ministry of the Environment Direction to Waste Diversion Ontario – February 9, 2012, CARRIED on the following recorded vote:

Yeas: Pearson, Johnson Ferguson, Pasuta, Partridge, Duvall, Jackson, Collins, Merulla, Morelli, Farr, McHattie
Total Yeas: 12
Nays: Whitehead
Total Nays: 1
Absent: Bratina, Clark, Powers
Total Absent: 3

(ii) OTHER BUSINESS/GENERAL INFORMATION

(i) Drummond’s Commission on the Reform of Ontario's Public Service

On a motion, staff was directed to report back on the implications of the recommendations contained in the Drummond Report released on February 15, 2012.

(ii) Removal of Items from the Outstanding Business List

On a motion, the following items were removed from the Outstanding Business List of the General Issues Committee:

(aa) Neighbourhood Development Strategy (Item 5.4)

(bb) Budget Control Policy (Item 8.2)

(cc) Budget Complement Control Policy (Item 8.3)
There being no further business, the Committee adjourned at 6:10 p.m.

Respectfully submitted

Councillor T. Whitehead
Deputy Mayor

Carolyn Biggs, Co-ordinator
Committee Services/Council/Budgets
February 15, 2012
Double development subsidies are not fiscally responsible

(re item 6.1 GIC February 15, 2012)

The staff proposals to expand the downtown area exempted from development charges (with some tweaking for adaptive re-use of heritage buildings and a public art fund) continue a wrong-headed policy to use taxes to subsidize growth costs instead of establishing accurate development fees. It also arbitrarily penalizes many other parts of the city that are just as deserving of fairer development fees.

The push to revitalize downtown neighbourhoods is positive, and it correctly recognizes that growth costs in built-up areas are far lower than on greenfield sites and therefore should have lower development charges. But it ignores the obvious corollary that fees for greenfield sites are too low and need to be increased. Instead we have the absurd situation where taxpayers subsidize growth in both inner city and greenfield sites.

There is a simple solution – charge fees based on actual growth costs. That would end unnecessary taxpayer subsidies currently exceeding $10 million per year, encourage revitalization of ALL older neighbourhoods, and collect growth fees that reflect as much as possible the actual servicing costs of that growth.

The staff report explains that “much of the development which occurs within the Downtown CIPA is actually redevelopment … which means the impact on the infrastructure is relatively limited, especially when compared to development in a Greenfield.” That’s correct. But development charges are calculated on the TOTAL growth costs. So if the actual growth costs in older areas like the downtown are lower than average, then actual growth costs for greenfield sites are higher than average.

The logic is inescapable. Current DCs are too high for older areas like the downtown, and therefore they are also too low for greenfield development sites. We subsidize both.

Why do we do this? Is council afraid of the reaction from suburban sprawl developers who certainly would oppose the implementation of fair and equitable development fees? So instead, we force taxpayers to subsidize them. This is neither fair, nor fiscally responsible.

The simple solution is using a multiple zone approach to DCs where the DC rate is determined by the actual growth costs in each zone. This can be as rudimentary as a two zone policy (such as is used in Ottawa) where the built-up area is one zone, and greenfield areas are the second zone. Or it can be enhanced with multiple zones that take account of the fact that infrastructure costs vary by location as well. For example, providing water and sewer service to far distant sites is obviously more costly than to close in ones, even when both are greenfields or both are within the built-up area.

A zone DC policy eliminates the need to subsidize redevelopment areas – or if there is still a public policy reason to do so, it drastically lowers the subsidy cost to the taxpayer. For the downtown CIP only, that subsidy has been over $5.2 million in the last seven years – and that’s using the existing boundaries not the expanded ones being proposed. That subsidy means taxpayers are paying for growth costs. That money should have been collected from the development sites where costs are actually higher than the DCs being collected.

Financial arguments made by staff are misleading

In the report, staff argue that DC exemptions “could” lead to more development that would generate increased property taxes, and therefore “pay for” the DC exemptions. This is faulty reasoning and an apples to oranges comparison.

DCs can only legally be used for the capital costs of new infrastructure (including some soft infrastructure costs). DCs are designed to relieve property taxpayers of at least some of the costs of new growth. Once that
growth occurs, the new property taxes are required for the city's operational expenses and the longer-term maintenance and rehabilitation of infrastructure.

It is incorrectly suggested that the property taxes constitute some sort of "profit" for the municipality. If that were the case, then the property taxes being charged are too high, and the taxpayer has good reason to demand they be lowered. Reality suggests taxes are too low, if anything, because our infrastructure maintenance deficit is growing by $195 million a year and now exceeds $2 billion.

Comparing lost DC revenues to "found" property taxes is an inappropriate comparison. The two revenue streams have different purposes, and one can't be used to offset the other. If cutting DCs are a way to improve the city's revenues, then we should get rid of development charges entirely.

In fact, cutting DCs in one part of the city may also mean fewer DCs collected in other parts because development shifts to the lower cost location. This has no effect on total property taxes — because it's just a shift — except perhaps to lower them because the downtown development at this point in time will likely generate lower cost housing than the suburban variety. But this is not an argument for more sprawl either. We are getting financially murdered by the subsidies currently provided to that type of growth.

But at the bottom of the "profit" argument is an assumption — unproven and likely faulty — that cutting DCs will increase the total number of houses built rather than just shifting their location. I would suggest the market for new housing is the most important factor in how many new houses are built.

**Recommendation:** Ask staff to report back with a redesign of development charges that uses a multiple zone approach and more closely allocates actual growth costs to each zone.

Don McLean

February 14, 2012
### Budget Control Policy

**POLICY STATEMENT**
Council allocates resources to programs and services based on the annual approved budget. During the year, or when preparing for the next year, there may be a need to change how the budget was allocated. A Budget Control Policy is required to govern these changes.

**PURPOSE**
The purpose of this policy is to ensure that City staff have appropriate authority to manage budget resources to ensure programs and services are delivered in an effective and efficient manner. Council also requires assurance that budget resources are used for the purpose intended through the approval of the annual budget.

**SCOPE**
This policy applies to all City employees that manage budget resources. It excludes the City’s external Boards & Agencies.

**DEFINITIONS**

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>“Budget Amendment”</td>
<td>The reallocation of budget resources from one cost centre to another or one cost category to another changing the current year’s Council approved budget. The amended budget is used for variance reporting purposes. A budget amendment must be net zero; can not increase or decrease the overall budget.</td>
</tr>
<tr>
<td>“Budget Restatement”</td>
<td>The reallocation of budget resources from one cost centre to another or one cost category to another for the purpose of providing comparable data for the next year’s budget reports. The restated budget is not used for variance performance. A budget restatement must be net zero; can not increase or decrease the overall budget.</td>
</tr>
<tr>
<td>“Budget Resources”</td>
<td>Means the approved operating expenditures and revenues for a given year.</td>
</tr>
<tr>
<td>“Cost Category”</td>
<td>A grouping of similar cost accounts for the purpose of identifying the type of cost or revenue. Examples include, “Employee Related”, “Materials and Supplies”, “Contractual”, “Fees &amp; General”.</td>
</tr>
<tr>
<td>“Council Approval”</td>
<td>Can be gained through motion, staff report or the budget process.</td>
</tr>
<tr>
<td>“Departments”</td>
<td>Component of the organizational structure within the scope of responsibility of a General Manager or the Office of the City Manager.</td>
</tr>
<tr>
<td>“Divisions”</td>
<td>Component of the organizational structure within the scope of responsibility of a Director/ Senior Director/ Senior Administrator.</td>
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</tbody>
</table>
### PRINCIPLES

The following principles apply to this Policy:

1) Budget resources allocated to various programs by Council are used for that purpose unless otherwise authorized through application of the budget restatement policy.

2) Program managers are provided adequate flexibility to manage their budget resources to ensure efficient and effective delivery of programs/services.

3) The budget restatement policy supports the direction outlined in the City’s complement policy.

### TERMS & CONDITIONS

**Budget Amendments – Changing the Approved Budget**

For the current year, after the budget has been approved, the reallocation of budget resources is periodically required. Generally this is due to corporate re-organization. Adjustments that are material in nature and significantly impact the in-year variance reporting may require that the approved budget is changed. Budget Amendments can not have a levy impact.

1) Council approval is required for any change to the current year approved budget.

**Budget Restatements -**

The restated budget is identified for the development of the next year’s budget so that analysis of budget changes will be comparable. A budget restatement allows the program area(s) to reassign budget resources within policy guidelines. Budget Restatements can not have a net levy impact.

2) Transferring budget from one area of the organization to another:
   
   (i) Transfer of budget resources between departments requires Council approval.
   
   (ii) Transfer of budget resources between divisions within a department requires Council approval.
   
   (iii) Transfer of budget resources within a division is at the discretion of the Director, subject to paragraph 3).
3) Transferring budget resources from one cost category to another requires Council approval.

4) Exclusions:
   (i) Transfer of budget resources from Corporate Financials to departmental budgets for the purpose of distributing contingencies (e.g., after a negotiated wage settlement), does not require Council approval.

5) Staff prepare a minimum of three operating budget variances reports for Council’s information and consideration each fiscal year.

This policy was drafted by Financial Planning and Policy, Corporate Services; SMT reviewed and approved policy on 2011-12-08. On 2012-01-09 General Issues Committee referred policy back to staff. Council approval pending.
# Budgeted Complement Control Policy

## POLICY STATEMENT
Staff resources are the largest investment the City of Hamilton makes in delivering programs and services. In order to manage the budget impact of these resources in an effective and efficient manner, a corporate budgeted complement control policy is required.

## PURPOSE
The purpose of this policy is to ensure that the City’s staff complement are managed in an effective and efficient manner.

## SCOPE
This policy applies to all City employees that manage staff resources. It excludes the City’s external Boards & Agencies.

## DEFINITIONS

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>“Budgeted Complement”</td>
<td>The number of employee full time or part time hours measured in FTE (full time equivalent) included in the annual budget.</td>
</tr>
<tr>
<td>“Council Approval”</td>
<td>Can be gained through motion, staff report or the budget process.</td>
</tr>
<tr>
<td>“Departments”</td>
<td>Component of the organizational structure within the scope of responsibility of a General Manager or the Office of the City Manager.</td>
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<tr>
<td>“Divisions”</td>
<td>Component of the organizational structure within the scope of responsibility of a Director/Senior Director/Senior Administrator.</td>
</tr>
<tr>
<td>“Full Time Equivalent (FTE)”</td>
<td>The employee hours divided by the hours for a normal work year. For example, the standard non-union position works 1,827 hours per year. Budgeting for 1,827 hours, would equal 1.0 FTE. Budgeting for 1370 hours would equal 0.75 FTE.</td>
</tr>
<tr>
<td>“Temporary Complement”</td>
<td>Full time or part time complement planned for a finite period.</td>
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</table>

## PRINCIPLES
The following principles apply to this Policy:

1) Approved staff complement are allocated to departments and divisions by Council for the purpose of delivering programs and services at desired levels.

2) Approved complement levels (Full Time Equivalent; FTE) can not change unless otherwise authorized through application of the Budgeted Complement Control Policy outlined herein.

3) Program managers are provided adequate flexibility to manage their complement to ensure efficient and effective delivery of...
<table>
<thead>
<tr>
<th>TERMS &amp; CONDITIONS</th>
<th>Changes to the Approved Staff Complement</th>
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<tbody>
<tr>
<td></td>
<td>The following outlines various change scenarios and the applicable approval process required:</td>
</tr>
<tr>
<td>1) Transferring Budgeted Complement –</td>
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<tr>
<td>(i) From one department to another requires Council approval.</td>
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<tr>
<td>(ii) From one division to another within a department requires Council approval.</td>
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<tr>
<td>(iii) Within a division, is at the discretion of the Director of that division.</td>
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<tr>
<td>2) Increasing Budgeted Complement –</td>
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<tr>
<td>(i) Of Permanent complement requires Council approval.</td>
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<td>(ii) Of Temporary complement for a duration of eighteen months or longer, requires Council approval.</td>
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<tr>
<td>(iii) Of Temporary complement for a duration of less than eighteen months, is at the discretion of the General Manager providing that adequate financial resources are available (can not create an unfavourable budget variance).</td>
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<tr>
<td>3) Decreasing Budgeted Complement –</td>
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<td>(i) Where no impact to program / service levels will occur is at the discretion of the General Manager subject to collective agreements.</td>
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<tr>
<td>(ii) Where an impact to program / service levels is expected, must be approved by Council.</td>
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<tr>
<td>4) Changing Budgeted Complement Type –</td>
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<tr>
<td>(i) From Temporary to Permanent requires Council approval.</td>
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<tr>
<td>(ii) From Temporary, less than 18 month duration, to Temporary longer than 18 month duration, requires Council approval.</td>
<td></td>
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<tr>
<td>(iii) Deleting one position and adding a new position which would be expected to change the pay band for the new position by more than one band, requires Council approval.</td>
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</tr>
<tr>
<td>HISTORY</td>
<td>This policy was drafted by Financial Planning and Policy, Corporate Services; SMT reviewed and approved policy on 2011-12-08. On 2012-01-09 General Issues Committee referred policy back to staff. Council approval pending.</td>
</tr>
</tbody>
</table>
Area Rating Special Capital Re-Investment Policy

| POLICY STATEMENT | The City of Hamilton annual capital deficit is projected at $195 million (2011$). The Area Rating Special Capital Re-Investment will aid in addressing the required infrastructure investments within the former City of Hamilton which has some of the oldest infrastructure. |
| PURPOSE | The purpose of this policy is to ensure that the Area Rating Special Capital Re-Investment is managed in a transparent and effective manner. |
| SCOPE | This policy applies to the tax shifts that result as a direct result of the phased-in approach to amending the area rating methodology to an “Urban/Rural” model. |
| DEFINITIONS | The following terms referenced in this Policy are defined as: |
| “Area Rating Special Capital Re-Investment” | The tax capacity that will be directed in the former City of Hamilton to infrastructure investments as a result of the shift in area rating methodology. Can be gained through motion, staff report or the budget approval process. |
| “Council Approval” |  |
| “Infrastructure” | Is basic physical and organizational structures needed for the operation of a service and facility. The term typically refers to the technical structures that support a society, such as roads, water supply, sewer supply, facilities an so forth, and are deemed essential to enable, sustain, or enhance societal living conditions. |
| “Affected Wards” | Former City of Hamilton Wards 1 through 8. |
| “Phase-in” | The period of 2011-2014, represents the period the tax shift variance will be implemented. |
| PRINCIPLES | The following principles apply to this Policy: |
| | 1) Approved Special Capital Re-Investment will be allocated to affected Wards by Council for the purpose of investment in infrastructure projects and/or one-time funding of a principally capital nature to address the infrastructure deficit/shortfall. |
| | 2) Ward Councillors, within the affected wards, are provided |
adequate flexibility to identify infrastructure priorities within their wards for consideration and approval of Council to ensure efficient and effective delivery of programs/services.

3) Funding through the Special Capital Re-Investment should not replace the Tax Supported Capital Budget, although consideration can be made to accelerate projects which may otherwise be deemed unaffordable.

4) Projects must be approved by Council and all potential operating and financial impacts should be identified.

5) Funding can be banked for the purpose of providing funding in whole, or in part, towards a financially significant infrastructure/one-time investment.

**TERMS & CONDITIONS**

**Approval Process**

The following outlines various change scenarios and the applicable approval process required:

1) The Special Capital Re-Investment will be allocated equally across the 8 affected Wards (1-8).

2) Projects funded in full or part through the Special Capital Re-Investment must be approved by Council and follow the City of Hamilton’s Procurement Policy.

3) Projects being considered for funding through the Special Capital Re-Investment must include a completed Capital Detail Sheet (see Appendix B of FCS12024) prior to deliberation by Council; and

4) Beyond 2012, projects should be brought forward in conjunction with the annual capital budget process.

This policy was drafted by Financial Planning and Policy, Corporate Services; Council approval pending.
February 9, 2012

Chair of Waste Diversion Ontario
c/o Michael Scott, Chief Executive Officer
Waste Diversion Ontario
4711 Yonge Street, Suite 1102
Toronto, ON M2N 6K8

Dear Chair:

Ontario's waste diversion programs play an important role in keeping waste out of our land and waterways. The government is committed to ensuring programs maximize diversion, are sustainable and are fair for everyone. But more needs to be done. The government wants to renew and refocus attention on our waste diversion goals. This letter outlines our plan to get back on track. One of the first steps is effective oversight which is essential to ensuring that these objectives are met and producers remain responsible for the recycling and safe disposal of the waste their products create.

To strengthen the oversight and accountability of waste diversion programs under the Waste Diversion Act, 2002 (the Act) I am writing pursuant to my authority under the Act on two matters: 1) Board governance; and 2) policies applicable to Waste Diversion Ontario under Section 7.

Board Governance

I am writing to inform you that I have accepted in principle the proposal submitted by the Board on May 27, 2011 in respect of a new Waste Diversion Ontario (WDO) governance structure. The move to a skills-based board reflects modern governance practices and will assist in improving the oversight of programs established under the Waste Diversion Act.

My staff will be sending you shortly the proposed amendment to the operating agreement that would implement this new WDO governance structure. I expect ministry staff and WDO to finalize the agreement for my approval in the next few weeks. This will allow transition to a new board and its members being appointed at the Board's annual general meeting in April 2012. To meet these timelines, I would encourage WDO and its Board to begin the process to identify candidates for nomination to the new Board. I have similarly asked my staff to begin the process to identify potential appointments to the Board consistent with the proposed governance structure.
Policy Direction under Section 7

I am also writing pursuant to my authority under section 7 of the Act, allowing for the establishment of policies applicable to Waste Diversion Ontario and its Board of Directors and in accordance with my authority under clause 5 (i) of the Act to require Waste Diversion Ontario WDO to advise and report to me.

I am writing to provide Waste Diversion Ontario with direction on a) the development and implementation of full cost recovery and accumulated deficit/surplus recovery of Industry Funding Organizations; b) improved oversight of the financial and program performance of Industry Funding Organizations and enhanced reporting to the Ministry to ensure the effectiveness of program delivery; c) the review and approval of Industry Stewardship Plans; and d) review of incentive programs.

Full Cost Recovery

As you are aware, industry-funded programs need industry-funded solutions to recover the necessary costs to meet the programs' targets for waste diversion. To achieve this outcome, on February 9, 2012 a regulation was made under the Act that implements a new fee setting methodology enabling Stewardship Ontario to recover from stewards its full costs related to the operation of the Municipal Hazardous or Special Waste Program.

This new methodology should ensure that Stewardship Ontario fully recovers the costs incurred on the delivery of the program and avoids the creation of surpluses or deficits that could affect the sustainability of the program.

The new methodology also requires Stewardship Ontario to address accumulated deficits for waste categories in the program.

I am directing Waste Diversion Ontario, in accordance with section 7 of the Act, to review Stewardship Ontario’s plan to implement the Regulation and recover its operating and deficit costs, and to work with Stewardship Ontario on a plan to address its accumulated surpluses, in a manner that ensures the financial sustainability of the program. I am also directing Waste Diversion Ontario to provide me with a report on the status of Stewardship Ontario’s accumulated deficit/surplus recovery plan by March 23, 2012.

In addition, to address full cost recovery for other waste diversion programs and their financial sustainability (including deficits and surpluses), I am directing Waste Diversion Ontario, in accordance with section 7 of the Act, to work with Ontario Tire Stewardship and Ontario Electronic Stewardship to develop plans to implement a similar cost recovery and accumulated deficit/surplus recovery approach. I am also directing Waste Diversion Ontario that it shall provide me the plans by March 23, 2012 for Ontario Tire Stewardship and by April 30, 2012 for Ontario Electronic Stewardship.
Effective Program Delivery

To support implementation of the new cost recovery model, in accordance with section 7 of the Act, I am directing Waste Diversion Ontario to undertake a detailed review and analysis of all proposed Industry Funding Organizations budgets and to regularly monitor actual expenditures to ensure that there are realistic and cost effective plans to achieve Industry Funding Organizations performance targets, proper management of operating costs to ensure the financial sustainability of the organizations and to amend program agreements as necessary to achieve this. Waste Diversion Ontario will report to the Ministry on budgetary performance of all Industry Funding Organizations quarterly.

In accordance with section 7 of the Act, I am also directing that Waste Diversion Ontario implement an effective monitoring and audit program to review Industry Funding Organizations’ annual program performance and the achievement of plan targets, to promptly take corrective action when required and to report quarterly to the Ministry. Waste Diversion Ontario shall amend program agreements as necessary to achieve this.

Industry Stewardship Plans

In accordance with section 7 of the Act, I am directing that Waste Diversion Ontario review its policy and procedures on Industry Stewardship Plans and consider the following matters when the Board reviews an application or approves an Industry Stewardship Plan:

- Whether the plan achieves waste diversion targets that are similar or better than the associated waste diversion program;
- The fair operation of the plan in the marketplace;
- Whether the plan ensures accessibility for consumers through its delivery of services.

As part of the monitoring of the plan’s effectiveness, Waste Diversion Ontario will require regular monitoring, auditing and reporting of Industry Stewardship Plans, the costs of which shall be paid by the plan.

In addition, in accordance with section 7 of the Act, I am directing that Waste Diversion Ontario consult with the public on any Industry Stewardship Plan that it reviews prior to Waste Diversion Ontario’s approval of the plan.

Finally, in accordance with clause 5 (i) of the Act, I am directing that Waste Diversion Ontario, following the aforementioned review, submit to the Ministry a report on the review, and its proposed policy and procedures on Industry Stewardship Plans. The review and this report shall be completed and submitted to the Ministry no later than June 1, 2012.
**Review of Incentive Programs**

In accordance with section 7 of the Act, I am directing that Waste Diversion Ontario undertake separate reviews on the development and implementation of financial incentives that are paid to service providers by Stewardship Ontario under the MHSW program, Ontario Electronic Stewardship under the WEEE program, and Ontario Tire Stewardship under the Used Tires program.

I am also directing that these reviews be carried out in consultation with municipalities and other stakeholders.

As part of these reviews, I am directing that Waste Diversion Ontario address whether the development and implementation of these financial incentives affect Ontario's marketplace in a fair manner; whether these financial incentives are effective in supporting the achievement of waste diversion targets and program objectives; an assessment on the impact of the incentive programs on municipalities and waste diversion services, including accessibility across Ontario; and other alternatives that industry funding organizations might consider.

I am also directing that Waste Diversion Ontario shall provide me the findings and recommendations from these reviews by the following dates:

- Review of Stewardship Ontario incentives by March 23, 2012
- Review of Ontario Electronic Stewardship incentives by April 30, 2012
- Review of Ontario Tire Stewardship incentives by June 1, 2012.

If you have any questions, please feel free to contact Greg Sones, Director of Waste Management Policy Branch.

I am confident that these initiatives will provide effective and efficient oversight of waste diversion programs established under the Act, and enable these programs to meet their targets for waste diversion and protect Ontario's environment.

Thank you for your continued commitment to promoting waste diversion in Ontario.

Sincerely,

Jim Bradley  
Minister of the Environment
THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 12-005 AND RESPECTFULLY RECOMMENDS:

1. Motion respecting Waste Collection Procurement Process 2013-2020 (Item 8.1)

That Project 3 be approved as the Preferred Waste Collection System as follows:

(a) That the City's Waste Collection System commencing April 1, 2013 consist of the following-services:

(i) Weekly collection of Organic Waste;
(ii) Weekly collection of one (1) container of Garbage per residential unit;
(iii) Weekly Leaf and Yard Waste collection;
(v) Weekly two-stream collection of Recyclable Materials;
(vi) Weekly two-stream Automated Recycling Cart collection;
(vii) Weekly front-end Bin Service for Garbage collection;
(viii) Supply of front-end Bin Containers for Recyclable Fibres and weekly front-end Bin Service for Recyclable Fibres collection;
(ix) Multi-day collection of Public Space Litter Containers and Public Space Recycling Containers;

(b) That the waste collection system in (a) include the following refinements:

(i) Collection of up to 26 containers of Garbage per residential unit per year through a curbside tag system;
(ii) Permit the use of alternative recycling containers to reduce escaped waste;
(iii) Supply of front-end garbage bin containers for garbage collection at municipal facilities;
(iv) Continue with Special Considerations for households with children, medical circumstances, home day cares and agricultural properties of up to three (3) containers weekly through a curb side tag system;
(v) Bulk waste reuse events as a pilot program; and
(vi) Phase in of smaller green carts;

(c) That the Special Considerations provisions in the Solid Waste Management By-law 09-067 be amended to allow for families with two (2) children under the age of four (4) to be eligible for Special Consideration;

(d) That appropriate amendments to Solid Waste Management By-law 09-067 be enacted to implement recommendations (a), (b) and (c);

(e) That GFL Environmental East Corporation, be selected as the Successful Proponent for:

(i) Project 3 of Request for Proposals C11-30-11 which is comprised of:

1. Weekly collection of Organic Waste in Zones B1, B2 and B3;
2. Weekly collection of one container of Garbage per residential unit in Zones B1, B2 and B3;
3. Weekly Leaf and Yard Waste collection in Zones B1, B2 and B3;

Council – February 22, 2012
5. Weekly two-stream collection of Recyclable Materials City-wide;
6. Weekly two-stream Automated Recycling Cart collection City-wide;
7. Weekly front-end Bin Service for Garbage collection City-wide;
8. Supply of front-end Bin Containers for Recyclable Fibres and weekly front-end Bin Service for Recyclable Fibres collection City-wide;
9. Multi-day collection of Public Space Litter Containers and Public-Space Recycling Containers in Zones B1, B2 and B3; and

(ii) Additional Work identified in Request for Proposals. C11-30-11 including:

1. A garbage tag system to supplement the curbside garbage collection program;
2. Collection of blue boxes with lids and larger blue boxes;
3. The supply of bin containers at municipal facilities; and
4. Bulk waste reuse events, at the discretion of the City;

(f) That the contract period be seven (7) years commencing April 1, 2013 with the potential extension of one (1), one (1) year term;

(g) That the General Manager of Public Works be authorized and directed to finalize the terms and conditions of the agreement with GFL Environmental East Corporation in accordance with the provisions of Request for Proposals C11-30-11;

(h) That the Mayor and City Clerk be authorized and directed to execute the agreement with GFL Environmental East Corporation, together with any necessary documents, in a form satisfactory to the City Solicitor;

(i) That Capital Project 5121294500 Recycling Program - Vehicle Acquisition and Facility Modification, which was parked during the 2012 Capital Budget process be withdrawn from further consideration and the 2012 Capital Financing Strategy be amended to reflect a lower reliance on Future Fund financing;

(j) That the Operations & Waste Management Division be authorized to increase the Waste Collection Operator staff complement by no more than twelve (12) full time employees commencing in 2013; and

(k) That the Outstanding Business Items referring to Waste Collection and Recycling Processing Procurement Processes for 2013-2020 as well as Activity Based Costing for Public Sector Waste Collection 2013-2020 be

Council – February 22, 2012
identified as completed and removed from the Public Works Committee Outstanding Business List.

(i) That staff be directed to report to the General Issues Committee on the performance of the tag system over the period of April 2013 to April 2014 by August 2014 including details of the performance of the program in general, whether or not there has been an increase or decrease in waste diversion, illegal dumping, and the possibility of introducing a cost to the tag system.

2. **Waste Collection Procurement Process for 2013-2020 (PW11030e) (City Wide) (Item 8.2)**


3. **Waste Collection Procurement Process for 2013-2020 (PW11030d) (City Wide) (Item 8.3)**


**FOR THE INFORMATION OF COUNCIL:**

(a) **CHANGES TO THE AGENDA (Item 1)**

   The Clerk advised of the following changes:

   **ADDED DELEGATION REQUEST**

   (i) Delegation Request from Dr. Lynda Lukasik of Environment Hamilton respecting the Waste Collection Contract. (Added as Item 4.1)

   **ADDED PRIVATE AND CONFIDENTIAL**

   (ii) Personal Matters about identifiable individuals including municipal employees. (Added Item 12.1) (Staff request that this item be moved in the Agenda to be heard following the Declarations of Interest)

The agenda was approved, as amended.

Council – February 22, 2012
(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) DELEGATION REQUESTS (Item 4)

(i) Delegation Request from Dr. Lynda Lukasik of Environment Hamilton respecting the Waste Collection Contract. (Added as Item 4.1)

The Delegation Request from Dr. Lynda Lukasik of Environment Hamilton respecting the Waste Collection Contract was approved to be heard today.

(d) PUBLIC HEARINGS/DELEGATIONS (Item 6)

(i) Delegation by Dr. Lynda Lukasik of Environment Hamilton respecting the Waste Collection Contract (Added Item 6.1)

Dr. Lynda Lukasik of Environment Hamilton addressed the Committee respecting the Waste Collection Contract.

Dr. Lukasik discussed the new recommendation to be introduced to committee and indicated that it would be a step backward on waste diversion.

Committee members asked numerous questions of Dr. Lukasik respecting the directional change from a bi-weekly program to a weekly program with a supplemental tag system as well as asked for her opinion on illegal dumping.

Dr. Lukasik indicated that she feels that it is important to move forward and encourage education and involvement of citizens rather than cede to a vocal minority. She discussed the move by other municipalities to go to a bi-weekly system.

The delegation by Dr. Lynda Lukasik of Environment Hamilton respecting the Waste Collection Contract was received.
DISCUSSION ITEMS (Item 8)

Motion respecting Waste Collection Procurement Process 2013-2020 (Item 8.1)

On a Motion item 8.1 was deleted in its entirety and replaced with the following:

Waste Collection and Procurement Processes 2013-2020 (Item 8.1)

That Project 3 be approved as the Preferred Waste Collection System as follows:

(a) That the City's Waste Collection System commencing April 1, 2013 consist of the following-services:

(i) Weekly collection of Organic Waste;
(ii) Weekly collection of one (1) container of Garbage per residential unit;
(iii) Weekly Leaf and Yard Waste collection;
(v) Weekly two-stream collection of Recyclable Materials;
(vi) Weekly two-stream Automated Recycling Cart collection;
(vii) Weekly front-end Bin Service for Garbage collection;
(viii) Supply of front-end Bin Containers for Recyclable Fibres and weekly front-end Bin Service for Recyclable Fibres collection;
(ix) Multi-day collection of Public Space Litter Containers and Public Space Recycling Containers;

(b) That the waste collection system in (a) include the following refinements:

(i) Collection of up to 26 containers of Garbage per residential unit per year through a curbside tag system;
(ii) Permit the use of alternative recycling containers to reduce escaped waste;
(iii) Supply of front-end garbage bin containers for garbage collection at municipal facilities;
(iv) Continue with Special Considerations for households with children, medical circumstances, home day cares and agricultural properties of up to three (3) containers weekly through a curb side tag system;
(v) Bulk waste reuse events as a pilot program; and
(vi) Phase in of smaller green carts;
(c) That the Special Considerations provisions in the Solid Waste Management By-law 09-067 be amended to allow for families with two (2) children under the age of four (4) to be eligible for Special Consideration;

(d) That appropriate amendments to Solid Waste Management By-law 09-067 be enacted to implement recommendations (a), (b) and (c);

(e) That GFL Environmental East Corporation, be selected as the Successful Proponent for:

(i) Project 3 of Request for Proposals C11-30-11 which is comprised of:

1. Weekly collection of Organic Waste in Zones B1, B2 and B3;
2. Weekly collection of one container of Garbage per residential unit in Zones B1, B2 and B3;
3. Weekly Leaf and Yard Waste collection in Zones B1, B2 and B3;
5. Weekly two-stream collection of Recyclable Materials City-wide;
6. Weekly two-stream Automated Recycling Cart collection City-wide;
7. Weekly front-end Bin Service for Garbage collection City-wide;
8. Supply of front-end Bin Containers for Recyclable Fibres and weekly front-end Bin Service for Recyclable Fibres collection City-wide;
9. Multi-day collection of Public Space Litter Containers and Public-Space Recycling Containers in Zones B1, B2 and B3; and

(ii) Additional Work identified in Request for Proposals. C11-30-11 including:

1. A garbage tag system to supplement the curbside garbage collection program;
2. Collection of blue boxes with lids and larger blue boxes;
3. The supply of bin containers at municipal facilities; and
4. Bulk waste reuse events, at the discretion of the City;

(f) That the contract period be seven (7) years commencing April 1, 2013 with the potential extension of one (1), one (1) year term;

Council – February 22, 2012
(g) That the General Manager of Public Works be authorized and directed to finalize the terms and conditions of the agreement with GFL Environmental East Corporation in accordance with the provisions of Request for Proposals C11-30-11;

(h) That the Mayor and City Clerk be authorized and directed to execute the agreement with GFL Environmental East Corporation, together with any necessary documents, in a form satisfactory to the City Solicitor;

(i) That Capital Project 5121294500 Recycling Program - Vehicle Acquisition and Facility Modification, which was parked during the 2012 Capital Budget process be withdrawn from further consideration and the 2012 Capital Financing Strategy be amended to reflect a lower reliance on Future Fund financing;

(j) That the Operations & Waste Management Division be authorized to increase the Waste Collection Operator staff complement by no more than twelve (12) full time employees commencing in 2013; and

(k) That the Outstanding Business Items referring to Waste Collection and Recycling Processing Procurement Processes for 2013-2020 as well as Activity Based Costing for Public Sector Waste Collection 2013-2020 be identified as completed and removed from the Public Works Committee Outstanding Business List.

On a Motion the following was added as sub-section (l):

(l) That staff be directed to report to the General Issues Committee on the performance of the tag system over the period of April 2013 to April 2014 by August 2014 including details of the performance of the program in general, whether or not there has been an increase or decrease in waste diversion, illegal dumping and the possibility of introducing a cost to the tag system.

The Main Motion as Amended CARRIED on the following Standing Recorded Vote:


Total: 12

Nays: L. Ferguson, B. McHattie, B. Johnson

Total: 3

Absent: B. Bratina

Total: 1

Council – February 22, 2012
(f) PRIVATE & CONFIDENTIAL (Item 12)

(i) Personal Matters about Identifiable Individuals, including Municipal Employees (Added Item 12.1)

That Committee move into Closed Session at 9:40 a.m. pursuant to sub-sections 8.1(b) of the City’s Procedural By-law and Sections 239(2)(b), of the Municipal Act as the subject matter pertains to: personal matters about an identifiable individual, including municipal employees.

The Motion CARRIED on the following Recorded Vote:

Total: 14
Nays: B. Clark
Total: 1
Absent: B. Morelli
Total: 1

Committee reconvened in Open Session at 11:02 a.m. and indicated to members of the public that they deliberated the matter in Closed Session and provided the City Manager with direction.

(g) ADJOURNMENT (Item 13)

There being no further business, the Committee adjourned at 1:49 p.m.

Respectfully submitted

Councillor T. Whitehead
Deputy Mayor

Andy Grozelle,
Legislative Coordinator
February 21, 2012