



**The Corporation of the City of St. Catharines
CITY COUNCIL AGENDA
Regular, Monday, October 18, 2021
Council Chambers and Electronic Participation, 6:00 PM**

This Meeting of Council will be held in person at Council Chambers and electronically for the Members of Council. Due to capacity limits due to the COVID-19 pandemic the public can only participate electronically.

This Meeting may be viewed online at www.stcatharines.ca/youtube

Public Comments: The public may submit comments regarding agenda matters to the Office of the City Clerk by contacting clerks@stcatharines.ca by Monday, October 18, 2021 before Noon. Comments submitted will be considered as public information and entered into public record.

Electronic Delegations: Those wishing to speak to an item on the agenda must complete the [City's Electronic Delegation Form](#) by Monday, October 18, 2021 before 9:00 a.m. and attend a test session with City staff on Monday, October 18, 2021 at 10:00 a.m.

His Worship Mayor Walter Sendzik takes the Chair and opens the meeting with a Land Acknowledgement

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1. Mayor's Report

2. Adoption of the Agenda

3. Adoption of the Minutes

3.1 Regular Council (Budget), Minutes of [September 22, 2021](#)

3.2 Regular Council, Minutes of [October 4, 2021](#)

[Addenda]

4. Declarations of Interest

5. Motion to Move Consent Reports

Consent Reports are approved in one motion which approves all of the recommendations contained in each report. Prior to this motion, a councillor may request that one or more of the reports listed under Item 6 be moved to the list of Discussion Reports.

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6. Consent Reports

- 6 - 8 6.1 Financial Management Services, Billing
 2022 Tax Due Dates and Interim Tax Billing By-law
- 9 - 21 6.2 Planning and Building Services, Planning Services
 2020 Community Improvement Plan (2020CIP): Status of Existing
 Approval for 10 Pleasant Avenue and Evaluation of New Application for
 75 Niagara Street
 [Addenda]
- 22 - 34 6.3 Legal and Clerks Services, Office of the City Clerk
 Comparator Research on Remuneration for Council Members Appointed
 to Hydro Boards, Standing Committees and Outside Boards and
 Commissions
- 35 - 71 6.4 Legal and Clerks Services, Office of the City Clerk
 Council Correspondence

7. Public Meetings

- 72 - 75 7.1 Financial Management Services, Property Management
 Stop Up, Close and Declare Surplus Part of McKay Street (Part of PIN
 46172-0430 LT) lying east of Hillview Road, Realty File 21-040

8. Presentations

9. Discussion Reports

- 76 - 158 9.1 Office of the Chief Administrative Officer
 National Council of Canadian Muslims: Recommendations from the
 National Summit on Islamophobia
 Discussion of the report will be preceded by presentations from the following:
- *Zakia Hamdani, Community Member - Islamic Society of St. Catharines*
 - *Rizwan Mohammad, Advocacy Officer, National Council of Canadian Muslims*

10. Motions

- 10.1 **Port Weller East Employment Lands**
 Councillor Phillips will present the following motion:

WHEREAS Section 1 of the Ontario Planning Act, R.S.O. 1990, c. P.13, as amended, defines “area of employment” as an area of land designated in an Official Plan for clusters of business and economic uses, including, without limitation, manufacturing, warehousing, and offices uses, and retails uses that are associated with those uses and facilities that are ancillary to those uses; and

WHEREAS Section 2 of the Ontario Planning Act, R.S.O. 1990, c. P.13, as amended, provides that the Minister and the Council of a municipality shall have regard to matters of Provincial interest such as the orderly development of safe and healthy communities, the adequate provision of employment opportunities, the protection of the financial and economic well-being of the Province and its municipalities, the protection of public health and safety, and the appropriate location of growth and development, among others; and

WHEREAS 406 Lakeshore Road in the City of St. Catharines, in the Region of Niagara, is designated General Employment in the Garden City Official Plan, and has been so designated since at least 2012; and

WHEREAS 406 Lakeshore Road in the City of St. Catharines, in the Region of Niagara has been continuously designated Industrial in the City's previous Official Plans, since at least 1971; and

WHEREAS 406 Lakeshore Road in the City of St. Catharines, in the Region of Niagara, is zoned General Employment "E2" in By-law 2013-283, and has been so zoned since at least 2013; and

WHEREAS 406 Lakeshore Road in the City of St. Catharines, in the Region of Niagara, has been continuously zoned Industrial in the City's previous Zoning By-laws, since at least 1964; and

WHEREAS the City of St. Catharines undertook a comprehensive Land Needs Assessment beginning in 2017, finalized in 2020, which included extensive public and stakeholder consultation, and assisted in the creation of Official Plan Amendment 26; and

WHEREAS Official Plan Amendment 26 designated Employment Areas for the long-term protection of employment lands in the City of St. Catharines; and

WHEREAS Official Plan Amendment 26 is consistent with and supports the Provincial Policy Statement, and conforms with and does not conflict with the Provincial Growth Plan; and

WHEREAS Official Plan Amendment 26 was approved unanimously by Council for the City of St. Catharines on November 30, 2020, and approved unanimously by the Council for the Region of Niagara on March 25, 2021; and

WHEREAS the Welland Canal is a Federally regulated goods movement corridor connecting Lake Ontario and Lake Erie and transporting approximately 3000 cargo ships a year; and

WHEREAS 406 Lakeshore Road is directly adjacent to a significant marine shipyard and dry dock facility with 24 hour a day operations, which was recently awarded a contract to build icebreakers for the Canadian Coast Guard; and

WHEREAS the introduction of more sensitive land uses in the adjacent vicinity could compromise the viability of existing employment uses and any future expansion; and

WHEREAS Section 47 of the Ontario Planning Act, R.S.O. 1990, c. P.13, as amended, provides the Minister may by Order, exercise any of the powers conferred upon Councils by Section 34 of the Act;

THEREFORE BE IT RESOLVED that the Council of the City of St. Catharines requests the Minister of Municipal Affairs and Housing to apply a Minister's Zoning Order to the lands municipally known as 406 Lakeshore Road, in the City of St. Catharines, in the Region of Niagara for the long term protection of employment lands; and

BE IT FURTHER RESOLVED that the Minister's Zoning Order for 406 Lakeshore Road, order a General Employment "E2" Zone, as defined and regulated by the City's Zoning By-law 2013-283, as amended, to be applied to the property.

[Addenda]

11. Call for Notices of Motion

12. Report Requests

13. Committee and Task Force Minutes

13.1 Minutes to Receive:

- Arts and Culture Advisory Committee, meeting of [September 8, 2021](#)
- Equity and Inclusion Advisory Committee, meeting of [October 12, 2021](#) (draft)
- Fallen Firefighters Memorial Task Force, meeting of [September 7, 2021](#)

- Heritage Advisory Committee, meeting of [September 9, 2021](#) (draft)
- LGBTQ2+ Advisory Committee, meeting of [September 1, 2021](#) (draft)

[Addenda]

14. Closed Session

Council will meet in Closed Session for the following purpose(s):

- 14.1 Financial Management Services, Property Management
Property Matter – Disposal (Closed Session report pursuant to By-law 2021-124, Section H3.1(c) a proposed or pending disposition of land by the municipality or local board), Part of McKay Street, Realty File No. 21-040

15. Motion Arising from Closed Session

16. By-laws

- 16.1 Reading of By-laws

[Addenda]

17. Adjournment



Corporate Report City Council

Report from: Financial Management Services, Billing

Report Date: September 21, 2021

Meeting Date: October 18, 2021

Report Number: FMS-157-2021

File: 10.57.19

Subject: 2022 Tax Due Dates and Interim Billing By-Law

Strategic Pillar:

This report aligns with the following St. Catharines Strategic Plan pillars: economic.



Recommendation

That Council authorize the 2022 Interim and Final property tax due dates established as follows:

Interim	Due Date
1 st Instalment	February 28, 2022
2 nd Instalment	April 29, 2022
Final	Due Date
1 st Instalment	June 30, 2022
2 nd Installment	September 29, 2022; and

That the 2022 interim tax levy be established as detailed below: and

That the City Solicitor be authorized to prepare the necessary by-law.

Summary

This report requests Council to adopt the necessary by-law to levy interim property taxes for all property classes for 2022 and to prescribe applicable interim and final bill due dates. The interim levy will provide for the cash requirements for the City until such time as the 2022 Operating Budget and 2022 final property tax levy are approved by Council.

Relationship to Strategic Plan

Goal:

1. Be an affordable city for young people, families, and retired older adults.

Actions:

- 1.1. Update financial controls and debt management strategy to better manage escalating costs of City operations and services.

Background

In January 2022, staff will begin to prepare the billing process for the 2022 Interim Tax levy. The City issued 49,457 tax bills in 2021, of which 28.87% of residents are enrolled on monthly or instalment payment plans. Staff continue to promote the monthly instalment plan process. For those taxpayers who budget towards fixed monthly expenditures, the City offers a monthly pre-authorized payment plan which runs for 10 months of the year. Staff will debit the provided bank account on the first day of each month from January to October (10 months). The City also offers an Installment Plan with withdrawals occurring on each of the four regularly scheduled installments (February, April, June, and September).

Signing up for one of these methods ensures there are no missed due dates, late payment charges, no line ups, or mailing and postage costs. Residents who wish to sign up for 2022 can contact Citizens First for additional information. Property tax payments paid online or at a financial institution would continue to be considered “on time” if paid on the due date.

Staff recognize the importance of implementing a communication plan to share information with our citizens’ and we continue to work with our Corporate Communications department to educate the residents of any upcoming changes through the City’s website, Facebook, Twitter and the Garden City Current e-newsletter.

Report

Pursuant to the Municipal Act, 2001 317 (3) Interim Levy – Local Municipality – Rules, the amounts to be levied are subject to the following rules:

1. The amount levied on a property shall not exceed the prescribed percentage or 50 per cent if no percentage is prescribed, of the total amount of taxes for municipal and school purposes levied on the property for the previous year.

Interim tax rates for all Property Classes (Residential, Pipeline and Farm, Multi-residential, Commercial, and Industrial)) are based on 50% of the total amount of taxes for municipal (Region and City) and Education purposes levied on the property in the previous year (i.e., 2021).

Where the property taxes for a property have increased for a part of the previous year due to an increase in assessed value (e.g., to reflect building improvements or new construction), the interim levy for the following year is based on 50% of the previous year's

taxes as though the tax increase had applied to the entire year. This ensures that the interim levy reflects, as nearly as possible, 50% of the taxes that will be levied in the coming year.

The interim levy by-law also provides that the interim levy will apply to assessments added to the tax roll for the current year that were not on the assessment roll when the by-law was passed.

Interim Levy

The interim tax levy is to be set at 50% of the previous year as detailed above.

Property Tax Due Dates

Pursuant to the Municipal Act, 2001 342 (1), a local municipality may pass by-laws providing for:

- (a) The payments of taxes in one amount or by instalments and date due or dates in the year for which the taxes are imposed on which the taxes or instalments are due.

Accordingly, the proposed 2022 property tax due dates are:

Interim	Due Date
1 st Instalment	February 28, 2022
2 nd Instalment	April 29, 2022
Final	Due Date
1 st Instalment	June 30, 2022
2 nd Installment	September 29, 2022

Tax instalments dates are customarily scheduled on the last business day of the month. With recognizing September 30 as the National Day for Truth and Reconciliation, staff have adjusted the second instalment on the final due date to September 29, 2022.

Financial Implications

This is an annual report which is procedural in nature. The interim levy is required to provide the necessary cash flow to meet the obligations of the municipality, including interim payments to the Region and the School Boards until the annual tax rate can be set and the final notices are prepared in June 2022. The interim levy is expected to raise approximately \$136.3 million, of which \$ 58.6 million is the estimated City share.

Environmental Sustainability Implications

There are no environmental implications associated with this report.

Prepared and Submitted by:

Lisa Read
Manager of Revenue

Approved by:

Kristine Douglas, CPA, CMA
Director of Financial Management Services / City Treasurer



Corporate Report City Council

Report from: Planning and Building Services, Planning Services

Report Date: October 4, 2021

Meeting Date: October 18, 2021

Report Number: PBS-166-2021

File: 60.32.99

Subject: 2020 Community Improvement Plan (2020CIP): Status of Existing Approval for 10 Pleasant Avenue and Evaluation of New Application for 75 Niagara Street

Strategic Pillar:

This report aligns with the following St. Catharines Strategic Plan pillars: economic, social and environmental.



Recommendation

That the 2020CIP BTIF application for 75 Niagara Street, equivalent to an 80% tax rebate over a 10-year period be approved; and

That the previous 2015CIP BTA approval for 10 Pleasant Avenue be revoked, due to inactivity, if project activity has not commenced within three months of the date of this Council meeting; and

That the City Solicitor be directed to prepare the necessary by-laws and agreements.

Summary

Community Improvement Plan (CIP) programs require continuous administration, monitoring, and implementation. As such, the previous 2015CIP approval for 10 Pleasant Avenue was reviewed. Due to inactivity on site, staff recommend that the Brownfield Tax Assistance (BTA) approval for 10 Pleasant Avenue be revoked.

In the first intake period of the 2020CIP, the City received two applications for the Brownfield Tax Increment Finance (BTIF) Program. One application has been approved by Council on September 27, 2021. Council is the approval authority of BTIF applications, that when combined with other approvals exceed the total yearly maximum

amount established in the funding plan for the 2020CIP. Therefore, Council's consideration of the CIP application for 75 Niagara Street requires Council's approval.

The BTIF incentive will help offset costs related to environmental remediation and the redevelopment of previously vacant and/or underutilized land into a mixed-use four-storey rental apartment building. The application meets eligibility requirements and is expected to generate a net benefit for the City based on the 2020CIP Project Evaluation System. Staff support the approval of the 75 Niagara Street CIP application.

This report addresses the following:

- Existing CIP approval for 10 Pleasant Avenue: status, committed incentive, recommendation to revoke; and
- New CIP application for 75 Niagara Street: evaluation, benefit, and budget commitment.

Relationship to Strategic Plan

The recommendations of this report support three of the four pillars of the City's Strategic Plan. Related goals are listed below:

- Economic Prosperity
 - Attract public and private investment to grow a diverse and resilient economy
- Social Well-Being
 - Support redevelopment projects that build strong, livable communities, connected neighbourhoods and improve quality of life for all citizens
- Environmental Stewardship
 - Community planning that minimizes the environmental impacts of climate change

Background

The City has had a CIP in place since 2004 (2004CIP) and was revised in 2015 (2015CIP). Under the 2015CIP, Council approved Brownfield Tax Assistance (BTA) applications for three properties associated with the former General Motors lands at its meeting on February 22, 2016, as indicated:

- 282 Ontario Street
- 285 Ontario Street
- 10 Pleasant Avenue

In accordance with established timelines under the 2015CIP, BTA projects must be completed within three years. To date, there has been no project activity with respect to the CIP approval of 282 Ontario Street and 285 Ontario Street. Accordingly, on March 3, 2019, Council rescinded the CIP approval for 282 Ontario Street and 285 Ontario Street. The CIP approval for 10 Pleasant Avenue was not rescinded at that time.

Since the 2016 CIP approval there has been no activity with respect to the BTA approval for 10 Pleasant Avenue. Additionally, the Draft Plan of Subdivision and the Draft Plan of

Common Elements Condominium approved by City Council in 2017 have now lapsed. Staff now recommend that Council rescind the BTA approval for 10 Pleasant Avenue.

In November 2020, the City adopted a new Community Improvement Plan (2020CIP). To date, two BTIF applications have been submitted for the first intake under the 2020CIP for consideration of approval, as indicated:

- 57A, 61 & 63 Lakeport Road;
- 75 Niagara Street

The 2020 BTIF application for 75 Niagara Street falls under the delegated approval authority of staff based on the funding formula set out in the 2020CIP. However, when combined with the incentive commitment approved by Council for 57A, 61 & 63 Lakeport Road on September 27, 2021, the annual funding needed to support both CIP approvals requires an additional budgetary commitment beyond the established funding plan for the 2020CIP.

This report provides the evaluation of the 75 Niagara Street CIP application. The location of the property is illustrated in Appendix 1.

Report 2020CIP

Application Received: 75 Niagara Street

An application was submitted for the Brownfield Tax Increment Finance (BTIF) Program under the 2020CIP for 75 Niagara Street. A BTIF incentive provides a rebate of 80% of annual property taxes paid after project completion for a period of up to 10 years. The value of the incentive is based on the increase between pre and estimated post development property tax assessment.

The proposed redevelopment project is outlined below:

- A mixed-use, four-storey building with two commercial units and one Fibre Optic Hub at grade and 12 rental dwelling units on the top three floors, located in the Downtown Priority Neighbourhood
- Building design incorporates sustainable features such as geothermal systems and solar panels
- Environmental remediation of the 0.14 Ha property to the applicable Site Condition Standards (SCS) for future residential land use equal to an estimated \$190,629 in eligible costs

The proposed redevelopment for 75 Niagara Street required two Minor Variances, that were approved by the Committee of Adjustment on September 22, 2021. The property owner is also entering into a Site Plan Agreement with the City, which does not require further action by Council.

Evaluation Criteria

Applications are evaluated based on 2020CIP complete application requirements, eligibility criteria, estimated property tax assessment increase and the value of the financial incentive.

In addition, BTIF applications are evaluated on the Project Evaluation System set out in Appendix 3. A total of 100 points are available. A BTIF project must achieve a minimum of 50 points to qualify for consideration of approval. The Project Evaluation System prioritizes projects which contribute a net benefit to the City. It also provides greater clarity for private and public sector stakeholders.

The Project Evaluation System establishes the following project components:

- Location: emphasis on Downtown Priority Neighbourhoods and Official Plan Intensification Areas
- Density Generation: people and jobs
- Environmental Remediation
- Affordable Rental Housing
- Heritage Restoration/Conservation
- Mixed Use development: commercial nodes, centres, corridors
- Municipal Financial Benefit: increased assessment, investment
- Value Added: public realm, climate change, sustainability initiatives

Project Evaluation

The application for 75 Niagara Street meets CIP program eligibility requirements and evaluation criteria. A detailed evaluation of the project is in Appendix 4 of this report, including project cost, pre- and estimated post-development tax assessments, annual tax increase and incentive values.

The application exceeded the minimum 50-point threshold in the Project Evaluation System with a score of 52 points. The project demonstrates a net benefit to the City as indicated in Appendix 4 of this report. Upon completion, the City can expect the development of 12 new dwelling units, accommodation for approximately 21 new residents and 4 new jobs.

The CIP application for 75 Niagara Street is ranked second as a priority in accordance with the Project Evaluation System, behind the CIP application for 57A, 61 & 63 Lakeport Road which scored 58 points. Both applications were submitted for the June 30, 2021 intake date and were processed and evaluated concurrently.

Current property tax assessment of 75 Niagara Street is approximately \$150,000. Upon completion of the redevelopment project, the property will have a total estimated assessment of \$1.58 million. The total increase in property tax assessment is estimated to be approximately \$1.43 million. At the time of project completion, the City can expect to collect an estimated increase of \$11,035 in annual property taxes.

The following table provides a summary of the estimated increase in property tax assessment and annual tax collected at time of project completion and the estimated total and annual CIP incentive value calculated for the project:

Property	Estimated Increase in Pre / Post-Development		Estimated Incentive Value Requested- City Portion	
	Property Tax Assessment	Annual City Taxes	Total	Annual (over 10 years)
75 Niagara Street	\$ 1,430,659.00	\$ 11,035.32	\$ 88,282.56	\$ 8,828.26

2015CIP

Inactive BTA Approval: 10 Pleasant Avenue

The 2015CIP Brownfield Tax Assistance Program (BTA) provides an annual rebate of 100% of annual property taxes paid on the property or eligible project costs incurred, whichever is less, for a period of up to three years. The tax incentive was designed to specifically offset costs incurred by soil remediation projects. The BTA Program was not tied to a specific concurrent development proposal such as required under the BTIF Program.

On February 22, 2016, City Council approved the BTA application for 10 Pleasant Avenue under the 2015CIP. The estimated annual and total three-year value of the incentive approved for the property is as follows:

- 10 Pleasant Avenue: \$2,890 annually/\$8,670 over three years

Staff recognize that external factors can influence the timeline of projects, particularly with respect to environmentally contaminated properties that must navigate high costs, regulatory uncertainty and legal liability associated with remediation. However, the CIP Program is intended to facilitate projects that would not otherwise be feasible at time of approval. Approvals should not extend to projects that wait for improved market conditions before proceeding with development plans.

Established timelines under the 2015CIP ensure projects are started and completed in a timely manner. BTA projects must be completed within three years of project approval and execution of agreement. Since approval by Council in 2016, several planning approvals for 10 Pleasant Avenue have lapsed, no agreement has been registered and soil remediation work has not been completed.

Staff recommend that the 2015CIP BTA approval for 10 Pleasant Avenue be rescinded if project activity has not commenced within 90 days, and that formal notification to the applicant be provided. Should the project proceed at some point in the future after revocation, the property owner may reapply for CIP funding and be considered under the 2020CIP programs currently in effect.

As per [Report PBS-154-2020](#) to adopt the 2020 Community Improvement Plan (2020CIP) dated November 2, 2020, funds from rescinding this project approval will be allocated to a new affordable housing reserve to finance affordable housing incentives in the city. It would be the first contribution to the new reserve authorized by Council in 2020.

Financial Implications

Should Council approve the BTIF application for 75 Niagara Street, the annual provision to the CIP Reserve in 2022 will remain the same as the payments for that approval will most likely commence in 2023 at the earliest. Projects that are approved in 2021 require time for permitting and construction prior to completion and request of funding.

As part of the annual CIP program review and CIP Reserve portfolio management, the financial impact of this approval on future years will be assessed to ensure adequate funding is allocated to support the CIP program. Preliminary estimates indicate an unfavourable reserve balance starting in the year 2031. However, this is depending on the current estimated payout timeline which could change and potentially eliminate this unfavourable balance. This report is scheduled to be back to Council in the first quarter (Q1) of 2022.

Should Council rescind the BTA approval for 10 Pleasant Avenue, the total three-year value of the incentive, estimated to be \$8,670, will be allocated to a new affordable housing reserve.

Environmental Sustainability Implications

Remediation and redevelopment of previously developed properties contributes to sustainable growth objectives and the efficient use of existing land resources.

Conclusion

Staff have reviewed and evaluated the submitted 2020CIP application for 75 Niagara Street, in accordance with established requirements, evaluation systems and criteria. Staff recommend approval of the 2020CIP BTIF application for 75 Niagara Street, equivalent to an 80% tax rebate over a 10-year period.

The proposed redevelopment for 75 Niagara Street provides valuable rental dwelling units in the downtown priority neighbourhood, remediates onsite soil contamination, and exhibits high quality sustainable building design features.

Staff have reviewed the previous 2015CIP approval for 10 Pleasant Avenue, that to date has been inactive. Staff recommend the BTA approval for 10 Pleasant Avenue equivalent to \$2,890 annually/\$8,670 over three years, be revoked by City Council.

Revoking the 2015CIP approval for 10 Pleasant Avenue will ensure the City's CIP programs remain accountable and responsive.

Notifications

It is in order to notify the applicants and property owners affected by the outcome of Council's decision, as identified:

- 75 Niagara Street: Ivan Ivanov (Applicant) and Mark Cairns of 1244947 Ontario Limited (Owner)
- 10 Pleasant Avenue: Tim Kenny (Applicant) and Robert Megna of 2390541 Ontario Inc. (Owner)

Prepared by

Claire Semple, MPI
Community Improvement Coordinator

Submitted by

Michael Seaman, MCIP, RPP
Senior Project Manager

Approved by

Tami Kitay, MPA, MCIP, RPP
Director of Planning and Building Services

Appendices

1. Location Map
2. Pictures of 75 Niagara Street
3. 2020CIP Project Evaluation System
4. Project Evaluation Summary

Location Map: Application Submitted for 2020 CIP Approval

1



Pictures of 75 Niagara Street: Application Submitted for 2020CIP Approval

Image 1: View of site from Welland Avenue



Image 2: View of site from Niagara Street



PROJECT EVALUATION SYSTEM		
<u>Evaluation Components</u>	<u>Points</u>	<u>Eligibility</u>
1. In Downtown Priority Neighbourhood		
a) <u>Remediation</u> i) less than 3% of total project costs devoted to <i>remediation</i> ii) 3% to 5% of total project costs devoted to <i>remediation</i> iii) greater than 5% of total project costs devoted to <i>remediation</i>	4 7 13	<ul style="list-style-type: none"> • minimum requirements to qualify for a BTIF incentive include: <ul style="list-style-type: none"> - on properties 0.4 Ha or greater in size, <i>remediation</i> costs must be a minimum of \$100,000 or 1% of total project costs, whichever is greater; - on properties less than 0.4 Ha in size, <i>remediation</i> costs must be a minimum of \$50,000 or 1% of total project costs, whichever is greater.
b) <u>Core Housing</u> i) 10% to 20% of total dwelling units are affordable (ARDU)* ii) 21% to 30% of total dwelling units are affordable (ARDU)* iii) greater than 30% of total dwelling units are affordable (ARDU)*	3 9 11	* (ARDU) means Affordable Rental Dwelling Unit as defined in Schedule 4

St. Catharines Community Improvement Plan (2020CIP)

<p>c) <u>Heritage Restoration/Conservation</u></p> <p>i) heritage restoration/conservation and reuse of a historically significant portion of buildings/structures located on non-designated (Ontario Heritage Act) properties</p> <p>ii) heritage restoration/conservation and reuse of entire buildings/structures located on (Ontario Heritage Act) designated Part IV or V properties</p>	<p>3</p> <p>10</p>	<ul style="list-style-type: none"> under i): <ul style="list-style-type: none"> - includes any building/structure, or part thereof, deemed to have built or cultural heritage value or interest by the municipality - subject to Heritage Impact Assessment and/or Conservation Plan under ii): <ul style="list-style-type: none"> - may include component demolition, alterations - subject to Heritage Permit Approval
<p>d) <u>Mixed Use Component</u></p>	<p>10</p>	<ul style="list-style-type: none"> to be eligible for points, must not have ground floor dwelling units or non-essential residential functions
<p>e) <u>Density Generation (measured in people and jobs /Ha)</u></p> <p>i) 50 - 100</p> <p>ii) 101 - 150</p> <p>iii) 151 - 200</p> <p>iv) 201 - 300</p> <p>v) 301 - 400</p> <p>vi) 401 - 500</p> <p>vii) > 500</p>	<p>2</p> <p>4</p> <p>8</p> <p>10</p> <p>12</p> <p>14</p> <p>18</p>	

St. Catharines Community Improvement Plan (2020CIP)

<p>f) <u>Investment</u></p> <p>1. Project Costs (in \$millions)</p> <p>i) 2 - 5</p> <p>ii) 5 - 10</p> <p>iii) 10 - 20</p> <p>iv) 20 - 30</p> <p>v) > 30</p> <hr/> <p>2. Estimated % Increase in Annual Property Taxes</p> <p>i) 25% - 200%</p> <p>ii) 201% - 300%</p> <p>iii) 301% - 400%</p> <p>iv) 401% - 500%</p> <p>v) 501% - 600%</p> <p>vi) > 600%</p>	<p>1</p> <p>2</p> <p>4</p> <p>6</p> <p>8</p> <hr/> <p>2</p> <p>4</p> <p>7</p> <p>10</p> <p>13</p> <p>16</p>	
<p>g) <u>Value Added</u></p> <p>i) sustainable site design</p> <p>ii) public area / streetscape contribution</p>	<p>7</p> <p>7</p>	<ul style="list-style-type: none"> innovative green technologies /stormwater management, green roofs, solar panels, electric vehicle charging stations, permeable pavement, etc. street furniture/fixtures, public court yard/walkway, enhanced landscaping /greening, transit amenities, connectivity, etc.
<p>❖ MAXIMUM POINTS AVAILABLE = 100</p> <p>❖ MINIMUM POINTS THRESHOLD TO BE ELIGIBLE FOR APPROVAL = 50</p>		

PROJECT EVALUATION SUMMARY

Application Location	Program	Property Size	Project Details	Estimate Eligible Project Costs	Current Tax Ass.	Estimate Post Dev. Tax Ass.	Estimated Post Dev. Increase in Annual City Tax	Annual City Incentive (80% of increase in annual taxes)	Total City Incentive value (over 10 years)
75 Niagara Street	BTIF	0.14 HA	Remediation and redevelopment of vacant lot into mixed-use four-story rental apartment building (12 dwelling units) and commercial uses at grade (2 units). A Fibre Optic Hub is located on the property.	\$3,816,684	\$150,341	\$1,581,000	\$11,035	\$8,828	\$88,283
Evaluation					<div>Notes:</div> <div>* \$190,629 of project costs is for remediation</div> <div>** (ARDU) means Affordable Rental Dwelling Unit as defined in Schedule 4 of 2020CIP</div> <div>***based on 1.8 people/unit, 1 job per 46m² commercial floor space</div>				
	Yes	No	Comments	Points					
Complete Application	X			n/a					
In Downtown Priority Neighbourhood									
Remediation	X		3% to 5% of total project costs*	7					
Core Housing: Housing Component		X	no ARDU** component	0					
Heritage Restoration/ Conservation		X	no component	0					
Mixed Use Component	X		residential & commercial units	10					
Density Generation (Jobs and People/ Ha)	X		185 people and jobs/Ha***	8					
Investment: Project Cost	X		\$5-10 million	2					
Investment: Estimate % Increase in Annual Property Taxes	X		>600%	16					
Value Add: Sustainable Design	X		geothermal and solar panels	7					
Value Add: Public Area	X		outdoor patio & benches	2					
Project Evaluation System Score			Exceeds 50pt minimum	=52pt					



Corporate Report City Council

Report from: Legal and Clerks Services, Office of the City Clerk

Report Date: September 24, 2021

Meeting Date: November 1, 2021

Report Number: LCS-161-2021

File: 10.12.24

Subject: Comparator Research on Remuneration for Council Members Appointed to Hydro Boards, Standing Committees and Outside Boards and Commissions

Strategic Pillar:

This report aligns with the following St. Catharines Strategic Plan pillars: None

Recommendation

That Report LCS-161-2021, regarding Comparator Research on Remuneration for Council Members Appointed to Hydro Boards, Standing Committees and Outside Boards and Commissions, be received for information.

Summary

This report provides information on the remuneration for members of Council who are appointed to standing committees and outside boards and commissions (comparator and Niagara municipalities), or the board of hydro corporations (comparator and Niagara municipalities as well as municipalities that hold shares in Alectra), and provides information on how such compensation is funded. Generally, few municipalities provide compensation for councillors appointed to standing committees and outside boards and commissions. Compensation to the board of hydro corporations is more common, but compensation varies significantly.

Relationship to Strategic Plan

This report is in response to a report request from Council and is not related to the City's Strategic Plan.

Background

On September 9, 2019, Council met as the Shareholder for St. Catharines Hydro Inc. (HoldCo) and directed the Board to review director remuneration for other similar boards. On December 8, 2020, Council as the Shareholder for HoldCo received a report in response to this request. At the same meeting, it was requested that staff prepare a report for Council with information on remuneration paid for sitting on different City boards.

In response to this request, staff prepared [Report LCS-087-2021](#) regarding remuneration for Members of Boards and Committees. On May 31, 2021, General Committee referred this report to the Shareholder, and on June 7, 2021, Council, as Shareholder for HoldCo, further referred the report back to staff for a report to Council that addresses:

- Information regarding how comparable municipalities pay their Hydro Board members (or equivalent);
- Information regarding how comparable municipalities pay the Council members appointed to outside Boards and Commissions, as well as Standing Committees (or equivalents);
- How comparable municipalities fund those payments to members; and
- Options for how such payments could be funded in St. Catharines.

This report is in response to the information requested through the referral.

Report

How municipalities pay their Hydro Board members

Appendix 1 provides an overview of compensation paid to councillors who are appointed to hydro boards for comparator municipalities (table 1-1), local area municipalities (table 1-2), and municipalities that own shares in Alectra (table 1-3).

Because the ownership, scope (e.g. holding company, generation, distribution) and scale of each hydro corporation, and the composition for their boards is unique, it is difficult to make comparisons between the approaches to compensation.

How municipalities pay Council members appointed to outside Boards, Commissions, and Committees

In St. Catharines, other than the Directors of the HoldCo and GenCo Board, the only remuneration paid to individuals who Council appoints to boards or committees is to members of the Committee of Adjustment who receive remuneration of \$70 per meeting plus mileage for site visits and the Committee Chair receives \$95 per meeting plus mileage. Remuneration / stipend for Committee of Adjustment members is common in Ontario. No elected officials are appointed to this statutory committee in St. Catharines.

Appendix 2 provides an overview of compensation paid to councillors who are appointed to boards, commissions, and committees for comparator municipalities (table 2-1) as well as the Niagara Region and local area municipalities (table 2-2). In general, it is not common for councillors to receive compensation for these appointments, however some exceptions do exist, as identified within Appendix 2.

How municipalities fund payments to members Hydro Boards

Remuneration for hydro board members is paid directly by the hydro corporation through its annual operating budget.

Boards, Commissions, and Committees

Remuneration for councillors appointed to boards, commissions and committees is paid from the annual operating budget for the municipality in the case of committees, and from the annual operating budget of the applicable boards and commissions for those appointments. These agencies typically receive their operating funding from the municipality, so the costs are ultimately collected through the tax levy.

Options for how such payments could be funded in St. Catharines

Compensation paid to individuals for being appointed to a board or committee is funded as follows:

- Board of a hydro corporation – paid by the hydro corporation (remuneration would be set by hydro corporation or shareholder depending on shareholder agreement)
- Local boards and commissions – paid by the local board (remuneration would be set by local board)
- Advisory committee, standing committee or statutory committee – paid by the municipality (remuneration would be set by Council)

If Council decided to compensate appointees to advisory committees, standing committees or statutory committees, the only option would be to fund these payments from the City's operating budget. Any decisions on compensation for local boards or commissions would be from the board or commission's operating budget which is ultimately funded by the tax levy. The only funding option for compensation for appointees to a hydro board is the hydro corporation's operating budget, with the total compensation likely having a direct impact on the amount of dividends paid to the shareholder (i.e. the municipality)

Financial Implications

There are no financial implications of this report. Any changes to remuneration would have a financial impact on the municipality or its boards.

Environmental Sustainability Implications

There are no environmental implications associated with this report.

Conclusion

This report provides information on remuneration paid to Members of Council who are appointed to Hydro Boards, Standing Committees and outside Boards and Commissions.

Prepared by

Kristen Sullivan, Deputy City Clerk

Submitted by

Bonnie Nistico-Dunk, City Clerk

Approved by

Heather Salter, Director of Legal and Clerks Services / City Solicitor

Appendices

1. Compensation for Members of Council appointed to Boards of Hydro Corporations
 - Table 1-1: Comparator Municipalities
 - Table 1-2: Niagara Municipalities
 - Table 1-3: Municipalities that own shares in Alectra
2. Compensation for Members of Council appointed to Boards and Committees
 - Table 2-1: Comparator Municipalities
 - Table 2-2: Niagara Municipalities

Compensation for Members of Council appointed to Boards of Hydro Corporations

Table 1-1: Comparator Municipalities

Municipality	Corporate Structure	2020 Remuneration
Single Tier		
Kingston	N/A - No members of council serve on Utilities Kingston Board of Directors	N/A
Thunder Bay	Thunder Bay Hydro Corporation Board which has three subsidiaries: <ul style="list-style-type: none"> - Thunder Bay Hydro Renewable Power (generation) - Thunder Bay Hydro Utility Services - Synergy North Corporation (distribution) 	\$7,300 (one councillor appointed)
Windsor	Windsor Canada Utilities Ltd. (four councillors appointed) which has two subsidiaries: <ul style="list-style-type: none"> - ENWIN Energy Ltd. (two councillors appointed) - ENWIN Utilities Ltd. (distribution) (four councillors appointed) 	\$0
Lower Tier		
Cambridge	Energy+ Inc. (distribution + water / wastewater billing)	\$14,300 (Mayor)
Kitchener	The City of Kitchener owns 92.25 % of Kitchener Power Corp. which has three subsidiaries: <ul style="list-style-type: none"> - Kitchener-Wilmot Hydro Inc., (distribution); - Kitchener Energy Services Inc., (for future energy services); - FibreTech Inc., (telecommunication corporation sold in 2006). 	Kitchener Power Corp: <ul style="list-style-type: none"> - \$3,800 (two councillors appointed for 5 months) - \$5,500 (two councillors appointed for 7 months) - \$4,600 (Mayor)
Oshawa	N/A – no members of Council serve on Oshawa Power and Utilities Corporation	N/A
Waterloo	The City of Waterloo owns 73.2% of Waterloo North Hydro Corporation which owns: <ul style="list-style-type: none"> - Waterloo North Hydro Inc. (distribution) 	The Mayor and one councillor sit on both boards and received a total of \$13,600 and \$12,325 respectively.

Barrie, Guelph, Niagara Falls and St. Catharines are captured in the below tables

Table 1-2: Niagara Municipalities

Municipality	Board	2020 Remuneration
Niagara Region	N/A	N/A
Fort Erie	N/A	N/A
Grimsby	The Town of Grimsby owns 90% of Niagara Power Inc. which owns Grimsby Power Inc. (distribution).	As of 2021, two councillors are appointed to the Niagara Power Inc. board and receive no compensation.
Niagara Falls	The City owns 100% of Niagara Falls Hydro Holding Corporation which owns 74.5% of Niagara Peninsula Energy Inc. (distribution)	All councillors are appointed to the Niagara Falls Hydro Holding Corp. board and receive \$4,800 in compensation. Compensation for the Niagara Peninsula Energy Inc. board is not reported.
Niagara-on-the-Lake	The Town owns 100% of Niagara-on-the-Lake Energy Inc. which owns: <ul style="list-style-type: none"> - Niagara-on-the-Lake Hydro Inc. (distribution) - Energy Services Niagara Inc. (unregulated, including broadband, water billing, FIT, etc.) 	The Mayor and one councillor sit on the board and received a total of \$4,159 and \$3,967 respectively.
Lincoln, Pelham, West Lincoln	The Towns jointly own Peninsula West Power Inc. (holding) which owns: <ul style="list-style-type: none"> - 25.5% of Niagara Peninsula Energy Inc. (with Niagara Falls) (distribution) - 100% of Peninsula West Services Inc. 	The compensation for councillors appointed to the Peninsula West Power Inc., the Niagara Peninsula Energy Inc., and the Peninsula West Services Inc. boards is not publicly reported.
Port Colborne	N/A	N/A
Thorold	N/A – distribution provided by Hydro One, no generation	N/A
Wainfleet	N/A – distribution provided by Hydro One, no generation	N/A
Welland	The City of Welland owns Welland Hydro-Electric Holding Corp. which owns: <ul style="list-style-type: none"> - Welland Hydro-Electric System Corp. (distribution) - Welland Hydro-Energy Services Corporation (for joint ventures) 	Mayor is appointed as a Director to Welland Hydro-Electric Holding Corp. and Welland Hydro-Energy Services Corp. and as an Officer of Welland Hydro-Electric System Corp. and receives total compensation of \$2,500 per year plus \$200 per meeting.

Table 1-3: Municipalities that own shares in Alectra

Municipality	Corporate Structure	Remuneration
Barrie	<p>Barrie Hydro Holdings Inc. is a holding company that is wholly owned by the City of Barrie.</p> <p>The City's shares in Alectra (distribution) are held by Barrie Hydro Holdings Inc.</p>	<p>All members of Council are appointed as directors and they do not receive any additional remuneration for this role.</p> <p>One councillor is appointed by Barrie Hydro Holdings Inc. to Alectra who receives \$48,750 in compensation in 2020.</p>
Guelph	<p>Guelph Municipal Holdings Inc. (GMHI) is a holding company that is wholly owned by the City of Guelph. GMHI's business activities are paused and its portfolio of companies, Guelph Hydro Electric Systems Inc. and Envida Community Energy Inc., now report directly to Guelph City Council.</p> <p>The City's shares in Alectra (distribution) are held by GMHI.</p>	<p>City councillors receive no additional or direct remuneration for this role.</p> <p>GMHI appointed a citizen member to Alectra in 2019, no councillors are appointed to Alectra.</p>
Hamilton	<p>Hamilton Utilities Corp. (HUC) is a holding company that is wholly owned by the City of Hamilton. HUC also operates two business units HCE Energy which owns and operates non-LDC energy (thermal and electrical) assets as well as HCE Telecom, a facilities-based technology and telecommunications company.</p> <p>The City's shares in Alectra (distribution) are held by HUC.</p> <p>Hamilton Renewable Power Inc. is a generation company wholly owned by the City of Hamilton that</p>	<p>One councillor is appointed and receives \$13,500 per year plus per meeting compensation which was not provided (total meeting compensation was \$3,000 for 2018).</p> <p>One councillor is appointed by HUC to Alectra and received \$41,250 in compensation in 2020.</p> <p>The Board is composed of three city councillors who do not receive any compensation for serving on the Board.</p>

	operates three generators at two facilities.	
Markham	<p>Markham Enterprises Corp. (MEC) is a holding company that is wholly owned by the City of Markham.</p> <p>The City's shares in Alectra (distribution) are held by MEC.</p> <p>Markham District Energy Inc. (MDEI) is a generation and distribution company wholly owned by MEC that operates two district energy systems.</p>	<p>The Board is composed of six city councillors and three regional councillors; compensation is as follows:</p> <ul style="list-style-type: none"> - Chair: \$7,500 plus \$325 / meeting to a maximum of 16 meetings / year - Vice-Chair: \$6,000 plus \$325 / meeting to a maximum of 16 meetings / year - Director: \$5,000 plus \$325 / meeting to a maximum of 16 meetings / year - Compensation in 2020 ranged from \$6,300 to \$9,450 <p>One councillor is appointed by the MEC to Alectra who received in \$46,250 in compensation in 2020.</p> <p>The board is composed of the Mayor, two city councillors, one regional councillor, and five independent directors; compensation is as follows:</p> <ul style="list-style-type: none"> - Chair: \$9,000 plus \$400 / meeting to a maximum of 16 meetings / year - Director: \$5,000 plus \$400 / meeting to a maximum of 16 meetings / year - Compensation in 2020 ranged from \$7,800 to \$14,200 <p>Councillors may only be compensated from one Board so any councillors appointed as directors of both MEC and MDEI only receive compensation from MDEI.</p>

Mississauga	<p>Enersource Inc. is a holding company that is 90% owned by the City and 10% by BPC Energy Corporation (a wholly owned subsidiary of OMERS).</p> <p>The City's shares in Alectra (distribution) are held by Enersource Inc.</p>	<p>One councillor is appointed; compensation is as follows:</p> <ul style="list-style-type: none"> - Directors: \$13,500 per year plus \$650 per meeting - Chair: \$24,500 per year plus \$650 per meeting. - The appointed councillor is the chair and received \$29,050 in compensation in 2020. <p>One councillor is appointed by Enersource Inc. to Alectra and received \$43,300 in compensation in 2020.</p>
St. Catharines	<p>St. Catharines Hydro Inc. (HoldCo) is a holding company that is 100% owned by the City of St. Catharines.</p> <p>The City's shares in Alectra (distribution) are held by HoldCo.</p> <p>St. Catharines Hydro Generation Inc. is a generation company wholly owned by HoldCo that operates one generation facility.</p>	<p>Three councillors are appointed; compensation is as follows:</p> <ul style="list-style-type: none"> - Directors: \$6,456 per year plus \$205 per meeting - Chair: \$8,801 per year plus \$205 per meeting. - Total compensation in 2020 was \$7,277 for Directors and \$9,622 for the Chair. <p>One councillor is appointed by HoldCo to Alectra and received \$43,750 in compensation in 2020.</p>
Vaughan	<p>A response was not received by the City of Vaughan, however based on information on the City's website, it is believed that Vaughan Holdings Inc. (VHI) is a holding company that is wholly owned by the City of Vaughan.</p>	<p>It appears that all members of Council are appointed as directors of VHI. Based on the City of Vaughan's 2019 Statement of Remuneration, councillors were compensated between \$17,000 and \$21,500 for their role on the VHI Board.</p>

	<p>The City's shares in Alectra (distribution) are held by VHI.</p> <p>The role of Hydro-Vaughan Energy Corp. is unclear, however reports from the early 2010s indicate that it may be related to potential energy businesses, such as district energy.</p>	<p>One councillor is appointed by VHI to Alectra; their remuneration was not publicly reported.</p> <p>It appears that all members of Council are appointed as directors of the Board. Based on the City of Vaughan's 2019 Statement of Remuneration, councillors were compensated between \$5,000 and \$7,000 for their role on the Hydro-Vaughan Energy Corp. board.</p>
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Compensation for Members of Council appointed to Boards and Committees

Table 2-1: Comparator Municipalities

Municipality	Board or Committee	2020 Remuneration
Single Tier		
Barrie	No compensation reported for elected officials serving on Boards or Committees	
Guelph	No compensation reported for elected officials serving on Boards or Committees	
Kingston	Police Services Board	\$4,587
Thunder Bay	Social Services Administration Board	\$3,100 - \$3,500
	Lakehead Region Conservation Authority	\$450 - \$550 (per diem)
	Police Services Board	\$3,115 (honorarium)
Windsor	No compensation reported for elected officials serving on Boards or Committees	
Lower Tier		
Cambridge	No compensation reported for elected officials serving on Boards or Committees	
Kitchener	No compensation reported for elected officials serving on Boards or Committees	
Oshawa	No compensation reported for elected officials serving on Boards or Committees	
Waterloo	No compensation reported for elected officials serving on Boards or Committees	

Table 2-2: Niagara Municipalities

Municipality	Board or Committee	2020 Remuneration
Niagara Region	Niagara Regional Police Service Board	\$6,600 - \$7,500
	Niagara Regional Housing Board	\$1,800 - \$2,400 (based on a monthly rate of \$200 / Officer and \$150 / Other Member)
	Niagara Peninsula Conservation Authority	\$400 - \$1,400 (based on \$76.10 / regular meeting and \$200 / Source Protection Committee meetings, Chairman's honorarium of \$6,763.04 and Chairman / Vice Chairman's honorarium of \$1319.16)
	Niagara Parks Commission	\$135 per diem for directors, \$175 for vice chair and \$250 for chair (2021 rate) (total of \$1,300 reported in 2020)
	Niagara Escarpment Commission	\$4,900
Fort Erie	Niagara Parks Commission	\$135 per diem (2021 rate (total of \$405 reported in 2020))
Grimsby	No compensation reported for elected officials serving on Boards or Committees	
Lincoln	Library Board	\$350 - 950
	Committee of Adjustment	\$400 (as Chair)
Niagara Falls	Advisory Committees	\$75 / meeting
	Niagara Parks Commission	\$135 per diem (2021 rate)
Niagara-on-the-Lake	Niagara Parks Commission	\$135 per diem (2021 rate)
Pelham	No compensation reported for elected officials serving on Boards or Committees	
Port Colborne	Committee of Adjustment	\$675 – 750
Thorold	No compensation reported for elected officials serving on Boards or Committees	
Wainfleet	No compensation reported for elected officials serving on Boards or Committees	

Welland	Niagara Central Airport Commission Corporate Services and integrated Service Chairs	\$25 / meeting \$2,137
West Lincoln	No compensation reported for elected officials serving on Boards or Committees	



Corporate Report City Council

Report from: Legal and Clerks Services, Office of the City Clerk

Report Date: October 6, 2021

Meeting Date: October 18, 2021

Report Number: LCS-164-2021

File: 10.12.1

Subject: Council Correspondence

Strategic Pillar:

Recommendation

That Council receive and file the items listed within the report; and

That Council appoint the individual outlined in the confidential memorandum from the Deputy Clerk to the Fallen Firefighters Memorial Task Force; and

That Council approve term extensions until November 30, 2022 on the board of the FirstOntario Performing Arts Centre for the individuals identified in the memorandum from the Executive Director of the FirstOntario Performing Arts Centre; and

Further, that Council receive and file additional correspondence distributed for the meeting held October 18, 2021, which is available upon request.

Report

The Office of the City Clerk is submitting, for the approval of Council, correspondence received during the period of September 24, 2021 to October 6, 2021.

The information regarding an appointment for a vacancy on the Fallen Firefighters Memorial Task Force is being provided through confidential memorandum as discussion of the merits of individual applicants could be considered a personal matter about identifiable individuals. The memorandum will be placed in Council's SugarSync folder prior to the Council meeting of October 18, 2021. The appointment approved by Council will be published in the meeting minutes.

Attached as Sub-Item #7 is a memorandum from the Executive Director of the FirstOntario Performing Arts Centre regarding a request to extend the term of membership for two board members until November 30, 2022.

At the meeting of August 9, 2021, City Council approved a motion regarding “Speed Limits.” Attached as Sub-Item #3 is a resolution from the Niagara Region endorsing Council’s motion.

At the meeting of June 11, 2021, City Council approved a motion regarding “Lyme Disease Awareness Month.” Attached as Sub-Item #4 is a resolution from the Township of Muskoka Lakes endorsing Council’s motion.

Resolutions

1. Town of Kingsville – re. Support of Save Eye Care in Ontario
2. Town of South Bruce Peninsula – re. Lottery Licensing to Assist Small Organizations

Responses to Motions from St. Catharines City Council

3. Support for City Council's Motion – re. Speed Limits
(motion passed at Council Meeting of August 9, 2021)
4. Support for City Council's Motion – re. Lyme Disease Awareness Month
(motion passed at Council Meeting of June 11, 2021)

Correspondence

5. Correspondence from Canadian Warplane Heritage Museum – re. Remembrance Day 2021
6. AMO Watchfile – September 29, 2021
7. Correspondence from Len Bates – re. Kiwanis Eco-Park

Memorandums

8. Memorandum from Executive Director of the FirstOntario Performing Arts Centre – re. Board of Management Citizen Member Term Correction / Extension
9. Memorandum from Chief of Staff, Mayor’s Office – re. REACH Mobile Health Clinic, powered by TELUS Health

Reports Requested by Council

10. Outstanding Reports List – updated October 6, 2021

Confidential Memorandums

(see SugarSync folder of October 18, 2021)

- Deputy Clerk – re. Vacancy appointment for the Fallen Firefighters Memorial Task Force

Prepared by

Evan McGinty
Council and Committee Coordinator

Submitted and Approved by

Bonnie Nistico-Dunk
City Clerk



2021 Division Road North
Kingsville, Ontario N9Y 2Y9
Phone: (519) 733-2305
www.kingsville.ca
kingsvilleworks@kingsville.ca

October 1, 2021

The Honourable Doug Ford, Premier of Ontario
Legislative Building
Queen's Park
Toronto, ON M7A 1A1

Dear Premier:

RE: KINGSVILLE COUNCIL SUPPORT OF SAVE EYE CARE IN ONTARIO

At its Regular Meeting held Monday, September 27, 2021 Council of the Town of Kingsville passed a Resolution in support of Save Eye Care in Ontario as follows:

"580-2021

Moved By Councillor Laura Lucier
Seconded By Councillor Thomas Neufeld

Whereas routine eye care is critical in early detection of eye diseases like glaucoma, cataracts, and macular degeneration, and the health of eyes is critical to overall health and quality of life; and

Whereas conditions that may be detected with an annual eye exam include Diabetes mellitus, Glaucoma, Cataract, Retinal disease, Amblyopia (lazy eye), Visual field defects (loss of part of the usual field of vision), Corneal disease, Strabismus (crosses eyes), Recurrent uveitis (an inflammation of the uvea, the middle layer of the eye that consists of the iris, ciliary body and choroid), Optic pathway disease; and

Whereas payments from OHIP have only increased 9% over the last 30 years, which has not come close to matching inflation of costs (which include rent, staff, utilities, equipment, taxes and supplies); and

Whereas the lack of funding makes it difficult to invest in modern technology, and newer technology means earlier detection of eye disease; and

Whereas the Provincial government's refusal to formally negotiate with Optometrists for more than 30 years has forced the Optometrists to absorb approximately 173 Million dollars annually in the cost to deliver eye care to Ontarians; and

Whereas the 2021 Ontario Budget did not address OHIP-insured eye care, Ontario Optometrists took action and voted to withdraw OHIP services starting September 1, 2021, unless the government agrees to legally-binding negotiations to fund these services at least to the cost of delivery; and

Whereas this job action will jeopardize good eyecare for those who need the care of an optometrist the most and will have the greatest impact on the most vulnerable groups. Children, who's lifetime ability to learn and develop depends on good vision and to the elderly, who are at the greatest risk for vision-threatening ocular diseases.

Now Therefore Be It Resolved that The Corporation of the Town of Kingsville requests that the Provincial government recognize the value that access to quality eye care brings to all Ontarians and act now to protect it; and further

That the Provincial government address the OHIP-insured eye care immediately and enter into legally-binding negotiations with Ontario Optometrists to fund these services at least to the cost of delivery, prior to any job action taking place; and further

That a copy of this resolution be forwarded to Premier Ford, Ontario Minister of Health Christine Elliot, MPP Taras Natyshak, to the Ontario Association of Optometrists, and to all municipalities in Ontario.

CARRIED"

Yours very truly,



Sandra Kitchen, Acting Clerk
Legislative Services Department
skitchen@kingsville.ca

Enclosure

cc: Honourable Christine Elliott, Ontario Minister of Health
Taras Natyshak, MPP, Essex
Chris Lewis, MP, Essex
Ontario Association of Optometrists
All Ontario Municipalities



Town of
SOUTH BRUCE PENINSULA

Box 310, 315 George Street, Wiarton, Ontario N0H 2T0 Tel: (519) 534-1400 Fax: (519) 534-4862
1-877-534-1400

April 23, 2021

Doug Downey
Attorney General
McMurtry-Scott Building
720 Bay Street, 11th Floor
Toronto ON M7A 2S9

Dear Honorable Mr. Downey:

Re: Lottery Licensing to Assist Small Organizations

Small organizations are the foundation of rural Ontario. Thousands of hours of selfless volunteerism are logged each year by organizations who may not necessarily be considered not-for-profit or charitable. That doesn't mean that they don't contribute to our communities; small organizations cook for the homeless, clean up parks and flower beds, read to young people, teach life skills to young adults, organize parades, put on concerts...the list goes on.

Many of these small organizations are not eligible to receive a lottery license. This makes it impossible for them to continue to be successful as their fundraising capabilities are extremely limited.

Through this correspondence, we request that you give serious consideration to instituting an additional level of lottery licensing which would enable small organizations to obtain a lottery license. Those who are not able to sustain a non-profit or charitable status could still receive a lottery license if their proceeds benefit the community. Thresholds could be placed on the prize values and perhaps even the number of events which could be held in a calendar year.

We hear over and over again about the hardships in our community and we know that there are organizations who have the ability to help and are not permitted to. Understanding this, Council adopted a resolution seeking your consideration.

R-226-2021

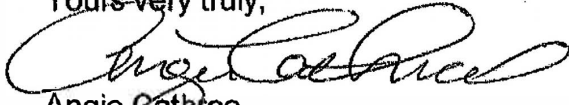
*It was **Moved** by J. Kirkland, **Seconded** by K. Durst and **Carried***

***That** staff are directed to contact the Ministry responsible for Alcohol and Gaming of Ontario to seek their assistance in implementing an additional level of licensing which would permit small organizations to hold fundraisers as a method of sustaining our community and organizations;*

And further that all municipallties in Ontario are sent this resolution to seek their assistance in lobbying the Ministry.

We look forward to your consideration of our request.

Yours-very truly,

A handwritten signature in black ink, appearing to read "Angie Cathrae", written over the typed name.

Angie Cathrae
Director of Legislative Services/Clerk
519-534-1400 ext 122
Tol Free 1-877-534-1400
angie.cathrae@southbrucepeninsula.com

cc: MPP Bill Walker, All Ontario Municipalities



Administration

Office of the Regional Clerk

1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7

Telephone: 905-980-6000 Toll-free: 1-800-263-7215 Fax: 905-687-4977

www.niagararegion.ca

Sub-Item 3

September 24, 2021

CL 18-2021, September 23, 2021

Hon. Caroline Mulroney
Minister of Transportation
Ministry of Transportation
5th Flr, 777 Bay St,
Toronto, ON M7A 1Z8

SENT ELECTRONICALLY

Re: Request to Review and Amend Section 128 (Rate of Speed) of the Highway Traffic Act

Regional Council, at its meeting held on September 23, 2021, passed the following motion:

WHEREAS street design for safe driving behaviour, which includes features such as narrow lane widths, is the most important factor in creating safe streets, but lowering vehicle speeds is another important tool to improve road safety; and

WHEREAS pedestrian and cyclist fatalities increase as vehicle speed goes up and research studies have found that higher speed leads to more collisions involving children, who are more often injured in pedestrian and cycling injuries and casualties and that children are usually injured mid-block, often on residential streets, and in front of their home or a park; and

WHEREAS municipal, provincial, state, and federal governments across North America have invested in active transportation, complete streets design, and healthy community initiatives which has resulted in an increased number of pedestrians and cyclists that need to coexist with vehicles on roads, placing more pressure on setting appropriate speed limits; and

WHEREAS several municipalities across North America, including Edmonton, Toronto, Seattle, Portland, New York and hundreds of others, have reduced speed limits on local roads.

NOW THEREFORE BE IT RESOLVED:

1. That the Region of Niagara **SUPPORT** the motion brought forward by the City of St. Catharines and request the province (Ministry of Transportation Ontario) to review and amend Section 128 (Rate of Speed) of the Highway Traffic Act to adopt Vision Zero principles and reduce the statutory speed limit on a highway within a local municipality or within a built-up area from 50 kilometres per hour to 40 kilometres per hour; and

2. That this motion **BE CIRCULATED** to the local area municipalities.

Yours truly,



Ann-Marie Norio
Regional Clerk

CLK-C 2021-151

cc: Local Area Municipalities
Association of Municipalities of Ontario



P.O. Box 129, 1 Bailey Street, Port Carling, Ontario P0B 1J0
Website: www.muskokalakes.ca
Phone: 705-765-3156 Fax: 705-765-6755

October 5, 2021

The Honourable Doug Ford
Premier of Ontario
Premier's Office
Room 281, Legislative Building
Queen's Park
Toronto, ON M7A 1A1
premier@ontario.ca

Re: Support Resolution – Lyme Disease Awareness Month

Dear Sir,

Please be advised that at the meeting of Council held on September 15, 2021 the following resolution regarding the above noted matter was passed unanimously.

"Resolution Number C-3-15/09/21

Moved By: Councillor Edwards
Seconded By: Councillor Hayes

Be it resolved that the Township of Muskoka Lakes supports the City of St. Catharines' resolution of June 11, 2021 regarding Lyme Disease, treatment and Care.

Carried."

For your reference, please find attached a copy of the above noted resolution.

Thank you for your attention to this matter.

Yours truly,

A handwritten signature in black ink, appearing to read "Cheryl Hollows".

Cheryl Hollows,
Corporate Administrator

cc. The Honourable Christine Elliott, Minister of Health
City of St. Catharines, Bonnie Nistico-Dunk, City Clerk

Encl
/kb



COUNCIL MEETING

Agenda Item 7.a.

Date: September 15, 2021

C- 3 -15/09/21

MOVED BY: Councillor Edwards

SECONDED BY: Councillor Hayes

Be it resolved that the Township of Muskoka Lakes supports the City of St. Catharines' resolution of June 11, 2021 regarding Lyme Disease, treatment and Care.

RECORDED VOTE:	NAYS	YEAS	
COUNCILLOR BRIDGEMAN	<input type="checkbox"/>	<input type="checkbox"/>	
COUNCILLOR EDWARDS (Deputy Mayor)	<input type="checkbox"/>	<input type="checkbox"/>	
COUNCILLOR HAYES (Acting Deputy Mayor)	<input type="checkbox"/>	<input type="checkbox"/>	
COUNCILLOR JAGLOWITZ	<input type="checkbox"/>	<input type="checkbox"/>	
COUNCILLOR KELLEY	<input type="checkbox"/>	<input type="checkbox"/>	
COUNCILLOR MAZAN	<input type="checkbox"/>	<input type="checkbox"/>	
COUNCILLOR NISHIKAWA	<input type="checkbox"/>	<input type="checkbox"/>	
COUNCILLOR ROBERTS	<input type="checkbox"/>	<input type="checkbox"/>	
COUNCILLOR ZAVITZ	<input type="checkbox"/>	<input type="checkbox"/>	
MAYOR HARDING	<input type="checkbox"/>	<input type="checkbox"/>	
TOTALS			DEFEATED <input type="checkbox"/>
Recorded Vote Requested by: _____			CARRIED <input checked="" type="checkbox"/>
			MAYOR



June 11, 2021

The Honourable Doug Ford, M.P.P.
Premier of Ontario
Legislative Building
Queen's Park
Toronto, ON M7A 1A1

Sent via email: premier@ontario.ca

Re: Lyme Disease Awareness Month
Our Files: 35.31.99/35.23.12

Dear Premier Ford,

At its meeting held on May 31, 2021, St. Catharines City Council approved the following motion:

"WHEREAS May is Lyme Disease National Awareness Month; and

WHEREAS the City of St. Catharines Strategic Plan includes improving livability for all; and

WHEREAS Niagara Region is a high-risk area for ticks and Lyme Disease, and cases continue to increase; and

WHEREAS Ontario health does not cover treatment and testing for all strains of Lyme Disease; and

WHEREAS Lyme Disease is a crippling disease if not diagnosed and treated appropriately;

THEREFORE BE IT RESOLVED the City of St. Catharines call on the Ontario government to expand testing to all strains of Lyme Disease and improve the level of treatment and care for those diagnosed with this crippling disease; and

BE IT FURTHER RESOLVED the Premier of Ontario, Ontario Minister of Health, local MPPs, Niagara Health, Niagara Region Public Health, all Ontario municipalities, and the Association of Municipalities of Ontario be sent correspondence of Council's decision; and

BE IT FURTHER RESOLVED the Mayor bring this matter to the attention of the Niagara Region and request that the Region build an awareness campaign with on-line resources for families with Lyme Disease."

PO Box 3012, 50 Church St., St. Catharines, ON L2R 7C2



If you have any questions, please contact the Office of the City Clerk at extension 1524.

A handwritten signature in cursive script, appearing to read 'Bonnie Nistico-Dunk'.

Bonnie Nistico-Dunk, City Clerk
Legal and Clerks Services, Office of the City Clerk
:mb

cc: Ontario Minister of Health
Niagara Area MPPs
Niagara Health
Niagara Region Public Health
Niagara Region
Ontario Municipalities
Association of Municipalities of Ontario, amo@amo.on.ca
Melissa Wenzler, Government Relations Advisor



MUNICIPALITY OF SHUNIAH

420 Leslie Avenue, Thunder Bay, Ontario P7A 1N8
Phone: (807) 683-4545 Fax: (807) 683-6982
www.shuniah.org

July 20, 2021

The Honourable Doug Ford
Premier of Ontario
Legislative Building, Queen's Park
Toronto, ON M7A 1A1
premier@ontario.ca

Dear Premier Ford,

RE: Support Resolution – Lyme Disease Awareness Month

Please be advised that, at its meeting on July 14, 2021, the Council of the Municipality of Shuniah resolved as follows:

That Council hereby supports the resolution from the City of St. Catherine's regarding the Lyme Disease Awareness Month, dated June 11, 2021.

A copy of the above noted resolution is enclosed for your reference and consideration. We kindly request your support and endorsement for the Lyme Disease Awareness Month.

Yours truly,

Kerry Bellamy
Clerk

Cc: The Honourable Christine Elliott, Minister of Health
Association of Municipalities of Ontario (AMO)
Local MPP's
Thunder Bay District Health Unit
All Ontario Municipalities



SHUNIAH

COUNCIL RESOLUTION

Resolution No.: 245-21Date: Jul 14, 2021Moved By: Negan GammotSeconded By: Don Smith

THAT Council hereby supports the attached resolution from the City of St. Catharines regarding the Lyme Disease Awareness Month, dated June 11, 2021; and

WHEREAS May is Lyme Disease National Awareness Month; and

WHEREAS Ontario Health does not cover treatment and testing for all strains of Lyme Disease; and

WHEREAS Lyme Disease is a crippling disease if not diagnosed and treated appropriately;

THEREFORE BE IT RESOLVED the Municipality supports the resolution of the City of St. Catharines call on the Ontario government to expand testing to all strains of Lyme Disease and improve the level of treatment and care for those diagnosed with this crippling disease; and

BE IT FURTHER RESOLVED the Premier of Ontario, Ontario Ministry of Health, local MPPs, Thunder Bay District Health Unit, the Association of Municipalities of Ontario and all Ontario municipalities be sent correspondence of Council's decision.

☒ Carried☐ Defeated☐ Amended☐ Deferred

Wendy Lander
Signature

Municipality of Shuniah, 420 Leslie Avenue, Thunder Bay, Ontario, P7A 1X8

From: Sandra Price <sprice@warplane.com>
Sent: Thursday, September 23, 2021 9:40 AM
To: Office of Mayor Sendzik <mayor@stcatharines.ca>
Cc: Office of Mayor Sendzik <mayor@stcatharines.ca>
Subject: Remembrance Day 2021 - CWHM
Importance: High

Good Morning,

The Canadian Warplane Heritage Museum in the past have hosted the largest indoor Remembrance Day service and the Second largest attended service in Canada. This year due to the COVID-19 pandemic, we will not have a large ceremony at the museum, but we still plan to touch thousands of people in the Golden Horseshoe area with a fly over of community Cenotaphs with our vintage military aircraft. Our plan is to fly over Hamilton and surrounding communities such as yours, with our Lancaster and B25 this year and are asking for your support with a monetary contribution to help make this happen.

As I am sure you are aware, the costs of maintaining and operating these historic and vintage military aircraft are significant. As such we are asking you to consider a contribution of \$2,500 to help us defray our costs and ensure your community's inclusion in this very meaningful act of remembrance.

Thank you for your consideration and support and should you have any questions, please do not hesitate to let us know.

"LEST WE FORGET "

Sincerely,
Sandra Price
Vice President - Operations
CANADIAN WARPLANE HERITAGE MUSEUM
905-679-4183 Ext.230
www.warplane.com





September 29, 2021

In This Issue

- Report out on September 24, 2021 AMO Board meeting.
- Distributed Energy Resources discussion paper now posted.
- AMO's participation in the provincial Climate Change Impact Assessment.
- Municipal Modernization Program open for applications.
- Municipal Cyber Security Forum.
- Accessibility and year-end deadlines.
- Risk Management Symposium: Register now.
- Spaces remain for in demand Human Rights & Navigating Conflict Relations training.
- Free asset management on-demand webinar series.
- Energy reporting deadline extended to October 15.
- Canoe procurement webinar: Supply chain update.
- A Canoe launch event is coming!
- Blog: A Walk Down Environmental Lane.
- ONE Investment podcast: Fixed Income Investing & Changing Interest Rates.
- Careers: City of Guelph.

AMO Matters

NOTE: AMO will be closed on September 30 in observance of a National Day for Truth and Reconciliation.

AMO President Graydon Smith [recaps the highlights](#) of the September 24, 2021 AMO Board meeting.

AMO is pleased to provide a [discussion paper](#) on the impacts of Distributed Energy Resources (DERs) on municipalities. This is the fourth paper released as part of [AMO's Climate Change Series Papers](#).

Provincial Matters

AMO is pleased to be participating in the province's first-ever multi-sector climate change impact assessment. Work is underway now, and more info can be found [here](#).

Municipalities can apply for intake three of the Municipal Modernization Program until October 19, 2021. Funding will support digital modernization, service integration, streamlined development approvals and shared services/alternative delivery models. Visit www.Ontario.ca/getfunding for complete details. Webinars to assist with

applications will be announced shortly.

Eye on Events

On October 14, AMO and the Municipal Information Systems Association of Ontario are co-hosting our second virtual Municipal Cyber Security Forum. Learn from leading cyber experts about the shared responsibility of cyber security and how you can build cyber security resiliency across your municipality and organization. \$50 plus HST. [Register today!](#)

The December 31, 2021 deadline is quickly approaching for the *Accessibility for Ontarians with Disability Act*. Is your municipality compliant? On October 7 at 12.30 pm, [join AMO and eSolutionsGroup](#) to learn about year-end requirements and what help is available to meet the deadline.

There is only one week left until the virtual [Risk Management Symposium](#). If you attend live, you will have the opportunity to ask our presenters questions. As a bonus, we're recording all sessions, which you can access for 30-days.

AMO has developed [training to support](#) its members in some of the most sensitive and current issues including human rights and equity and developing skills in navigating conflict relationships. A few spaces are still available for fall sessions.

The asset management webinar series will introduce tools and templates piloted with a group of municipalities in partnership with FCM's [Municipal Asset Management Program](#). First webinar on "Leadership and Governance in Asset Management" is on Friday, October 08 at 1:00 p.m. EST. [Click here to Register](#).

LAS

Did you miss the [O.Reg. 507/18](#) annual energy reporting deadline? The Ministry of Energy will [accept 2019 consumption data](#) up to October 15. Please email BPSsupport@ontario.ca if you have any questions about the regulation.

Budget season is coming soon and it may be challenging to figure out COVID-19 impacts. Join representatives from [Canoe Procurement Group](#) and some of our key vendors on October 6 at 10 am to learn what to expect from current supply chain challenges and how to manage them. Register [here](#).

The [Canoe brand](#) launched this past spring. Now there's an opportunity to attend an event dedicated to all things Canoe. Learn more about this valuable buying program on October 27 from 11 am - 5 pm alongside your peers from other municipal associations all across Canada with this one-day event. [Register now](#) and save the date.

LAS' customer service representative writes about [how the environment changed before her eyes](#), from youth to present. She ponders the question: Is it too late to do

something about it?

ONE Investment

Podcast: [Main Street to Bay Street: Fixed Income Investing and Changing Interest Rates](#) - Listen to ONE Investment team talk about the optimal fixed income strategy during the current low interest rate environment. How can investors position their portfolios in response to the rate changes?

Careers

[Manager of Court Operations - City of Guelph](#). Reporting to the General Manager of Legal, Realty and Court Services/City Solicitor, this position will manage the Court Operations Section of the City's Court Services Division including court administration, in-court support functions, court-related financial operations and fine enforcement activities. Apply [online](#) by October 17, 2021.

About AMO

AMO is a non-profit organization representing almost all of Ontario's 444 municipal governments. AMO supports strong and effective municipal government in Ontario and promotes the value of municipal government as a vital and essential component of Ontario's and Canada's political system. Follow [@AMOPolicy](#) on Twitter!

AMO Contacts

[AMO Watch File](#) Tel: 416.971.9856

[Conferences/Events](#)

[Policy and Funding Programs](#)

[LAS Local Authority Services](#)

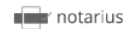
[MEPCO Municipal Employer Pension Centre of Ontario](#)

[ONE Investment](#)

[Media Inquiries](#) Tel: 416.729.5425

[Municipal Wire, Career/Employment and Council Resolution Distributions](#)

AMO's Partners



*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.

RESTORATION PLAN PROPOSAL

AUGUST 2022

KIWANIS COMMUNITY ECO-PARK



PREPARED AND PRESENTED BY

LAND CARE NIAGARA / ST. CATHARINES ENVIRONMENTAL ALLIANCE

IN PARTNERSHIP WITH

KIWANIS ST. CATHARINES / SASSAFRAS FARMS

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INTRODUCTION TO KIWANIS COMMUNITY ECO-PARK

The following information is being provided in collaboration for a proposal to restore and enhance The Fairview Park, located at 325 Geneva Street, St. Catharines, into a Community Eco-Park. Local groups and organizations such as Kiwanis St. Catharines in partnership with St. Catharines Environmental Alliance (SEA), Land Care Niagara (LCN) and Sassafras Farms look forward to creating a partnership with the City of St. Catharines to give back to the local community and create positive change in the environment within the City of St. Catharines. The park, previously the Fairview Golf Course and Mini Putt, provides an opportunity for the City of St. Catharines to meet climate adaptation goals, as well as improve community dynamics, mental wellness, recreation, education, food security and sponsorship. This project was initiated by Kiwanis St. Catharines who believe that this park can be an environmental pride for the city. Kiwanis contacted the SEA and LCN to develop a restoration plan for this property.

This document provides a restoration plan to be implemented, including features that will maximize benefits experienced. These plans will allow the space to exhibit significant environmental value through the existence of highly diverse, native species in addition to carbon-sequestering features and wildlife habitat. Community use has also been a priority in considering park features, such as walkable trails and viewing areas for residents to enjoy.

Sassafras farms, a nursery who specializes in native species provision and ecological restoration with over 20 years of experience has offered their services and expertise for the implementation of this project. A recommended species list and corresponding pricing is provided.

It is recommended that the City of St. Catharines pursue this project. This park has high potential, and will allow St. Catharines to be a leader in creating a paradigm shift in the use and objectives of green space in urban areas, and continue to live up to its title of the Garden City. As seen in many large cities throughout the continent, large central eco-parks are prominent. For example, Central Park in New York, Stanley Park in Vancouver and Queen's Park in Toronto. The Kiwanis Community Eco-Park will be enjoyed by residents for generations to come and be of high value to the city, making it even more appealing to reside.

CLIMATE
COMMUNITY
MENTAL WELLNESS
EDUCATION
RECREATION
FOOD SECURITY
SPONSORSHIP

BENEFITS TO THE CITY

CLIMATE & ENVIRONMENTAL SERVICES

This Kiwanis Community Eco-Park restoration plan will help meet five of the six climate goals as set out by the 'St. Catharines Climate Adaptation Plan' (2021);

- (1) Prepare for hotter summers
- (2) Prepare and respond to extreme weather events
- (3) Develop a flood prevention strategy
- (4) Improve stormwater management including the use of green infrastructure
- (6) Re-think how the City addresses climate change

These goals will be achieved by naturalizing the park. With the current state of open maintained lawn surface dominance and just a few trees, the current green space provides little ecological function. With the implementation of high-density canopy cover, wetlands, pollinator gardens and a meadow, the park will provide numerous climate-related benefits including urban-heat island mitigation and low-impact development.

First, the Fairview area is a highly-developed portion of the City. With this area being highly paved, built-up, and heavily traveled, it experiences the urban heat-island effect in which structures, pavement and pollution cause heat fluxes. As indicated by the 'St. Catharines Climate Adaptation Plan', there has been an average increased temperature of 1.7°C annually in Canada and is projected to rise to 2°C in St. Catharines by 2050 (2021). The effects of climate change on health are prominent. The World Health Organization predicts that there will be 250 000 global, premature deaths in the absence of adaptation (2014). This green space, if naturalized, may act as a cooling agent for the surrounding area by providing shade and evapotranspiration to reduce effects of climate change on public health.

Second, urban watershed forestry will increase hydrological function of the park and thereby reduce the number of costly flooding events within the area. Forest canopy intercepts rainfall, reducing the rain that reaches the ground. A portion of this water captured will evaporate, and will never reach the soil. Trees increase water storage of the ground by taking water through their roots, and releases a portion of this water back into the air through evapotranspiration. Runoff is decreased by the added infiltration caused by root systems and organic matter ground cover. Furthermore, with the addition of a wetland, flood mitigation will be further increased. Wetlands store and slowly release floodwater, reducing the impact of extreme rain events. This will be increasingly important as precipitation and extreme weather event trends increase.

Air purification is an additional ecosystem benefit which will be provided once the restoration work is complete at the park. Outdoor air pollution is a worldwide public health issue, and can cause illness and premature death if not mitigated. A study completed by Vieira, et al. found that the structure and management of urban green spaces had an effect on provision of ecosystem services, namely air purification (2019). Naturally regenerating urban green spaces which consisted of multiple layers of vegetation, i.e. grasses, shrubs and trees with little to no maintenance had a higher capacity to aid in air purification.

The naturalized park will act as a carbon sink with the presence of a wetland and a mature forest. Both of these features have a high capacity to sequester carbon, reducing the City's carbon dioxide emissions to help combat climate change.

BENEFITS TO THE CITY

CLIMATE & ENVIRONMENTAL SERVICES CONTINUED

Cities can act as a desert for migrating animals, including pollinators. Naturalized areas within urban boundaries act as a refuge for wildlife, especially when moving from one area to another. Improving connectivity is critical to the survival of many species. Furthermore, it has been known for wild animals to perish from lack of food, water, shelter, and attacks from domestic animals such as house cats. With the provision of a densely forested park in a central location within the city, wildlife will be provided with a safe location to reside that maintained parks do not offer, and will be less dependent upon space within residents' backyards and city streets.

COMMUNITY

The Kiwanis Community Eco-Park will be a space to bring the community together. The park will allow partners to work together toward a common goal, provide volunteer opportunities and a green space for all – most importantly for local residents living in nearby condominiums and the Kiwanis Park Apartments.

MENTAL WELLNESS

The effects that exposure to green space has on mental health has been a widely studied topic. It has been found that the level of neighborhood green space can have a positive effect on mental health and well-being (Barton & Rogerson, 2017). When individuals live in areas with more access to green space, they are likely to have less anxiety, depression and mental distress (Barton & Rogerson, 2017). This is especially important for surrounding condominium buildings and the Kiwanis Park Apartments who lack access to their own green space. This park may also act as a direct tool for therapy. Kiwanis St. Catharines has begun discussion with the Valhalla Group to discuss the possibility of providing an area of the park with a labyrinth for those who suffer with PTSD.

EDUCATION

There is an opportunity for the park to be used as an educational tool for local schools and the general community. First, the implementation of the park as a method to adapt to climate change in the City will provide a case-study for schools to use as an example in their curriculums. Furthermore, once the park is maturing and experiencing natural succession and ecological processes, it will be an area to bring classes that exist in close proximity to teach hands-on. Educational signage will also be implemented throughout the park, giving valuable information to anyone who enjoys the area.

PASSIVE RECREATION

The park will provide a natural area to be highly-utilized by residents within or close to their own neighborhoods. The proposed trail will allow a flat path for residents to walk, explore and observe the surroundings, encouraging physical activity. Many of the naturalized areas within the region have seen overcrowding, and are a highly valued component by the community. However, many do not have access or transportation to these areas located out of the city. The park will provide an accessible, easily-walked park to enjoy for individuals, especially those who live locally and lack transportation, are disabled or elderly.

FOOD SECURITY

It is proposed that a community garden is created during the process. A community garden can provide a valuable tool to reduce food insecurity within the city. It is recommended it is located next to the Kiwanis Park Apartments as an activity for residents to enjoy, and to provide fresh and healthy produce. Maintenance of the garden will be a responsibility designated to local residents and volunteers, and not that of the City.

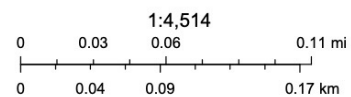
RESTORATION PLAN

325 Geneva St (Kiwanis Community Eco-Park)



8/3/2021, 1:56:15 PM

- | | | |
|--|---|---|
| — Trail | — Community Garden | NPCA Member Municipalities |
| — Wetland | — Sitting Area | Assessment Parcels |
| — Forested | — Pollinator Garden | Niagara2018Imagery |
| — Shrub Buffer | — Playground | — Red: Band_1 |
| — Meadow | — Lawn | — Green: Band_2 |
| — Roads | | — Blue: Band_3 |



Brian Lee, City of Welland, Niagara Region, Regional Municipality of Niagara, Province of Ontario, Ontario MNR, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA, AAFC, NRCAN

ArcGIS Web AppBuilder
City of Welland, Niagara Region, Regional Municipality of Niagara, Province of Ontario, Ontario MNR, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA, AAFC, NRCAN | Brian

RESTORATION PLAN



The proposed restoration plan for the Kiwanis Community Eco-Park features primarily native forested area, which will span approximately 9.5 acres.

A 0.7 acre wetland is proposed to be in the south-eastern portion of the site. The wetland will be surrounded by tall grasses, aquatic vegetation and forest canopy with the exception of a viewing area with benches for residents to enjoy. The wetland will aid in flood mitigation, carbon sequestration and wildlife habitat.

A community garden will be located by the entrance of the Kiwanis Park Apartments. This 26000 square foot garden may consist of raised garden beds for accessibility purposes.

Multiple seating areas will be provided throughout the park, consisting of benches and picnic tables. They are located near the playground, wetland and community garden.

Pollinator gardens will be placed along the edge of the property along the Scott Street entrance, along the trail leading to the playground, and near the community garden.

A 0.85 acre meadow in the center of the site will consist of tall grasses and wildflowers to provide a variety of habitat for multiple species, particularly pollinators and birds.

To navigate the park, a 1500 m trail will be implemented connecting entrances, nearby properties to increase accessibility, the current playground, the wetland and the community garden.

The entire site will be bordered by native shrub species to create a forest-edge type habitat. This 2.15 acre area will mimic the natural levels of woodlots, maximize species habitat, and encourage natural succession to occur.

TIMELINE & BUDGET

PHASE	ESTIMATED BUDGET
PHASE 01 INITIALIZATION OF IMPLEMENTATION	\$ 35,247.75
PHASE 02 IMPLEMENTATION	\$ 22,487.75
PHASE 03 FINALIZATION	\$ 22,487.74
<p>The project has been broken down into three phases. It is suggested that the project be completed over the span of three years. Please refer to Appendix A, B and C for further cost breakdown.</p> <p>First, the initialization of the implementation phase, which will consist of inputting the wetland by digging the area, planting native aquatic plant species throughout the area and allowing the wetland time to fill with water and naturalize. Trees and shrubs should be planted around this area to provide shade over the wetland and habitat for wildlife species which will use this area specifically. It may also include the installation of the community garden and area around the Kiwanis Park Apartments to allow enjoyment of this feature immediately. It is recommended that the nearby pollinator garden within this portion of the site be planted during this stage which will facilitate growth of the produce planted in the community garden. This phase should be completed during the spring months to allow for the natural spring hydrological budget surplus to continue to fill the wetland, plant species to grow and time for the community garden to be utilized.</p>	<p>Second, the implementation phase may consist of the creation and installation of the trail system along with the planting of various trees throughout the remainder of the park. Tree seedlings will be machine planted where possible by Sassafras Farms to display how large scale tree planting can benefit an open area and cover a large area in a relatively short amount of time. Trees ranging in size from 1 gallon up to 5 gallon pots will be hand-planted as needed. It is recommended that this planting take place in early autumn to allow for maximum tree survival.</p> <p>Third, the finalization phase will include the planting of the subsequent pollinator gardens, native shrubs to border the property and infilling within the middle where gaps may remain. Furthermore, this stage may include the installation of benches, picnic tables and informational signage throughout the park which will cater to the community members and public who visit the park. LCN can provide wildlife habitat structures such as bird houses and duck boxes to be installed in appropriate locations.</p>
GRAND TOTAL	\$80,223.25

COST-SAVINGS ANALYSIS

COST SAVINGS THE CITY OF ST. CATHARINES WILL EXPERIENCE FROM THE IMPLEMENTATION OF THIS PROJECT



The Kiwanis Eco-Park provides an opportunity for the city to save on maintenance costs. As the park is recommended to become naturalized, long-term maintenance will be minimized. In early years of the restoration project, the removal of invasive species to reduce competition will be necessary, however, long-term action will not be required with the exception of trail and amenity maintenance in addition to invasive species removals and replanting if necessary. Taking example from Malcomson Eco-Park, it is proposed that a "Friends of Kiwanis Community Eco-Park" is formed by involved organizations and community volunteers to undergo any ongoing maintenance.

It is estimated that the park requires lawn maintenance at a cost of \$100/acre over 14 acres, 8 times a year for a total of **\$19,600** in lawn maintenance on an annual basis. After the initial investment from the park project implementation, it is projected that the park will provide the city a cost-benefit within **4 years**.

This is in addition to further economic benefits that will be experienced from ecosystem services that the park will offer. As previously mentioned, the park will aid in flood-risk mitigation, cooling effects and air purification. As indicated by the 'St. Catharines Climate Adaptation Plan', "federal assistance offered under the Disaster Financial Assistance Arrangements has increased dramatically between 1970 and 2015, and of all weather-related expenditures, 75 per cent was estimated to be from flooding" (2021).

With possible outside funding sources featuring sponsorships from local businesses, donations, grants, and allocations from partner organizations, expenditures of the city will be further minimized. To conclude, not only will there be numerous benefits experienced by St. Catharines residents such as a sense of community, mental wellness, education, recreation, food security and sponsorship but also cost-savings to the city from climate adaptation and maintenance fees.

		QUOTE FORM				
Company:	City of St. Catharines	Date:				
Contact:		Fax:				
Job:	City Golf Course	Quote:	Q2016-			
Quantity	Description	Size	Unit Price	code	Total	Comments
15	wildflower meadow mix	lb	\$ 125.00		\$ 1,875.00	
1	seed install	acre	\$ 400.000		\$ 400.00	
2000	wildflower plugs		\$ 2.50		\$ 5,000.00	installed price
500	Shrubs	1g	\$ 12.50		\$ 6,250.00	installed price 3ft spacing
100	trees	5-6ft	\$ 100.00		\$ 10,000.00	installed price 10ft spacing 5-7gal pots
800	bareroot trees machine planted	15-30cm	\$ 3.00		\$ 2,400.00	
1	site prep for wildflower meadow - rototil	acre	\$ 2,000.00		\$ 2,000.00	If the city can spray, it would be more effective
					\$ -	
					\$ -	
					\$ -	
					\$ -	
	SUBTOTAL				\$ 23,525.00	
	H.S.T					
	TOTAL				\$ 23,525.00	

Wildflower plugs


Seeding Rate: 15 lb per acre, or 1/3-1/2 lb per 1,000 sq ft		
Use: Upland Meadow Sites		
note: we added another 10lbs to the site for free		

Tree Species

08

APPENDIX B

LAND CARE NIAGARA & WETLAND QUOTE

						
QUOTE FORM						
Company:	City of St. Catharines	Date:	July 21st, 2021			
Job:	City Golf Course	Quote:	001			
Item	Description	Hours/KM/Amount	Unit Price	Total	Comments	
Project Coordination (Hourly)	Stewardship Director	640	\$ 35.000	\$22,400.00	Wages for LCN staff to implement project	
Project Assistance (Hourly)	Environmental Technician	640	\$ 22.00	\$14,080.00	Wages for LCN staff to implement project	
Travel (Per km)	Fuel for field truck	2000	\$ 0.60	\$ 1,200.00	Fuel for field truck to run errands, travel to and from site	
Office Supplies/Printing	Outreach & Education Materials	1500	\$ 1.00	\$ 1,500.00	Flyers & brochures to be handed out at public outreach events and door to door	
	Stationary Items	50	\$ 5.00	\$ 250.00	Printer supplies, pens/markers/pencils, staples, paper clips, binders, folders	
Equipment	Shovels	25	\$ 20.00	\$ 500.00	Hand tools for staff & volunteers for planting	
	Trowels	50	\$ 5.00	\$ 250.00	Hand tools for staff & volunteers for planting	
	Gloves	200	\$ 1.50	\$ 300.00	PPE for staff and volunteers	
Refreshments	Volunteer Snacks	4	\$ 100.00	\$ 400.00	Snacks & drinks during volunteer planting days	
TOTAL				\$40,880.00		

WETLAND CREATION - QUOTE FORM					
Company:	City of St. Catharines	Date:	July 21st, 2021		
Job:	City Golf Course	Quote:	002		
Item	Description	Hours/KM/Amount	Total	Comments	
Contracting	Wetland construction	48hrs @ \$120/hr	\$ 5,760.00	Contracting fee to implement wetland construction	
Plant Material	Aquatic Plant Material	\$2.00/pc for 2,000 pcs	\$ 4,000.00	Consisting of shrubs & wildflowers for wetland buffer	
Contracting	Aquatic Plant Material Install	\$1.50/pc for 2,000 pcs	\$ 3,000.00	Installation of shrubs & wildflowers for wetland buffer	
TOTAL			\$ 12,760.00		

APPENDIX C

TOTAL QUOTE FORM BASED ON PHASES

Phase		Cost Source	Cost	Phase Total
1	Initialization	LCN Fees	\$13,626.67	\$35,247.75
		Wetland	\$12,760.00	
		Sassafras	\$8,861.08	
2	Tree Planting & Infrastructure Implementation	LCN Fees	\$13,626.67	\$22,487.75
		Sassafras Fees	\$8,861.08	
3	Finalization	LCN Fees	\$13,626.66	\$22,487.74
		Sassafras Fees	\$8,861.08	
Total Project Budget				\$80,223.25

APPENDIX D

KIWANIS ST. CATHARINES LETTER OF SUPPORT



APPENDIX E

DEFINITIONS

Hydrological function - The functions of the hydrological cycle that include the occurrence, circulation, distribution, and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things. (Provincial Policy Statement, 2014).

Urban watershed forestry - Urban watershed forestry is an integration of the fields of urban and community forestry and watershed planning. Urban and community forestry is the management of the urban forest for environmental, community, and economic benefits, while watershed planning promotes sound land use and resource management to improve water resources within a watershed. This integration of urban forestry techniques into urban watershed planning acknowledges the importance of trees and forests in protecting water resources (CWP).

Low-impact development - A storm water management strategy that seeks to mitigate the impacts of increased runoff and stormwater pollution by managing runoff as close to its source as possible. It comprises a set of site design approaches and small scale stormwater management practices that promote the use of natural systems for infiltration, evapotranspiration, and reuse of rainwater (TRCA).

Green infrastructure - Natural vegetation, vegetative systems, soil in volumes and qualities adequate to sustain vegetation and absorb water, and supportive green technologies that replicate ecosystem functions (TRCA).

Ecosystem services - The benefits provided by ecosystems that are critical to the environment's life support systems and that contribute to human welfare both directly and indirectly and therefore represent social and economic value (TRCA).

Ecological Services - Ecological services are defined as the overall benefits to humans arising from a functioning healthy ecosystem, which includes improved water quality and quantity, air quality, soil stabilization, flood mitigation, balanced hydrologic regimes, biological processes and biodiversity (TRCA).

Urban heat island - A "dome" of elevated temperatures over an urban area caused by structural and pavement heat fluxes, and pollutant emissions (TRCA).

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MEMO

TO: Office of the City Clerks
FROM: Colleen A. Smith, Executive Director
SUBJECT: FirstOntario Performing Arts Centre Board of Management Citizen Member Term Correction/Extension – 2021
DATE: Oct. 4, 2021
CC: Mario De Divitiis, PAC Board Chair

At the September 30, 2021 FirstOntario PAC Board meeting, members unanimously passed the motion to extend the citizen member terms of Christina Atkinson and Mark Steinman.

Moved by: Carlos Garcia

Seconded by: Carol Meriam

THAT the Board extend Christina Atkinson and Mark Steinman's Citizen Member terms from 1 year to 3 years, ending Nov 30, 2022;

THAT the Board's recommendation be brought forward to Council for approval at an upcoming Council meeting; with notice provided via memo to the City Clerks.

CARRIED

In reviewing terms over the summer, it was discovered that both Mark and Christina were approved by Council for a 1-year term that was meant to be 3 years to build consistency in membership on the new Board. To correct this oversight, a motion will need to be brought forth to the Board and Council to officially extend the term ending in 2022, as intended. Both Mark and Christina are experts in finance and HR and serve important roles as Chairs of these PAC Committees. This extension will allow for consistency, as the remainder of the Board members terms are up for consideration at the Council term in 2022.

We ask that these extensions be brought to Council and that the FirstOntario PAC Board be advised of Council's decision at its earliest convenience. Thank you for your consideration. Please do not hesitate to contact me if you require any additional background information.

Sincerely,

Colleen A. Smith
csmith@firstontariopac.ca
 905.688.5601 x3601

Memorandum

To: Council**Cc: Senior Leadership Team****From: Julie Rorison, Mayor's Office****Date: Oct. 5, 2021****Subject: REACH Mobile Health Clinic, powered by TELUS Health**

This memo is to inform Council of a new mobile health clinic powered by TELUS Health coming to St. Catharines and Niagara starting in early October. Staff have been working with Niagara Region, TELUS Health for Good and the REACH Clinic (Regional Essential Access to Connected Healthcare) to support the new REACH Mobile Health Clinic that will provide primary care to marginalized and vulnerable people who may not have access to a primary care provider.

REACH is working with community partners (homeless shelters, outreach workers, Niagara Assertive Street Outreach and community health centres) and has sought input from the City to determine sites that the mobile clinic will visit. This will include at least two regularly scheduled days / week at locations in St. Catharines. For the rest of the week the clinic will move across the region to provide primary medical care, routine follow-ups, preventative care, referrals to healthcare specialists, support with completing documentation to access services (e.g. Ontario Disability Support Program applications) and connections to local family practices, community health centres, mental health services, dental care services, housing supports, meal programs.

The REACH Mobile Health Clinic is made possible through a partnership with the Telus Health for Good™ program. [TELUS Health for Good](#) partners with organizations across Canada to help bring primary and mental health care services to marginalized and underserved people. The City is pleased to support this initiative and will continue with communication, site support and other assistance as needed. Alectra Utilities has also stepped forward to provide secure overnight parking and charging for the mobile clinic.

The mobile clinic is another way that the City is working with partners such as Niagara Region and REACH to meet the needs of vulnerable and homeless people in St. Catharines. The mobile clinic also supports other outreach initiatives that the City is involved with including the Niagara Assertive Street Outreach program.

Questions, comments or concerns from Council about the clinic can be directed to the Mayor's Office to follow up with the REACH and Niagara Region staff.

City Council Outstanding Reports List

Sub-Item 10

Reports by Strategic Pillar

Cultural	1	Economic	7
Environmental	3	Social	14

Reports Related to Strategic Plan 25

Reports Unrelated to Strategic Plan 2

Updated: October 6, 2021

Relation to Strategic Plan	ORL #	Requested	Requested by	Request	Lead Dept.	Expected Return Date	Comments
Economic	2019-22	15-Jul-19	Townsend	Amend sign by-law to permit digital signage on City-owned properties and buildings, including the appropriateness and ability to include third-party advertising as part of digital signage on City-owned properties.	PBS / COMMS	Q1 2022	Appeal Information Report - Application for Sign By-law Variance; 142 St. Paul Street; Owner: 2400795 Ontario Inc. was deferred 8-12-19 until ORL #2019-22 is presented to Council. Requested return Q4 2019
Economic	2021-11	10-May-21	Social Pillar	That the diverse supplier policy proposal from the Anti-Racism Advisory Committee, as amended, be sent to City Council to request a report back by the end of Q4 2021 from City staff on the development of a Diverse Supplier Policy.	FMS	Q4 2021	Requested return date of end of Q4 2021
Economic	2021-14	10-May-21	Surplus Lands Dev TF	That staff be directed to prepare a report regarding 2 Facer Street, including condition of the facility and the potential to declare the property surplus with consideration to not displacing the existing tenant.	FMS / EFES	Q1 2022	
Economic	2021-15	14-Jun-21	Miller	Report back on the City's current remuneration formula for members of Council, including how and when the formula was developed, as well as the remuneration for Councillors at comparator municipalities.	FMS	Q1 2022	Include information on reimbursement for committee chairs and administrative supports for Councillors at other municipalities
Environmental	2020-18	16-Nov-20	Townsend / Sorrento	That staff be directed to prepare a report on the costs associated with beautifying the Bunting Road corridor between Scott Street and the Garden City Skyway to include tree planting, grassed boulevards, floral, etc.	EFES	Q4 2021	From Nov. 18, 2020 GC meeting (formerly BSC) - That \$50,000 for a visioning or master streetscape plan to recommend improvements to the Bunting Road corridor be included in the Draft 2022 Operating Budget
Environmental	2020-31	22-Dec-20	Siscoe / Porter	Report back on opportunities to improve the stormwater system in the city.	EFES	Q4 2021	Staff will provide a memo to Council. Anticipated return date Fall 2021
Social	2019-29	09-Sep-19	Littleton	Report back on the existing street naming process with ways to include more public engagement, perhaps similar to the park naming process	PBS	Q4 2021	
Social	2020-14	19-Oct-20	Kushner	The approval of a Cannabis grow-up at the corner of St. Paul Street West and Vansickle Road	PBS	Q4 2021	Include information on roll of Canada Health, zoning and notification of ward councillors. Will be a memo to Council.
Social	2021-02	18-Jan-21	Miller	Repeal / review and update the City's loitering by-laws and report back to Council	MW	Q4 2021	Staff to provide a memo to Council noting issue will be included in Pilot study with Gateway of Niagara
Social	2021-04	18-Jan-21	Social Pillar	Produce a report on amending Facility and Design Standards (FADS) in the following sections: Section 4.2.7 Universal Washrooms and Section 4.5.2 Outdoor Recreational Facilities – Playground	CRCS / EFES	Q4 2021	See Council Minutes of January 18, 2021 for what is to be included in the report
Social	2021-12	10-May-21	Social Pillar	Amend the current by-law for the erection of signs and other advertising devices to state that no person shall display or cause to be displayed a sign that bears a hate message or a logo, crest or graphic that would convey such a message	PBS / LCS	Q4 2021	
Social	2021-13	10-May-21	Social Pillar	That staff provide a report by Q4 2021 on the options for improving accessibility of the Carousel to make it more inclusive	CRCS / EFES	Q4 2021	
Social	2021-18	9-Aug-21	Social Pillar	Amend By-law 2007-295 (a By-law to address Public Nuisances) under Section 2 "Prohibitions" to add: "No person shall, in a public place, unnecessarily interfere with another person's use and enjoyment of the Public Place by using abusive or insulting language as a personal invective."	LCS	Q1 2022	Staff report to also include information on adding "aggressive behaviour" to the Public Nuisances by-law
Social	2021-19	30-Aug-21	Phillips	That staff be directed to prepare a report on the possibility of capturing grey water from municipal facilities, such as splash pads and the St. Catharines Kiwanis Aquatics Centre, into cisterns in order to irrigate municipal sports fields and gardens as well as hanging baskets and planters.	EFES / PBS	2022	In the report include information on the timing, locations and costs associated with capturing grey water.
Social	2021-21	27-Sep-21	Garcia	Review issues with bird feeders and seed			Include what other municipalities are doing
None	2019-47	16-Dec-19	Miller / Mayor Sendzik	That the request for funds to be used to record in-camera meetings be referred to 2020 for a report including the upgrading of screening services for all meetings (open and closed sessions).	LCS		

Relation to Strategic Plan	ORL #	Requested	Requested by	Request	Lead Dept.	Expected Return Date	Comments
Social	2021-22	4-Oct-21	Miller	Prepare a report exploring options for improving accessibility for those with invisible disabilities, including, but not limited to, providing closed captioning on livestreamed videos and identification options for those with invisible disabilities who are working at or otherwise accessing City facilities			Consult with the Accessibility Advisory Committee in the creation of the report.

Follow Up Reports

Relation to Strategic Plan	ORL #	Requested	Requested by	Request	Lead Dept.	Expected Return Date	Comments
Economic	2020-16	09-Nov-16	Garcia	That staff report back in 2021 on remediation costs for applications that are a minimum of 5% of total past and future project costs.	PBS	Q4 2021	Follow up report to PBS-154-2020. See General Committee minutes of November 9, 2020
Economic	2020-17	09-Nov-16	Mayor Sendzik	That Council bring back the Accessory Dwelling Unit Program in 2022 to come back as part of an update on the overall CIP program annual report.	PBS	Q4 2021	Follow up report to PBS-154-2020. See General Committee minutes of November 9, 2020
Economic	2021-10	10-May-21	Siscoe	That staff report back on removing the owner occupant requirement for rural properties	PBS	Q4 2021	Follow up report to PBS-029-2021. See Council Minutes of May 10, 2021. Will be a memo to Council.
Environmental	2021-16	28-Jun-21	Siscoe	Report back in Q4 2021 on the Ontario Street Secondary Plan launch including scope, preliminary workplan, public engagement strategy, and study partnership options	PBS	Q4 2021	
Social	2020-07	24-Feb-20	Porter	Revised Graffiti Program: Consult with the community, the relevant cultural committees and downtown stakeholder groups to modernize the graffiti program and by-law by 2021.	PBS	Q1 2022	Follow up report. Initial report (PBS-010-2020) approved February 10, 2020
Social	2020-10	26-Apr-21	Phillips	Update report on the City's Beach Strategy	CAO	Q4 2021	Follow up report. Initial report (CAO-058-2021) approved April 26, 2021. See minutes of April 26, 2021 Council Meeting for information on what is to be included in the report
None	2021-01	18-Jan-21	Social Pillar / Siscoe	That staff be directed to prepare a report on the current protections in place to deal with harassment directed at Mayor and members of Council, and the resources it would require to provide further support to Mayor and members of Council who are subjected to harassment, intimidation and threats.	LCS	Q4 2021	Report Request part of motion arising from Integrity Commissioner report from January 18, 2021. See Council Agenda Item 7.1. Report to go to Equity and Inclusion Committee for feedback prior to going to Council.

Reports Affected by COVID-19

Relation to Strategic Plan	ORL #	Requested	Requested by	Request	Lead Dept.	Expected Return Date	Comments
Social	2019-12	15-Apr-19	Porter	Review of Citizen Appointments to Boards and Committees Policy	LCS	2021	Report was postponed due to COVID-19. See Council Minutes of April 15, 2019, Item 8.2, for original motion.
Social	2019-23	15-Jul-19	Littleton	Opportunities and strategies for the City to support neighbourhood associations and neighbourhood-based community groups, including best practices and information gathered from the forum	CRCS	TBD	Staff report will come forward following the neighbourhood association forum. Forum was scheduled for March 28, 2020 but was postponed to a later date due to the COVID-19 pandemic
Cultural	2020-15	19-Oct-20	Littleton / Siscoe / Harris	Report back on excluding 101 Oakdale Avenue, 25 Duke Street and 160, 168, 174, 176 St. Paul Street from the register of non-designated cultural heritage properties. Report to include update on the request for the property owners of 101 Oakdale Avenue and 25 Duke Street to attend a Heritage Committee meeting about their request to be excluded. Report to include update on correspondence from 160, 168, 174, 176 St. Paul Street requesting exclusion from the register.	PBS	Q4 2021 / 2022	Follow-up report to PBS-111-2020. See General Committee minutes from October 19, 2020. Due to the effects of the COVID-19 pandemic on downtown businesses, staff will report back to Council once the downtown economic climate strengthens. Staff will report back on 25 Duke Street upon completion of renovations at the property



Corporate Report City Council

Report from: Financial Management Services, Property Management

Report Date: October 7, 2021

Meeting Date: October 18, 2021

Report Number: FMS-167-2021

File: 77.44.99

Subject: Stop Up, Close and Declare Surplus Part of McKay Street (Part of PIN 46172-0430 LT) lying east of Hillview Road, Realty File 21-040

Strategic Pillar:

This report aligns with the following St. Catharines Strategic Plan pillars:



Recommendation

That Council declare surplus a portion of McKay Street lying east of Hillview Road, Township Plan 94 (the “lands”), as shown on Appendix 1 attached hereto; and

That Council authorize the stopping up and closing of a portion of McKay Street lying east of Hillview Road, Township Plan 94 (Part of PIN 46172-0430 LT), as shown on Appendix 1; and

That public notice, in accordance with By-law 2007-310, be provided and the public be given the opportunity to object to the stop up and close prior to the passing of the by-law, prior to consideration of this report; and

That Council authorize the disposal of the lands to the abutting property owners, Walter Sendzik and Mary Jane Johnson, subject to the terms and conditions outlined in In-Camera Report FMS-168-2021; and

That Council waive Sections 4.6 and 4.7 of By-law 2007-309 relating to notification of Niagara Region and School Boards and placing of a “For Sale” sign and listing the property on the local Real Estate Board; and

Further, that the City Solicitor be directed to prepare the necessary by-laws.

Relationship to Strategic Plan

Economic Prosperity for All is enhanced through effective asset management, which, in this case, is receipt of revenue through the sale of a vacant parcel of underutilized land.

Background

This report is being brought forward as the result of a formal expression of interest of the owners of 95 Hillview Road to acquire a portion of the McKay Street road allowance adjacent their property. The lands have been leased by the owners of 95 Hillview Road since 1986. When there is a written inquiry about purchasing a City owned property, staff investigates and researches the property to determine if the property has potential for disposal. If there is potential for disposal, City departments are notified, through the Property Coordinating Committee. The Property Coordinating Committee responds with concerns, comments and recommendations regarding the viability of disposing of the property.

As the lands are part of the McKay Street road allowance, they must be stopped up and closed by by-law. The public will be given the opportunity to object to the stop up and close of the road prior to the passing of the by-law, prior to the consideration of this report.

Report

A portion of the McKay Street road allowance adjacent 95 Hillview Road has been leased to the owners of that property since 1986. The lease agreement was entered into to allow the owners pool, shed, concrete patio, retaining wall and landscaping to encroach on the unimproved portion of McKay Street. The lands are an irregular parcel comprising approximately 2,195 square feet.

The current property owners expressed an interest in purchasing the lands outright, rather than continue with the lease, which has been in effect for over 35 years. Property information was circulated to the Property Coordinating Committee made up of staff from Municipal Works, Legal and Clerks Services, Engineering, Facilities and Environmental Services, Planning and Building Services, Community, Recreation and Culture Services, and Financial Management Services. EFES advised that there is a storm sewer within the McKay Street road allowance however it is further north of the lands, therefore an easement is not required and they have no objection to disposal of the lands. CRCS advises the lands are located in proximity to the Participark Trail; however, there is no pedestrian access point at this location, nor is there a future access point identified in this location by either the Parks Policy Plan or the Garden City Plan. CRCS does not foresee the need for a future access at this location. The lands are also not mapped as parkland in the Parks Policy Plan. CRCS has no objection to the sale of the lands provided the portion of land to be sold is limited to only those lands that have been leased previously. PBS, MW and LCS also had no objection to the sale. In order to proceed with the disposal, staff make the recommendations to stop up, close and declare the lands surplus.

The stopping up and closing of a public highway requires that public notice to hear any objections to the proposed stop up and close be given in accordance with the City's Public Notice By-law 2007-310 prior to the passage of the by-law to stop up and close the highway. Members of the public that wish to speak to the recommendation will be provided an opportunity to address Council. Subject to Council's approval, after hearing from any members of the public, the necessary by-law will be presented to Council at this meeting. The Municipal Act then requires that a certified copy of the by-law be registered in the Registry Office for Niagara North to give it effect.

Due to the size and shape of the lands, the lands are not developable in isolation. The City will also require that the title of the lands be merged with 95 Hillview Road.

Staff request the procedures outlined in Property By-law 2007-309 relating to notification of Niagara Region and School Boards, placing of a "For Sale" sign and listing the property on the local real estate board be waived.

Should Council approve the stop up, close and declare surplus of the lands, further recommendations that outline the terms and conditions of the sale are outlined in In-Camera Report FMS-168-2021 for Council approval.

Financial Implications

The costs to the Corporation to stop up and close the road allowance along with appraisal, legal and reference plan costs will be the responsibility of the purchaser. In-Camera Report FMS-168-2021 outlines the financial terms and conditions of the sale.

Environmental Sustainability Implications

The sale of the lands to the adjacent property owner will allow for a consolidation of the lands to continue a long standing use as residential yard space.

Conclusion

This report recommends the stop up, close and declare surplus a portion of McKay Street. Should Council approve these recommendations, next steps, including the financial and business terms of sale, are outlined in In-Camera Report FMS-168-2021 for Council consideration and approval.

Prepared and Submitted by

Stephanie Tripp
Manager, Realty and Insurance Services

Approved by

Kristine Douglas, Director, Financial Management Services / City Treasurer

Appendices

Appendix 1 – The Lands





Corporate Report City Council

Report from: Office of the Chief Administrative Officer

Report Date: October 8, 2021

Meeting Date: October 18, 2021

Report Number: CAO-169-2021

File: 10.12.42 and 35.65.1

Subject: National Council of Canadian Muslims: Recommendations for the National Summit on Islamophobia

Strategic Pillar:

This report aligns with the following St. Catharines Strategic Plan pillars: social and cultural.



Recommendation

That Council endorse the municipal recommendations as prepared by the National Council of Canadian Muslims (NCCM) for the National Summit on Islamophobia, as presented in Appendix 2 of this report; and

That the City Clerk notify the City's Anti-Racism Committee of this endorsement.

Summary

Over the past several months, the Mayor's Office and the Manager of Diversity, Equity and Inclusion have been consulting with members of the local Muslim community and representatives from the NCCM to open the dialogue with respect to Islamophobia and how to combat it in the City. The Anti-Racism Advisory Committee has also been conducting work in this area. The purpose of this report is to provide a summary of that dialogue and work to date and present Council with the municipal recommendations of the NCCM for endorsement.

Relationship to Strategic Plan

The recommendations included in this report are in line with the guiding principles of the Strategic Plan, namely strategic decision-making that respects diversity, inclusiveness, and equity.

In particular, the recommendations included in this report support the:

- Cultural Renaissance Goal of the Strategic Plan: to celebrate the City's rich history diversity, arts and cultural assets through leadership, promotion and investments that support measurable, sustainable creative growth; and the
- Social Well-Being Goal of the Strategic Plan: to build and support strong, inclusive neighbourhoods that provide high quality of life for residents of all ages.

Background

October is Islamic Heritage Month in Canada which aims to celebrate, inform, educate, and share with fellow Canadians the rich Muslim heritage and contributions to society.

In the wake of the Islamophobic terrorist attack in London, Ontario on June 6, 2021, the Office of the Mayor connected with members of the local Islamic community in the City to open a discussion about recent anti-Islamic attacks that have taken place in communities outside of Niagara and how the City can push back against Islamophobia.

After a unanimous consent motion passed in the House of Commons on June 11, 2021, the Federal Government of Canada announced it would hold an Emergency National Action Summit on Islamophobia (the 'Summit') on July 22, 2021. The Summit was organized by the Federal Anti-Racism Secretariat and its goal was to bring together diverse Muslim community leaders, Prime Minister Trudeau, and government officials from the federal, provincial, and municipal levels.

On July 19, 2021, in anticipation of the Summit, the National Council of Canadian Muslims ('NCCM') released its policy recommendations for the federal, provincial, and municipal governments across Canada after consultation sessions with mosques, community organizations, and collectives across the country. The full policy recommendation document can be found at Appendix 1. The NCCM's policy recommendations contain seven specific calls to action for municipalities, listed in Appendix 2.

At the July 22, 2021 meeting of the Social Sustainability Pillar, the Anti-Racism Advisory Committee brought forth a Resolution in Support of Calls for Action in the Wake of the Islamophobic Attack in London, ON, found at Appendix 3. In part, this resolution called for the City to endorse the demands of the NCCM in its policy recommendations:

THEREFORE BE IT FURTHER RESOLVED the Anti-Racism Advisory Committee recommends the City of St. Catharines support the call for a national summit on Islamophobia, endorse the demands for federal, provincial, and municipal actions from the National Council of Canadian Muslims submitted to the submit [sic], and consider endorsing the calls to action from the summit;

The resolution was referred to staff for staff's review and consideration. This report is responding to that committee resolution and presenting Council with the municipal recommendations from the NCCM report for endorsement.

Report

As a large urban municipality with a growing and diverse population, the City of St. Catharines is not immune to racism and Islamophobia. City Council has made an express commitment to diversity, equity and inclusion through its advisory committees and increased organizational capacity and developing plans and strategies for education, training and development for staff and programs to enhance equity, inclusion, and anti-racism.

It is important that the City take proactive steps to support the Muslim community and all ethnic and religious minorities in St. Catharines.

The NCCM presented recommendations for all levels of government to consider at the Summit with seven actions specifically for municipalities. While it is important to note that some of the recommendations may not apply in St. Catharines due to the two-tier municipal structure or other reasons, these recommendations are for Council's consideration and endorsement. The seven municipal recommendations are outlined in Appendix 2 with some preliminary insights as to how they might align with the City's various work plans, strategies, as well as with the work of advisory committees to Council.

The policy recommendations of the NCCM will inform the work of the Manager of Diversity, Equity and Inclusion and the citizen advisory committees to Council, specifically the Anti-Racism Advisory Committee. With Council's endorsement of these municipal recommendations, staff will continue to work with the local Muslim community and the Anti-Racism Advisory Committee to implement the relevant municipal recommendations and actions as outlined in the NCCM report and further actions as may be identified locally.

While additional consultation with the NCCM and local organizations is required, staff will look to initiate and implement educational sessions for Council and staff to encourage learning and development opportunities about Muslim heritage and how to combat Islamophobia.

Financial Implications

There are no financial implications associated with this report

Environmental Sustainability Implications

There are no environmental implications associated with this report

Conclusion

With Council's endorsement of the NCCM's municipal recommendations, staff will continue to work with the local Muslim community and the Anti-Racism Advisory Committee to implement the applicable recommendations and actions as outlined by the NCCM and further actions identified locally after further consultation.

Notifications

- Anti-Racism Advisory Committee

Prepared and Submitted by

Shannon McHugh
Manager, Diversity, Equity, and Inclusion

Approved by

David Oakes
CAO

Appendices

- Appendix 1 – National Council of Canadian Muslims – Full Recommendations: Municipal, Provincial, Federal
- Appendix 2 – National Council of Canadian Muslims – Municipal Recommendations
- Appendix 3 – Anti-Racism Advisory Committee – Resolution to Support Calls to Action in Wake of London Islamophobic Attack



NATIONAL
COUNCIL
OF CANADIAN
MUSLIMS

Your Voice. Your Future.

CONSEIL
NATIONAL
DES MUSULMANS
CANADIENS

Votre voix. Votre avenir.

1



JULY 19
2021

NCCM RECOMMENDATIONS NATIONAL SUMMIT ON ISLAMOPHOBIA

CONTENTS

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ABOUT US

The National Council of Canadian Muslims (NCCM) is an independent, non-partisan and non-profit organization that protects Canadian human rights and civil liberties, challenges discrimination and Islamophobia, builds mutual understanding, and advocates for the public concerns of Canadian Muslims.

We recognize that the NCCM's work takes place on the traditional territories and ancestral lands of Indigenous peoples occupied by Canada. We recognize the experiences and the contributions that First Nations, Métis, Inuit, and other Indigenous peoples have made and continue to make in strengthening our communities, provinces and country as a whole. As we work to challenge the discrimination Canadian Muslims face, we recognize that our work is interconnected with Indigenous struggles, past and present.

INTRODUCTION

More Muslims have been killed in targeted hate-attacks in Canada than any other G-7 country in the past 5 years because of Islamophobia.

This fact was in the air outside the London Muslim Mosque on June 8 of this year, when thousands of Londoners gathered in the aftermath of the terror attack that took the lives of four members of the Canadian Muslim community in an unthinkable act of Islamophobic violence.

The thousands that gathered that day were there to show their solidarity, pray, and stand with members of their community, as representatives of the London Muslim Mosque called for more than words from the politicians in attendance.

The reality is that Muslims in Canada have been here too many times.

- The Quebec City Mosque Attack.
- The killing of Mohamed-Aslim Zafis at the IMO mosque in Toronto.
- Violent attacks on racialized women wearing hijabs.
- Hateful rallies in front of mosques.
- The targeting of our communities by governments across Canada.

The list goes on.

Of course, there are many Canadians of all backgrounds who have been abiding allies of Canadian Muslim communities, and diverse communities in general. This is clear in the outpouring of support after Islamophobic incidents through messages of condolences and hope, human shields around mosques at prayer times, lawn signs to provide comfort as families go for walks, and solidarity in demanding change. Thus, while there is no doubt that we have a problem with Islamophobia in Canada, there is also no doubt that we as Canadians also have the collective will to do something about it.

While we have heard many words from politicians condemning Islamophobia and standing in solidarity with Muslims in Canada, action to tackle Islamophobia has been slow and piecemeal. It has been three years since the 2018 report by the Standing Committee on Canadian Heritage on combatting Islamophobia, and many of the recommendations have still not been implemented.

Five lives have been taken since then by Islamophobic violence in clear and vicious attacks, and numerous others have been shattered by the scourge of Islamophobia.

We cannot stand by and see any more lives lost.

Islamophobia is lethal and we need to see action now.


And action was what was called for at the vigil outside the London Muslim Mosque.

Bilal Rahall and Nusaybah Al-Azem, representing the London Muslim Mosque, called for all three levels of government to take action in solving the challenge of Islamophobia. They called for the creation of an Emergency National Action Summit on Islamophobia, bringing together all levels of government to ensure that binding policy change is brought forward.

This call was thereafter echoed by NCCM and hundreds of other organizations in Canada.



Photo credit to Dario Ayala/Reuters

A man in a dark suit and glasses is speaking at a podium outdoors. The background shows trees and a building.

On June 11, 2021, a unanimous consent motion passed in the House of Commons that stated the following:

That, given that,

- (i) Canada has been devastated over the last decade by repeated acts of violent Islamophobia, including but not exclusive to the Quebec City Mosque Attack, the IMO Mosque Attack, and the London Terror Attack,
- (ii) Canada has been deeply affected by Islamophobia at a federal, provincial, territorial, and municipal level,
- (iii) All political leaders at every level in government in Canada need to urgently change policy to prevent another attack targeting Canadian Muslims,

the House call on the government to convene an Emergency National Action Summit on Islamophobia to take place before the end of July 2021.

What follows are the policy recommendations we at NCCM are making to the federal government, provincial governments, and municipal governments across Canada to tackle violent and systemic forms of Islamophobia.

Islamophobia takes distinct shape at various intersections. For instance, many Muslim women experience distinctly gendered forms of Islamophobia that may stem from pre-conceived notions that Muslim women are oppressed or from seeing visible symbols of Islam such as the hijab as foreign or a menace. In a similar vein, Black Muslims experience distinct forms of Islamophobia that intersect with anti-Black racism.

With this in mind, our policy recommendations were generated after hosting consultation sessions over the past few weeks with mosques, community organizations and collectives from British Columbia to the Atlantic provinces, representing a diverse intersection of Muslims in Canada. The recommendations below represent, as closely as possible, recurring themes and submissions coming from organizations that collectively represent hundreds of thousands of Canadian Muslims, including from diverse sects within the Canadian Muslim community. The recommendations further take into account the ideas within the hundreds of submissions sent by those not affiliated with any institution, as per the Appendix.

However, we recognize that Canadian Muslims are not a monolithic body. Therefore, there may be Canadian Muslims with alternative viewpoints who will bring other recommendations forward. These voices are important – and we urge policymakers to listen to those who have alternate perspectives as well.

We have attached an Appendix with a full list of submissions and consultation notes that have informed our recommendations.

The recommendations are not numbered in order of priority because the reality is that we need a holistic approach to solving Islamophobia - from challenging Bill 21 (Recommendation 29) to creating an Office of the Special Envoy on Islamophobia (Recommendation 19) to building anti-Islamophobia strategies provincially in education (Recommendation 43) to public awareness campaigns in our cities (Recommendation 58). All are important, and we need to see action on all items.

Lastly, and most importantly, for political leaders participating in the Summit, please note the following carefully: The only metric of success for this Summit will be whether action is taken as per the recommendations laid out below and by other members of the diverse Muslim community.

We will track that metric of success by issuing:

1. A public document immediately after the Summit, highlighting initial action committed to by every level of government.
2. A joint report 60 days after the close of the Summit, highlighting which recommendations were accepted by various levels of government, and a commitment of timelines to making those recommendations pass into policy.

It is time for action.

See our calls for action below.

06



ABBREVIATED LIST OF **RECOMMENDATIONS**

FEDERAL RECOMMENDATIONS

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| 01 | <p>Legislative review of the Canadian Human Rights Act (CHRA): As legislation is now being introduced to provide a civil remedy within the CHRA, there must be a comprehensive legislative review of the CHRA as part of an overall renewal of how Canada deals with modern forms of Islamophobia and hate, particularly in the digital space, while ensuring and protecting Canadians' freedoms to legitimately criticize various ideologies, state actions, and religious praxis.</p> <ul style="list-style-type: none"> a. A review is especially important in order to update how the Canadian Human Rights Commission functions, and to ensure that ordinary Canadians without a legal background can take advantage of newly introduced remedies to online hate. b. Commit to introducing a social media regulator with a special focus on ensuring that civil liberties are protected. |
| 02 | <p>Designated funding for a National Support Fund for Survivors of Hate-Motivated Crimes: The funding program should cover expenses incurred by survivors as a result of the hate-motivated incident or attack. The funding must include eligible expenses such as paramedical services (physiotherapy etc.), medical treatment and equipment, mental health treatment and supports, as well as loss of earnings. Applications for funds or their release should be readily available in the immediate aftermath of an attack when survivors need it most. Funding should not be contingent on a final criminal sentence being rendered.</p> |
| 03 | <p>Legislation should be introduced to implement provisions that place any entity that finances, facilitates, or participates in violent white supremacist and/or neo-Nazi activities on a list of white supremacist groups, which is separate and distinct from the terror-listing provisions. We note that this option has been endorsed by at least one of the major federal parties.</p> |
| 04 | <p>Study of the failure of national security agencies to deal with white supremacist groups: Such a study should include:</p> <ul style="list-style-type: none"> a. An investigation into whether national security agencies have unduly deprioritized the study of white supremacist groups. Specifically, such a study could point towards disparities in resources and funding have been put towards surveilling Indigenous, Black, and Muslim communities in contrast to white supremacist groups in Canada; |

FEDERAL RECOMMENDATIONS

- b. A study of the degree of white supremacist permeation of our national security agencies. Even as the proliferation of banned white supremacist groups into our armed forces has become common knowledge, we need to examine the degree to which CSIS, CSE, and the RCMP themselves have been permeated by white supremacists. This is especially germane given numerous allegations and lawsuits of disturbing racist, xenophobic, and Islamophobic practices being tolerated at CSIS; and
- c. An analysis of why national security agencies do not release disaggregated data about how many of those surveilled belong to racialized communities.

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| 05 | Criminal Code Amendments: Introduce free-standing provisions in the Criminal Code around hate-motivated assault, murder, threats, and mischief that include specific penalties corresponding to each infraction respectively, and with an eye to potential diversionary measures; |
| 06 | Establish dedicated prosecutorial units for prosecuting hate-motivated crimes; and |
| 07 | Remove requirement for Attorney General's consent: The Attorney General's consent is currently required to begin any prosecution for the willful promotion of hatred and genocide. This is a uniquely high bar that should be abolished. The same should go for any future free-standing provision(s) around hate-motivated crimes. |
| 08 | The Security Infrastructure Program (SIP) Reform: The SIP should become rebate based, where mosques and community organizations under threat can make the relevant security upgrades needed, and then retroactively receive a rebate for the upfitting under a two-step process; |
| 09 | SIP should allow for institutions to receive up to 90% of eligible expenditures, up to a maximum of \$80 000, for securitization projects; and |
| 10 | SIP should also be broadened to allow for mosques to host broader community-building safety initiatives. |

FEDERAL RECOMMENDATIONS

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| 11 | A federal Anti-Islamophobia Strategy by year end, including: <ol style="list-style-type: none"> A clear definition of Islamophobia, informed by robust community consultations, to be adopted across government; Funding anti-Islamophobia work including research, programs, and education; Develop anti-Islamophobia public education campaigns to drive down Islamophobic sentiments in Canada; and Committing to the recommendations brought forward at the National Summit on Islamophobia with added consideration to implementing the previous recommendations brought forward by the Heritage Committee. |
| 12 | Commit to a full legislative review of the CHRA, with a specific focus on: <ol style="list-style-type: none"> Access to the Commission for complainants; The role of the Commission in studying the impact of hate as proliferated across conventional media and social media; The potential introduction of a public-interest based defamation fund for Canadians who are smeared on the basis of hate; and Protecting the right of Canadians to engage in critique of foreign governments. |
| 13 | CVE Reform: Until there is a coherent set of policies enshrined to prevent the profiling and mass surveillance of our communities, pause the mandated “Countering Violent Extremism” programs at the federal level, and require Public Safety Canada to develop out a new program in consultation with racialized communities for broader public safety. |
| 14 | CRA Reform: Suspend the Canada Revenue Agency’s (CRA) Review and Analysis Division (RAD) pending review of Canada’s Risk-Based Assessment model and its National Strategy to combat extremism and radicalization; |
| 15 | Suspend discretionary use of revocation power where anti-terrorism financing or counter-radicalization policies inform the audit; |
| 16 | Enhance transparency between the CRA’s Charities Directorate and charities audited under suspicion of terrorism financing and/or radicalization; and |

FEDERAL RECOMMENDATIONS

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| 17 | Provide anti-bias training and greater guidance to government officers and regularly assess whether their discretionary decisions are biased based on race or religious affiliation. |
| 18 | <p>Establish a new oversight body specifically for the CBSA, which includes:</p> <ul style="list-style-type: none"> a. Routine and comprehensive diversity, equity and inclusion reviews of the CBSA. These reviews must be conducted by the oversight body and include recommendations for improvement and timelines for implementation; b. In addition to addressing complaints about on-duty CBSA officers, ensure that CBSA officers who engage in misconduct in an off-duty capacity can be investigated by the oversight body; c. As complainants may be afraid to file complaints to the oversight body, ensure civil society organizations have standing to make complaints; d. Ensure that the oversight body can hear complaints regarding CBSA policies and procedures, including detention; e. Require the CBSA to implement the recommendations made by the oversight body; f. Clarify the remedies and penalties available; and g. Include language in the Act on zero tolerance for racial discrimination at the CBSA. Currently, while there is a policy active against racial discrimination at the CBSA, there exists no "zero tolerance" provision in legislation. |
| 19 | Immediately fund the creation of an appropriately funded Office of the Special Envoy on Islamophobia. |
| 20 | Media Representation: Incentivize production of Muslim stories, told by Canadian Muslims, through designated funding in the Canada Media Fund, Telefilm, the National Film Board, and provincial and municipal grants for arts and media; |
| 21 | Allocate a multi-million-dollar fund through the Anti-Racism Secretariat or the Ministry of Heritage for Canadian Muslim artists and community organizations to facilitate grassroots storytelling, visual and oral history projects, and building community archives; and |

FEDERAL RECOMMENDATIONS

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| 22 | Commit to robust consultation with Canadian Muslim storytellers, artists, filmmakers and content creators to guide the allocation of funds and build capacity. |
| 23 | Allocate dedicated funding, in consultation with Muslim communities, for the study of Islamophobia through the Social Sciences and Humanities Research Council including creating related funding for: <ul style="list-style-type: none"> a. Tier 2 Canada Research Chairs; b. Post-doctoral fellowships; and c. Research grants. |
| 24 | Arising from the Treasury Board Secretariat (TBS) review, a zero-tolerance rule for Islamophobic practices be enshrined across government; and |
| 25 | Commit to changes in the Access to Information and Privacy (ATIP) regime as per concerns raised about scope of secrecy and timeliness of the process. |
| 26 | GBA+ Reform: Review and provide an update as to how many self-identifying Canadian Muslims are employed in the federal public service, and whether they are in low-level jobs or higher executive positions; |
| 27 | Review as to whether the GBA+ lens has appropriately balanced an intersectional approach in integrating members of diverse communities, including members of Canada's Muslim community, into the workforce; and |
| 28 | Adopt Recommendation 12 & 13 of the Heritage Committee Report so as to ensure that policies, programs and initiatives in the federal public sector are approached from an intersectional lens. |
| 29 | Bill 21: Attorney General intervention in all future cases challenging Bill 21 before the courts; and |
| 30 | Create a fund to help those affected by Bill 21 have a degree of financial security until the legislation is struck down. This is not a transition-plan fund; for no Quebecer should have to change their chosen vocation because of discrimination. This federal fund is to provide assistance while the court challenge is pending. |

FEDERAL RECOMMENDATIONS

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| 31 | Mandate in regulation that anti-Islamophobia training becomes mandatory continuing education for all judges. |
| 32 | New directives should be brought forward to make clear that the intentional violation of the duty of candour has, at minimum, consequences for the Director of Canadian Security Intelligence Service (CSIS). The Minister of Public Safety should require the resignation of the Director of CSIS for any violations of the duty of candour. |
| 33 | Global Affairs Canada commits to challenging Islamophobia globally; |
| 34 | Provide direction to all agencies to cease the usage of biased and inherently fallacious sources produced by the Islamophobia industry; and |
| 35 | Through the Special Envoy, or through another body, conduct audits across agencies like the CBSA and CSIS to determine whether biased, Islamophobic, or other fallacious guides are utilized in decision-making processes. |

PROVINCIAL RECOMMENDATIONS

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| 36 | Institute a provincial Hate Crimes Accountability Unit in all provinces; |
| 37 | Make Hate Crimes Accountability Units responsible for providing guidance on appropriate penalties for police officers or officers who discourage reporting; and |
| 38 | Through Hate Crimes Accountability Units, build out methodologies for third-party reporting. |
| 39 | Legislative change to empower relevant registrars to prevent white supremacist groups from registering as a society. |
| 40 | Review existing legislation, and pass legislation that prohibits violent white supremacist rallies on provincial property, while paying careful attention to ensure that the legislation is not overbroad and does not limit freedom to dissent. |

PROVINCIAL RECOMMENDATIONS

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| 41 | Provinces mandate municipalities to pass bylaws to combat and deter street harassment; and |
| 42 | Periodic review of bylaw enforcement, including stakeholder consultation, to ensure that the municipal bylaws are effective in addressing street harassment and to not do further damage to vulnerable communities. |
| 43 | <p>Anti-Islamophobia strategy in education: Ministries of Education should work with school boards, in consultation with local Muslim communities, to develop anti-Islamophobia strategies that are responsive to local contexts and speak to broader issues of Islamophobia. Such strategies should be based on quantitative and qualitative data on student voice and representation in staffing, and should include consideration of the following:</p> <ul style="list-style-type: none"> a. Review and reform of curriculum that relates to Islam and Muslims; b. Development of curriculum, resources and programs that affirm Muslim identities and include nuanced representations of Islam and Muslims; c. Audits of adequacy of religious accommodations for Muslim students and staff and recommendations for change where necessary; d. Anti-Islamophobia trainings and educational opportunities (such as the Green Square campaign and the National Day of Remembrance of the Quebec City Mosque Attack and Action Against Islamophobia) for students, educators and staff; e. Clear, accessible and effective complaints mechanism, including mitigation strategies for fears of reprisal, for students and staff who have experienced Islamophobia and racism; and f. Culturally-responsive resource development for student well-being that addresses mental health needs and trauma supports for Muslim students. |
| 44 | All provinces should adopt the recommendations of the Tulloch Report during reviews of policing acts. |
| 45 | Establish (as needed) and ensure provincial Anti-Racism Directorates are well-funded and well-resourced in consultation with local communities. |
| 46 | Establish anti-racism councils or panels across provinces that represent a diverse intersection of community voices, including Muslims, to tackle some of the most immediate challenges communities are facing in tackling racism locally. |

PROVINCIAL RECOMMENDATIONS

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| 47 | Make Foreign Qualification Recognition/Foreign Credential Recognition a central mandate requirement for Ministries of Labour to achieve across provinces. |
| 48 | Recruit minorities, including Muslims, into Agencies, Boards, and Commissions. |
| 49 | Allocate funding to ensure that human rights commissions can decrease wait times, increase access, and provide needed education; and |
| 50 | Extend limitation periods for human rights complaints to 5 years (to take into account the trauma victims face), while allowing a claimant to seek an extension to the limitation period if the claimant has extenuating circumstances reasonably demonstrating why they were unable to file a formal human rights complaint within the 5-year limitation period. |
| 51 | Provinces should conduct regular polls to determine the state of racism and Islamophobia in their particular province, and to determine the relevant aspects of Islamophobic sentiment. |
| 52 | Ensure that settlement services are appropriately funded so that newcomers have the necessary opportunities to succeed in Canada; and |
| 53 | Ensure that social services agencies are mandated to provide regular training on anti-racism and anti-Islamophobia for frontline staff. |
| 54 | Provide funding to organizations supporting racialized youth navigating turbulent times through education and other forms of support. |

MUNICIPAL RECOMMENDATIONS

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| 55 | Pass municipal street harassment bylaws that are proportional and constitutional, such as the approach now being adopted in Edmonton after an NCCM initiative. Bylaws should also address clearly hateful verbal assaults and give authorities the ability to ticket and fine when necessary. |
| 56 | Municipalities provide dedicated funding for local community-based anti-Islamophobia initiatives. |
| 57 | Mayors should build Anti-Islamophobia Advisory Councils/Circles while ensuring that there is appropriate representation of diverse local Muslim communities. |
| 58 | Municipalities dedicate specific funding for anti-Islamophobia public awareness campaigns. |
| 59 | Invest in celebrating the history of local Canadian Muslims and initiatives through a concrete program that brings these figures and names to the forefront of local-level recognition. Municipalities should fund events and spaces where their accomplishments are celebrated in a way that clearly shows that Muslims have made real contributions to Canadian society and are far from the violent caricatures that constantly make the news. |
| 60 | Redirect funding towards alternative measures to policing in municipal budgets. |
| 61 | Develop models for training young Muslim leaders for the future such as the Youth Fellowship program in Toronto. |

FEDERAL GOVERNMENT

VIOLENT ISLAMOPHOBIA

- 18 Online Hate
- 20 National Victims of Hate Support Fund
- 21 New Legislation on Listing White Supremacist Groups
- 22 Study of the Failure of National Security Agencies to Deal with White Supremacist Groups
- 24 Amendments to the Criminal Code to more effectively deal with White Supremacist Groups
- 26 Changing the Security Infrastructure Program

SYSTEMIC ISLAMOPHOBIA

- 28 Release an Islamophobic Strategy by End of 2021
- 29 Legislative Review of Canadian Human Rights Act to Improve the Functioning of the Commission
- 31 Review and Revise Canada's Approach to Countering Violent Extremism (CVE) and Counter-Terrorism Tactics
- 33 CRA Reform
- 35 New Oversight Bill for the Canada Border Services Agency
- 37 Establish an Office of the Special Envoy on Islamophobia
- 38 Empowering Canadian Muslims to Tell Their Own Stories
- 39 Allocate Funding for Research on Islamophobia
- 40 Enshrine Zero Tolerance for Islamophobia Across Government Departments
- 41 Going Beyond GBA+ in the Federal Public Service
- 43 Bill 21
- 44 Require Anti-Racism Training for Judges
- 45 New Legislation Penalizing CSIS for Misleading Public Institutions
- 46 Further to the Christchurch Declaration, the Government of Canada Must Champion an International Anti-Islamophobia Strategy

ONLINE HATE

During the sentencing of Alexandre Bissonnette who killed six Muslim worshippers in Quebec City in 2017, Justice Francois Huot [indicated](#) that the convicted mass murderer consulted multiple anti-Muslim online sources before the attack. Bissonnette accessed racist content on YouTube, Facebook, and he was consulting #MuslimBan on Twitter before the attack. There is no clearer evidence of the existential threat presented by the dangers of online hate to the Canadian Muslim community and to Canadians in general.

In 2016, media research company Cision [documented](#) a 600% rise in the amount of intolerant and hate speech in social media postings between November 2015 and November 2016. Their study focused on the usage of hashtags like #banmuslims and #siegeheil. According to a 2019 survey by Leger Marketing, 60% of Canadians report having seen hate speech on social media, and 62% of Quebecers stated that they had seen hateful or racist speech on the internet/social media in relation to Muslims.

There is far more empirical data demonstrating this point than can be adequately condensed into these recommendations.

Recent research on how Canadian hate groups utilize online platforms, including social media platforms, demonstrates that white supremacist and online hate groups use online platforms to create an “enabling environment”. Groups like the Soldiers of Odin (founded by a neo-Nazi), Pegida Canada, and other organizations routinely used Twitter and Facebook as organizing tools and to spread misinformation and hate about Canadian Muslims.

Examples abound relating to the continued and real-life impact of online hate against local Muslim communities. The Fort McMurray Mosque, for instance, has faced numerous threats online for years, including most recently after the 2019 Christchurch mosque massacres in New Zealand. Some Facebook users called for the Fort McMurray Mosque to be [burned down and blown up](#).

To our knowledge, while the RCMP did investigate these clear instances of online hate speech, potentially breaching the Criminal Code, no charges were laid.

A recent [report](#) estimates that more than 6,600 far-right extremist social media pages, groups, and accounts based in Canada reached approximately 11 million users worldwide from 2017-19. According to the study, such anti-Muslim rhetoric spiked during and in the immediate aftermath of the Christchurch-mosque massacres.

Given the status quo, we need to look for deep and meaningful changes that are attuned to the modern contours of hate in Canada and ensure that our legislative frameworks are equipped to keep up with a quickly evolving digital landscape.

We are mindful that the federal government has already committed to introducing new legislation that will bring in a social media regulator, and that [new legislation has already been introduced](#) that will bring back a civil remedy for those who suffer online hate. These are important commitments. As the social media regulator is being introduced, it is critical to ensure that regulatory changes being brought forward are balanced, respectful of civil liberties, and protect freedom of expression – including the freedom to critique any country's foreign policy, for example.

Furthermore, any changes must be premised on principles of ensuring access for complainants, and of a balanced approach that weeds out vexatious complaints and protects civil liberties.

RECOMMENDATION

1. Legislative review of the Canadian Human Rights Act (CHRA): As legislation is now being introduced to provide a civil remedy within the CHRA, there must be a comprehensive legislative review of the CHRA as part of an overall renewal of how Canada deals with modern forms of Islamophobia and hate, particularly in the digital space, while ensuring and protecting Canadians' freedoms to legitimately criticize various ideologies, state actions, and religious praxis.
 - a. A review is especially important to update how the Canadian Human Rights Commission functions, and to ensure that ordinary Canadians without a legal background can access newly introduced remedies to online hate.
 - b. Commit to introducing a social media regulator with a special focus on ensuring that civil liberties are protected.

NATIONAL VICTIMS OF HATE SUPPORT FUND

Hate-motivated crimes have spiked in Canada over the past decade. Sadly, victims of hate-motivated crimes – whether from Asian, Muslim, Indigenous, LGBTQ2S+, Black, or Jewish communities - face significant financial burdens related to accessing mental health treatment, physiotherapy, medical treatment, and other services after enduring traumatic events. Alongside coping with both physical and psychological trauma, survivors of hate-motivated crimes often find themselves facing significant financial expenses on the path to recovery. For many, this means that they are unable to afford taking steps to recovery at all.

We have heard from many community leaders that there is a major gap; victims of hate are further made to bear financial burdens related to rehabilitation and recovery.

Provincial supports for victims of crime vary widely and are often inaccessible and oversubscribed. This is why, for instance, a [report](#) by the Ontario Hate Crimes Community Working Group found that the services provided by Ontario Victims Services, “are inadequate to meet the specific needs of communities and victims in regard to hate crimes and hate incidents.”

Given the challenges faced by communities today, we need to see a federal program that harmonizes existing provincial supports and provides a specialized fund that offers widespread coverage. This funding must support and expand provincial victim support programs that already exist, and in some provinces (like Alberta) no longer exist at all. The fund should exist as a modality to help make survivors of hate-motivated crimes whole again.

RECOMMENDATION

2. Designated funding in the Federal Budget for a National Support Fund for Survivors of Hate-Motivated Crimes: The funding program should cover expenses incurred by survivors as a result of a hate-motivated incident or attack. The funding must include eligible expenses such as paramedical services (physiotherapy etc.), medical treatment and equipment, mental health treatment and supports, as well as loss of earnings. Applications for funds or their release should be readily available in the immediate aftermath of an attack when survivors need it most. Funding should not be contingent on a final criminal sentence being rendered.



NEW LEGISLATION ON LISTING VIOLENT WHITE SUPREMACIST GROUPS

We welcome the recent listing of violent white supremacist extremist groups on Canada's official list of terrorist organizations and entities such as Combat 18, the Proud Boys, The Base, Russian Imperial Movement, Atomwaffen Division, Aryan Strikeforce and the Three Percenters. The banning of these groups degrades their abilities to organize to incite and commit acts of violence.

However, there are several groups that appear not to meet the threshold of a terrorist entity but are key actors in facilitating and participating in violent white supremacist or neo-Nazi activities in Canada that pose a threat to racialized communities.

Groups like the Soldiers of Odin – which was founded by a neo-Nazi – may not currently meet the threshold of being listed as a terrorist entity, but endanger communities by patrolling and surveilling mosques, or assaulting anti-racism protestors at rallies.

We do not recommend expanding the reach of anti-terrorism legislation.

Rather, a new methodology where government can clearly track, label, and dismantle white supremacist groups is necessary and urgent for public safety.

RECOMMENDATION

3. Legislation should be introduced to implement provisions that place any entity that finances, facilitates, or participates in violent white supremacist and/or neo-Nazi activities on a list of violent white supremacist groups, which is separate and distinct from the terror-listing provisions. We note that this option has been endorsed by [at least one of the major federal parties](#).

STUDY OF THE FAILURE OF NATIONAL SECURITY AGENCIES TO DEAL WITH WHITE SUPREMACIST GROUPS

As suggested by leading experts, white supremacist hate groups have recently expanded and [proliferated](#) throughout Canada, growing from about 100 groups in 2015 to roughly 300 groups by 2021.

The deadly escalation in Islamophobic attacks in recent years deserves closer scrutiny, particularly when it comes to whether our security agencies have been able to effectively deal with white supremacist hate groups – all while disproportionately profiling Canadian Muslims.

That Canada is now the site of two of North America's worst anti-Muslim mass murders – the London terror attack and the Quebec City Mosque massacre – suggests that there have been system failures to prevent violent Islamophobic attacks.

In other words, we suggest that Canada's national security agencies have been more preoccupied with profiling Canadian

Muslims than those who are harming and killing them. Director David Vigneault [acknowledged](#) that the Canadian Security Intelligence Service (CSIS) has major problems with systemic racism and harassment, stating, "Yes, systemic racism does exist here, and yes there is a level of harassment and fear of reprisal within the organization." An ex-CSIS operative further argued that "CSIS should have seen Alexandre Bissonette coming...He was online. He was contributing to discussions with far-right organizations." There have also been various reports of Muslim CSIS employees formally raising disturbing cases of overt discrimination and Islamophobia against them.

Beyond CSIS, there have been reports of white supremacist and Islamophobic incidents in other federal agencies, such as the Canadian Armed Forces, who are charged with the responsibility of keeping Canadians safe. An internal report at the Canadian Armed Forces revealed that several members of the armed forces were

associated with white supremacist and neo-Nazi groups such as the Proud Boys and Atomwaffen – groups that have recently been listed as terrorist entities.

Muslim communities across the country have shouldered the consequences of public safety failures and are calling for a parliamentary study that investigates and identifies shortcomings in our current public safety approach.

RECOMMENDATION

4. Study of the failure of national security agencies to deal with white supremacist groups. Such a study should include:

- a. An investigation into whether national security agencies have unduly deprioritized the study of white supremacist groups. Specifically, such a study could point towards disparities in resources and funding have been put towards surveilling Indigenous, Black, and Muslim communities in contrast to white supremacist groups in Canada;
- b. A study of the degree of white supremacist permeation of our national security agencies. Even as the proliferation of banned white supremacist groups into our armed forces has become common knowledge, we need to examine the degree to which CSIS, the Communications Security Establishment (CSE), and the Royal Canadian Mounted Police (RCMP) themselves have been permeated by white supremacists. This is especially germane given numerous allegations and lawsuits of disturbing racist, xenophobic, and Islamophobic practices being tolerated at CSIS; and
- c. An analysis of why national security agencies do not release disaggregated data about how many of those surveilled belong to racialized communities.

AMENDMENTS TO THE CRIMINAL CODE TO MORE EFFECTIVELY DEAL WITH HATE-MOTIVATED CRIMES

(Edmonton Southgate Mall – the site of an [attack](#) in December 2020. A mother and daughter who identify as Black Muslim women who wear hijab, were viciously beaten by two individuals who also smashed the windows of their vehicles).

Since 2015, there has been an [upward trend](#) in police-reported hate crimes. Canada went from 1,362 hate crimes reported in 2015 to 1,946 in 2019. While Canadian Muslims account for 3% of Canada's population, they account for an average of 11.6% of victims of police-reported hate crimes over the five-year period. Statistics Canada further notes that hate-motivated crimes are significantly under-reported – nearly two thirds of hate-motivated crimes go unreported. Despite under-reporting, police-reported hate crimes [spiked](#) by 47% in 2017 and kept growing for at least two years, including an increase in anti-Muslim hate crimes by an alarming 151% in 2017, the year of the Quebec City mosque massacre.

Hate-motivated crimes have particularly devastating effects. They make entire communities feel unsafe. [Research](#) suggests that survivors of hate-motivated crimes suffer psychological injuries that survivors of non-hate-motivated crimes do not. Additionally, hate-motivated crimes are becoming a growing public health crisis with an increase in attacks on Muslim, Asian, Black, Indigenous, and other minority communities.

Amending the Criminal Code by introducing a free-standing provision around hate-crimes is critical to fill several gaps.

Most Canadians do not realize that there is no specific legal provision that deals with what many colloquially call a “hate crime.” That means that if an individual walks up to another person on the street and assaults them while yelling racial epithets, and it is determined that the attack was indeed hate-motivated, there is no specific “hate crime” section of the Criminal Code that the offender would be charged with as such.

As the courts [have noted](#), the phrase “hate crimes” leaves the impression that the law criminalizes acts motivated by hate or the outright expression of racist hate. It does neither.

Rather, hate is generally looked at in sentencing under section 718.2(a)(i) of [the Criminal Code](#), which notes that it would be a potentially aggravating factor if the offence was motivated by, “bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or gender identity or expression, or on any other similar factor.”

There are also hate speech provisions of the Criminal Code, but these clearly do not canvass the kind of scenario laid out above.

First, we suggest that through the creation of free-standing provisions, hate-motivated crimes could be treated as indictable offenses, in the same way that aggravated assault is an indictable offense. Therefore, stronger penalties could be invoked. Secondly, charging individuals under hate-motivated provisions sends a strong signal that encourages denunciation and deterrence, but that also provides new tools and approaches.

In contrast to the existing Canadian approach to hate crimes and to Parliament's codification of it, other [jurisdictions](#) take a stronger approach in dealing with hate crimes. In Wisconsin, for example, The Wisconsin Hate Crimes Act mandates a penalty enhancement provision for hate-motivated crimes. This provision has [survived constitutional scrutiny](#) in the United States.

Furthermore, beyond penalty-enhancing provisions at sentencing, by 1991, over [28 states had passed legislation](#) akin to an offence of hate-motivated intimidation, which relates to specific charges.

We must be cautious, of course, to assume that strengthening our Criminal Code will eliminate hate crimes. It will not. We must also be cognizant that criminalization can often have disproportionate effects on racialized communities. We encourage policymakers to also take seriously the concern that many in our communities have around the general utility of criminalization and carceral institutions in response to hate. Therefore, we also suggest that a new provision on hate crimes should premise within it a commitment to a diversionary system that allows for alternate restorative justice models for offenders and a commitment to review and study to ensure that the system works in a fair and just manner.

A new standing provision is, however, an important tool to consider that allows for those who commit hate-motivated offences to be adequately charged and prosecuted.

RECOMMENDATION

5. Introduce free-standing provisions in the Criminal Code around hate-motivated assault, murder, threats, and mischief that include specific penalties corresponding to each infraction respectively, and with an eye to potential diversionary measures;
6. Establish dedicated prosecutorial units for prosecuting hate-motivated crimes; and
7. Remove requirement for Attorney General's consent: The Attorney General's consent is currently required to begin any prosecution for the willful promotion of hatred and genocide. This is a uniquely high bar that should be abolished. The same should go for any future free-standing provision(s) around hate-motivated crimes.

CHANGING THE SECURITY INFRASTRUCTURE PROGRAM

The spike in mosque attacks and vandalism throughout Canada in recent years have triggered calls for funding programs to help prevent acts of violence being visited upon Muslim places of gathering, businesses, and community spaces. The Security Infrastructure Program (SIP) has generally been a positive initiative to this end. While it should not be needed, SIP is an important measure that allows religious communities to protect themselves. NCCM was also pleased to advocate successfully for the list of eligible expenditures under SIP to be expanded to include basic training for staff to respond to hate-motivated incidents.

However, changes need to be brought in to make it easier for mosques to apply for SIP funding, and for mosques to be able to apply prophylactically before something bad happens.

Right now, programs in place allow Muslim organizations to apply for funding to shore up their security measures. However, applicants must demonstrate that they, “are at risk of being victimized by hate-motivated crime.” Typically, given that there are more applicants than there is funding, applicants demonstrate that



(April 5, 2021 - Montreal mosque, the Centre Communautaire Islamique Assahaba, targeted by a mask man firing an air gun at the windows of the masjid)

risk by showing how they have already been attacked before. In addition, SIP application processes are long and arduous, typically requiring multiple letters of support, multiple security quotes, floor plans, and much more. Once the application process is complete, applicants still must wait for months before being approved.

What that means practically is that communities that need funding urgently for protection often cannot get access to the program that is meant to protect them.

Another significant challenge is that communities under siege do not receive full funding under SIP – rather, approved projects may receive up to 50% of the total project. We were told in consultations that

the institutions that often receive the most threats are sometimes the least able to secure the other 50% required. We recommend that the coverage of SIP is expanded.

Lastly, security for local communities means more than building fences. This was recognized in recent changes that allowed for volunteers to be trained, for example, in responding to active-shooter drills. We are recommending that SIP be further expanded to allow for communities under siege to host bystander-intervention trainings, community meetings, and gatherings with their neighbours.

Good fences do not necessarily make good neighbors; and many Canadian Muslims believe that their long-term safety needs require strong relationships with their neighbors. Increasing the capacity of communities to engage positively with their neighbours is critical.

A broad-based set of voices have called for funds from all levels of government to be geared more towards a more holistic approach to prevention. Muslim organizations, aided by their elected officials, law enforcement partners, or another trusted third party, should be able to apply and secure funding for safety reasons to prevent the worst from happening.

RECOMMENDATION

8. The SIP program should become rebate based, where mosques and community organizations under threat can make the relevant security upgrades needed, and then retroactively receive a rebate for the upfitting under a two-step process;

9. SIP should allow for institutions to receive up to 90% of eligible expenditures, up to a maximum of \$80 000, for securitization projects; and

10. SIP should also be broadened to allow for mosques to host broader community-building safety initiatives.

RELEASE AN ISLAMOPHOBIA STRATEGY BY END OF 2021

The federal Anti-Racism Strategy is set to expire this year. Our community members have long felt that a dedicated strategy focused on Islamophobia is needed.

This is even more urgent given that Canada is now, as mentioned, the site of North America's two worst Islamophobic mass murders. This is a deeply confronting fact that also represents the culmination of a long-standing trend of pervasive Islamophobia not only on the fringes but mainstream public discourse as well.

Combatting this pervasive discourse requires a multi-pronged strategy focused on reducing Islamophobic attitudes in Canada. The federal government's [campaign against tobacco usage](#), which aims to reduce tobacco usage from 15% to 5% by 2035, is an example of how federal campaigns in the public interest can be structured in holistic ways.

It is time to develop and publicly release a federal Anti-Islamophobia Strategy that puts forward a roadmap for ending violent and systemic Islamophobia.

Such a strategy must also take into account how Islamophobia manifests at various intersections of gender, race, and socio-economic stratifications.

RECOMMENDATION

11. A federal Anti-Islamophobia Strategy by year end, including:

- a. A clear definition of Islamophobia, informed by robust community consultations, to be adopted across government;
- b. Funding anti-Islamophobia work including research, programs, and education;
- c. Develop anti-Islamophobia public education campaigns to drive down Islamophobic sentiments in Canada; and
- d. Committing to the recommendations brought forward at the National Summit on Islamophobia with added consideration to implementing the previous recommendations brought forward by the Heritage Committee.

LEGISLATIVE REVIEW OF THE CANADIAN HUMAN RIGHTS ACT TO IMPROVE THE FUNCTIONING OF THE COMMISSION

In relation to our aforementioned recommendations regarding a legislative review of the CHRA, the review should also consider how to improve the Canadian Human Rights Commission in order to aid claimants and issue penalties.

So much has changed in Canada over the last twenty years since the CHRA was last reviewed – especially in our approach to human rights and in our understanding of the complex web of remedies and approaches in challenging human rights violations domestically. For this reason alone, it is important to update Canada's guiding human rights statute and modernize it appropriately.

We believe this is especially necessary to ensure that the Commission is fulfilling its mandate of study, education and access, which remain a challenge for the Commission.

In updating the CHRA to keep up with the changing world of online hate and various forms of Islamophobia, racism, and far-right extremism, the Commission should have

resources allocated to conduct regular studies into the spread of hate in Canada.

Furthermore, those affected by human rights violations need to be better served by the Commission as claimants, as the Commission has historically suffered from long delays and backlogs.

In the same way that the Court Challenges Program provides financial support to individuals and groups in Canada to bring cases of national significance related to certain constitutional and quasi-constitutional official language and human rights before the courts, we suggest that the Commission sets forward a new fund where victims of hate-motivated defamation could apply to seek financial support in cases that have significant public-interest. A major challenge faced by Canadian Muslims, slandered by Islamophobes (see, for example, the case of *Paramount v Kevin J Johnston*, 2019 ONSC 2910) is the lack of funding to challenge such hate through a court proceeding. We believe that should be changed.

Lastly, even as a civil remedy to combat hatred was proposed in new legislation, a review of the CHRA must provide clarity on protecting the rights of Canadians to critique foreign governments and policies. NGOs, charities, and relief organizations play an important role in humanitarian assistance throughout conflict zones around the world. This has put many of them into the paths of dictatorial and authoritarian regimes that try very hard to hide their conduct, often by maligning or silencing dissenting entities.

Relief organizations on the ground in some of these countries often speak out against the brutality and violations they witness against civilians. This puts them in the crosshairs of regimes that do not want this sort of critical scrutiny, exposure, and attention. Recently, foreign states have retaliated against some well-respected global charities by [designating](#) them as terrorist entities.

A revised CHRA can provide guidance and protection to ensure that Canadians who have bona fide critiques of foreign policy issues are not tarnished by allegations of hate.

RECOMMENDATION

12. Commit to a full legislative review of the CHRA, with a specific focus on:

- a. Access to the Commission for complainants;
- b. The role of the Commission in studying the impact of hate as proliferated across conventional media and social media;
- c. The potential introduction of a public-interest based defamation fund for Canadians who are smeared on the basis of hate; and
- d. Protecting the right of Canadians to engage in critique of foreign governments.

REVIEW AND REVISE CANADA'S APPROACH TO COUNTERING VIOLENT EXTREMISM (CVE) AND COUNTER-TERRORISM TACTICS

Counter-terrorism measures by various national security agencies have created a lack of trust between these agencies and Muslim communities.

One of the perennial concerns of many Muslims across Canada is that entire communities are put under a microscope, as if they aid, abet, or condone the violent acts of a few extremists.

Yet Muslims everywhere, from mosques to university student associations, continue to report [visits](#) by CSIS agents that amount to “fishing expeditions” in search of possible terrorists within mainstream community spaces. This happened so much in Canadian universities that the Institute of Islamic Studies at the University of Toronto, alongside the NCCM and Canadian Muslim Lawyers Association, set up a hotline for Muslim students to call when CSIS comes knocking.

This overall practice of conflating our main community spaces and organs with extremism both mirrors and perpetuates ideas and stereotypes that every Muslim has proximity to potentially violent ideologies.

It is a problematic direction that, according to a broad range of voices we have heard from across the community, must be reversed.

Our community is calling for a stop to CSIS “fishing expeditions,” including mass surveillance of our mosques and community spaces, be it through the usage of undercover informants or other means. Entrapping mentally ill Canadians into terrorism plots, as occurred in the case of the Nuttall family (see *R. v. Nuttall*, 2018 BCCA 479), needs to end.

The Canadian government, rather than spending time to fix the core problems at the heart of our national security agencies, has endorsed the strategic policy direction of “Countering Violent Extremism” (CVE), a methodology that attempts to prevent terrorist attacks by pre-emptively targeting the motivating ideology. While this may sound like a good idea, CVE methodologies, when employed by ill-informed government and broken national security agencies, have unintended consequences. The Prevent program in the UK is a well-known example of the disastrous impact of CVE policies.

For example, under the Prevent program, a four-year-old child was threatened with detention and to be taken to a deradicalization program after drawing a picture of a cucumber.

We have no reason to trust that the CVE experience in Canada would be any different, given the existing stance of national security agencies in profiling Muslim communities, schools, and students.

RECOMMENDATION

13. Until there is a coherent set of policies enshrined to prevent the profiling and mass surveillance of our communities, the federal government should pause the mandated “Countering Violent Extremism” programs at the federal level, and require Public Safety Canada to develop a new program in close consultation with racialized communities.



CRA REFORM

Recently, major reports by [academics](#) and [civil society groups](#), including NCCM and the University of Toronto, have shed light on potential biases in Canada Revenue Agency (CRA) audit practices that unfairly target registered Muslim-led charities across the country. These audits often take place within the context of whole-of-government approaches to anti-terrorism financing and counter-radicalization, without any indication to the charity that these considerations are part of the audit. This ill-conceived approach has resulted in the revocation of charitable status, which has left community organizations hollowed out and no longer able to provide much-needed services and spaces for the marginalized communities they serve. Yet none have been charged with anything related to financing terrorism.

Canada's approach to anti-terrorism financing is structured by its international commitments to the Financial Action Task Force (FATF). As part of its commitments to the FATF, Canada identifies organizations

that pose the greatest risk of terrorist financing through its risk-based assessment model. In its [2015 risk assessment](#), Canada indicated a "Canadian nexus" of several entities that allegedly pose the threat of financing terrorist activities. This determination was made without the citation of any corroborating evidence. 100% of the groups identified in the assessment are racialized, and 80% are related to Islam or Muslims.

This risk-based assessment model integrates a structural bias that puts Muslim-led organizations in Canada in the crosshairs of CRA audits related to anti-terrorism financing. These audits are conducted by a special division at the CRA known as the Review and Analysis Division (RAD), which is ostensibly structured around the biased risk assessment protocol mentioned above. The RAD is responsible for identifying and preventing terrorist financing threats in Canada.

In addition to anti-terrorism financing, Muslim-led charities are also unfairly treated in relation to Canada's approach to counter-radicalization. This involves identifying and penalizing charities that promote "extreme ideas." However, with little guidance as to what constitutes an extreme idea as well as discretionary

decision-making authority given to auditors, the potential result of this approach is an inconsistent application of counter-radicalization principles informed by unconscious (or even conscious) biases about racialized and religious communities.

RECOMMENDATION

14. Suspend the Review and Analysis Division (RAD) pending review of Canada's Risk-Based Assessment model and its National Strategy to combat extremism and radicalization;

15. Suspend discretionary use of revocation power where anti-terrorism financing or counter-radicalization policies inform the audit;

16. Enhance transparency between the CRA's Charities Directorate and charities audited under suspicion of terrorism financing and/or radicalization; and

17. Provide anti-bias training and greater guidance to government officers and regularly assess whether their discretionary decisions are biased based on race or religious affiliation.

NEW OVERSIGHT BILL FOR THE CANADA BORDER SERVICES AGENCY

A recent CBC access-to-information request [revealed](#) over 500 allegations of misconduct by Canada Border Services Agency (CBSA) officers filed between 2018-19, many of which back the broader allegation that the agency engages in racial profiling that disproportionately targets Muslims. This revelation aligns with the [lived experiences](#) of Canadian Muslims who have for decades raised the issue of Islamophobic [profiling](#) and discrimination while travelling. Moreover, the 2019 Fall Report of the Auditor General of Canada to the Parliament of Canada confirms widespread systemic issues with organizational culture at the CBSA in terms of discrimination and harassment, as does the Diversity Equity and Inclusion Audit of the CBSA that was tabled to Parliament in March 2020. There is no independent oversight of the conduct of CBSA officers and agents.

As such, there is little recourse to address discrimination at our borders, or even within the CBSA. This includes a lack of accountability for extreme measures such as indefinite detention, which, according to a recent report by international human rights advocates, has considerable and unjustifiable mental health impacts on detainees.

Before it died on the order papers, [Bill C-3](#), An Act to amend the Royal Canadian Mounted Police Act and the Canada Border Services Agency Act, was introduced in Parliament and included recommendations to extend the RCMP oversight body to include oversight of the CBSA. Given recent concerns around the ability of the RCMP oversight body to provide effective oversight over the RCMP, we suggest a new and specific oversight body for the CBSA.

RECOMMENDATION

18. Establish a new oversight body specifically for the CBSA, which includes:

- a. Routine and comprehensive diversity, equity and inclusion reviews of the CBSA. These reviews must be conducted by the oversight body and include recommendations for improvement and timelines for implementation;
- b. In addition to addressing complaints about on-duty CBSA officers, ensure that off-duty CBSA officers who engage in misconduct can be investigated by the oversight body;
- c. As complainants may be afraid to file complaints to the oversight body, ensure civil society organizations have standing to make complaints;
- d. Ensure that the oversight body can hear complaints regarding CBSA policies and procedures, including detention;
- e. Require the CBSA to implement the recommendations made by the oversight body;
- f. Clarify available remedies and penalties; and
- g. Include language in the Act around zero tolerance for racial discrimination at the CBSA. Currently, while there is a policy active against racial discrimination at the CBSA, there exists no "zero tolerance" provision in legislation.

ESTABLISH AN OFFICE OF THE SPECIAL ENVOY ON ISLAMOPHOBIA

We propose that the Government of Canada immediately funds the creation of the Office of the Special Envoy on Islamophobia, and subsequently appoints a Special Envoy.

This position needs to work with various ministries to inform policy, programming and financing of efforts that impact Canadian Muslims. The Envoy should have the powers of a commissioner to investigate different issues relating to Islamophobia in Canada, and to conduct third-party reviews across all sectors of the federal government relating to concerns of Islamophobia. For example, a Special Envoy, could conduct a particular review of the security certificate process and its relationship to Islamophobia. Under [security certificates](#), individuals under suspicion can be removed from Canada, without accessing evidence assembled against them by the Crown. Many argue that this is an infringement on Canadian civil liberties that Canadian Muslims have long opposed.

The Envoy should also have an international scope given how different forms and motivations for Islamophobia

are not limited by national borders. That the [Christchurch shooter had the Quebec City Mosque shooter's name](#) on his rifle illustrates this fact with gruesome reality.

An Islamophobia envoy would ideally travel to various countries to explore different approaches to solving the challenges of Islamophobia and how threat environments abroad might import or export different elements of narratives of Islamophobia.

Therefore, we stress that the Office of the Special Envoy must be well funded and resourced so as to better carry out a domestic and international mandate.

RECOMMENDATION

19. Immediately fund the creation of an Office of the Special Envoy on Islamophobia.

EMPOWERING CANADIAN MUSLIMS TO TELL THEIR OWN STORIES

Opposing the extensive and entrenched narratives of fear, suspicion, and hatred toward Muslims in Canada requires counter-narratives of humanization. This is no longer simply the niche interest of a small minority community of content creators. Nor is it simply in the interest of over a million Muslims who are part of Canada's social fabric. In light of three separate lethal Islamophobic attacks on Canadian soil, empowering Muslims in this country to tell their own stories is now a matter of national concern.

A recent study from the [University of Southern California](#) maps both the underrepresentation of Muslims in popular films globally as well as the disproportionate representation of Muslim characters as linked to violence or subservience. Muslim women are largely invisible or represented in harmful and reductive stereotypes. The study claims that their findings suggest a bias in content creation that renders Muslims invisible or maligned in popular film. There is ample academic research that establishes the role of harmful stereotypes in popular culture in begetting hostility and violence against racialized communities.

The shortcomings of the film industry are coupled with a news media landscape that has transformed in the digital age where Islamophobic and racist content circulates with impunity. When Canadian news outlets trot out dangerous [Islamophobic](#) tropes on a regular basis and [disinformation networks in Canada](#) produce fake news that target Muslims, it is imperative that Canadian Muslims be empowered to counter these harmful narratives with resources and programming that challenges xenophobic, Islamophobic, and bigoted narratives and humanizes their image and heals their pain.

RECOMMENDATION

20. Incentivize production of Muslim stories, told by Canadian Muslims, that counter Islamophobic narratives through designated funding in the Canada Media Fund, Telefilm, the National Film Board, and provincial and municipal grants for arts and media;
21. Allocate a multi-million-dollar fund through the Anti-Racism Secretariat or the Ministry of Heritage for Canadian Muslim artists and community organizations to facilitate grassroots storytelling, visual and oral history projects, and building community archives on experiences of and resistance to Islamophobia; and
22. Commit to robust consultation with Canadian Muslim storytellers, artists, filmmakers and content creators to guide the allocation of funds and build capacity.

ALLOCATE FUNDING FOR RESEARCH ON ISLAMOPHOBIA

Serious academic study of how to tackle Islamophobia in Canada has not kept pace with the exponential rise of the phenomenon of Islamophobia, particularly in recent years.

Civil society groups that study Islamophobia often do so on a shoestring budget as they witness the spike of anti-Muslim incidents around them. Few scholars in Canada have a research agenda that primarily focuses on the sources and growth of Islamophobia or its potential remedies.

Universities need to dedicate resources to encourage this research to create a rich knowledge base on Islamophobia in Canada. Furthermore, such research can often be a springboard for informing and encouraging discussions, policy changes and appropriate learning to tackle Islamophobia.

The federal government should support universities to establish dedicated research infrastructure to enable the study of Islamophobia and anti-Islamophobia approaches in Canada.

RECOMMENDATION

23. Allocate dedicated funding for the study of Islamophobia through the Social Sciences and Humanities Research Council including creating related funding for:

- a. Tier 2 Canada Research Chairs;
- b. Post-doctoral fellowships; and
- c. Research grants.

ENSHRINE ZERO TOLERANCE FOR ISLAMOPHOBIA ACROSS GOVERNMENT DEPARTMENTS

Canada's Treasury Board Secretariat is currently exploring measures and strategies to challenge systemic racism and a lack of diversity in the public service. This broad approach is welcomed as systemic barriers continue to exist for Black, Indigenous and other racialized communities to enter and rise within the service. However, we know that discrimination, racism, and other forms of xenophobia exist in the federal public service.

To that end, we recommend that a zero-tolerance policy should thus be instituted against Islamophobia in the federal public services.

In order for accountability measures to be effective, we also recommend that the Access to Information and Privacy (ATIP) process be refined and improved. In June 2019, the Government passed Bill C-58, which brought forward significant amendments to the Access to Information Act. The Government also committed to begin a full review of the access to information process within one year of Bill C-58 coming into force. This process is currently ongoing.

During our consultation process, a number of academics and critics suggested that a significant gap in assessing the government's commitment to eliminating Islamophobia has been deficiencies in the ATIP process. The World Press Freedom Canada, an advocacy group for journalists, recently [noted](#) in its submission to the Treasury Board review, "[t]he numerous flaws in Canada's access-to-information regime can be reduced to just two: the law provides far too many reasons to keep information secret; and releasing information takes far too long." This should be changed.

RECOMMENDATION

24. Arising from the TBS review, a zero-tolerance rule for Islamophobic practices be enshrined across government agencies; and

25. Commit to changes in the ATIP regime as per concerns raised about scope of secrecy and timeliness of the process.

GOING BEYOND GBA+ IN THE FEDERAL PUBLIC SERVICE

Canada's new Impact Assessment Act (2019) requires attention to "the intersection of sex and gender with other identity factors" as a mandatory consideration in impact assessments. The provision was the culmination of the GBA+ (Gender-based Analysis Plus) approach that has been operational in government (in various forms) since 1995. According to the Government of Canada, "GBA+ is an analytical process that provides a rigorous method for the assessment of systemic inequalities, as well as a means to assess how diverse groups of women, men, and gender diverse people may experience policies, programs and initiatives." In the introductory section of Budget 2018, then-Finance Minister Bill Morneau's noted that every single budget decision was vetted through the GBA+.

It is clear, at both the policy level and at the level of hiring in the federal public service, that an intersectional approach that accounts for the needs of diverse Canadians was not always prioritized. These were precisely the concerns highlighted in [Recommendations 12 & 13](#) of the Heritage Committee.

Unfortunately, GBA+ has often been instrumentalized through what many call "white feminism," resulting in the reality where public service jobs are disproportionately staffed by white women. In [2016](#), for instance, while women comprised 55.1% of the federal public service, only 16% of the federal public service was made up of visible minorities (whereas visible minorities represented at the time close to 23% of Canada's population).

The numbers get worse when we look at levels of executive representation in the core public administration in 2016: [Only 9% of executive jobs](#) were staffed by members of a visible minority. Even though a significant number of Muslims now work in the public sector, they are not represented in executive and senior management roles.

Canada's public service is run by and for all Canadians. As such, it should reflect the diversity of the Canadian population. We do not suggest that having a proportionate number of Canadian Muslims in federal public service jobs will in and of itself eliminate racism and Islamophobia. However, it is still important that equity and fairness be core principles on which the Canadian public service operates.

RECOMMENDATION

26. Review and provide an update as to how many self-identifying Canadian Muslims are employed in the federal public service, and whether they are in low-level jobs or higher executive positions;

27. Review as to whether the GBA+ lens has appropriately balanced an intersectional approach in integrating members of diverse communities, including members of Canada's Muslim community, into the workforce; and

28. Adopt Recommendation 12 & 13 of the Heritage Committee Report to ensure that policies, programs and initiatives in the federal public sector are approached from a truly intersectional lens.

BILL 21

Canada cannot seriously commit to supporting the right to religious freedom, and to standing against systemic racism, while Bill 21 remains on the books in Quebec.

Currently, many public sector workers in Quebec are not allowed to wear religious symbols. This includes kippahs, hijabs, turbans, and crucifixes. This ban strips Quebecers of their fundamental right to religious expression and freedom. It also disproportionately affects minorities – many of whom are Muslim – by forcing them to choose between making a living and leaving their faith at the door.

RECOMMENDATION

29. Attorney General intervene in all future cases challenging Bill 21 before the courts; and

30. Create a fund to help those affected by Bill 21 have a degree of financial security until the legislation is struck down. This is not a transition-plan fund; for no Quebecer should have to change their chosen vocations because of discrimination. This federal fund is to provide assistance while the court challenge is pending.

As a recent court [decision](#) pointed out, “the evidence undoubtedly shows that the effects of Law 21 will be felt negatively above all by Muslim women...On the one hand by violating their religious freedom, and on the other hand by also violating their freedom of expression, because clothing is both expression, pure and simple, and can also constitute a manifestation of religious belief.”

Our community has long viewed the Laicity Act, or Bill 21, as a way to create second-class citizenship in Quebec that punishes many minorities by suppressing their identities. It is a fundamentally discriminatory law that has been criticized internationally for violating basic human rights. It also helps perpetuate the idea that Islam, Muslims, and open religious expression in general, have no place in Quebec.

NCCM is [challenging](#) this law along with a host of other civil liberties groups and we call on the Attorney General to commit to being an official intervenor in the court battle. Those who are barred from getting a public sector job in Quebec—because they refuse to make the absurd choice between religious freedom and job security—should be supported by a federal fund that helps them stay afloat financially and otherwise until the legislation is struck down.

REQUIRE ANTI-RACISM TRAINING FOR JUDGES

It is vital that the realities of systemic racism and Islamophobia are made aware to the very people adjudicating the cases resulting from incidents of such violence. Recently, an investigation was launched into a judge allegedly [mocking](#) an expert who testified in court because of his accent. In the case of [Rania El-Alloul](#), NCCM and others were involved in reviewing the conduct of a Quebec judge who removed Ms. El-Alloul from a courtroom for wearing a hijab. Similarly, Canada's Chief Justice of the Supreme Court publicly called for more diversity in the judicial system while citing numerous instances of judges pushing racist bias and stereotypes.

In 2020, the government introduced proposed changes to the Judges Act and the Criminal Code in the House of Commons. Those changes have now received royal assent. We are glad to see [legislation](#) passed this session mandating that judges undergo training around sexual assault.

While this legislation also mentions racial and systemic discrimination in relation to sexual violence in the continuing education for judges, there also need to be regulations to ensure that judges all receive distinct anti-racism and anti-Islamophobia training that is delivered by diverse facilitators.

All Canadians deserve to see themselves reflected in the system that upholds justice in their country.

RECOMMENDATION

31. Mandate anti-Islamophobia training for all judges.

ENSHRINE ZERO TOLERANCE FOR ISLAMOPHOBIA ACROSS GOVERNMENT DEPARTMENTS

Recent federal court decisions have listed how the Canadian Security Intelligence Service (CSIS) failed to live up to a commitment of honesty and integrity by misleading judges and the courts to get what they want.

One instance concerned [getting warrants](#) to wire-tap Canadians; another has to do with [illegally](#) obtaining intelligence while withholding evidence against an alleged terrorist recruiter.

These decisions suggest a systemic pattern of behaviour where CSIS regularly obfuscates, fails to disclose, or misleads courts. CSIS has been complicit in this pattern for over a decade. Federal court decisions have consistently provided scathing rebukes of CSIS for violating the “duty of candour” towards the court. For example, the Federal Court of Appeal upheld Justice Mosley’s decision in 2014 that CSIS had made “[a deliberate decision to keep the court in the dark](#)

[about the scope and extent of the foreign collection efforts.](#)”

How do we trust an agency that consistently and unabashedly misleads the courts? This is spelled out most explicitly by Justice Patrick Gleeson in a 2020 [decision](#), where he also observed a “pattern of abuse” by CSIS in its conduct relating to a failure to live up to the duty of candour. In response to Justice Gleeson’s decision, CSIS Director David Vigneault [stated](#) that “...we have taken a significant number of concrete actions to address the Court’s concerns over our lack of candour.” The federal government then subsequently [appealed](#) Justice Gleeson’s decision. The CSIS Director’s cavalier response to scathing decisions, and the decision to refuse to accept accountability by appealing, points to the need for much more significant accountability measures.

At minimum, CSIS agents should be punished for misleading courts. Such acts need to be punished by new provisions that clearly sends the message that Canada’s domestic spies are not above Canada’s legal processes. This is not an issue of a few bad apples but, as Justice Gleeson observed, a “cavalier institutional approach” that needs to be addressed.

RECOMMENDATION

32. New directives should be brought forward to make clear that the intentional violation of the duty of candour has, at minimum, consequences for the Director of CSIS. The Minister of Public Safety should require the resignation of the Director of CSIS for any violations of the duty of candour.

FURTHER TO THE CHRISTCHURCH DECLARATION, THE GOVERNMENT OF CANADA MUST CHAMPION AN INTERNATIONAL ANTI-ISLAMOPHOBIA STRATEGY

Having signed the "[Christchurch Declaration](#)" in the aftermath of the mass murder of over 50 Muslim worshippers in Christchurch, New Zealand, the Government of Canada now must champion and help build a global strategy to dismantle Islamophobia.

Canada cannot hope to fulfil its commitments as a signatory without pushing for a global end to the ideological premise of the Christchurch attack: Islamophobia. As Canada has also continued to suffer at the hands of Islamophobes, Canada must step up to join with allies in confronting the rising tide of Islamophobia globally. This must also include utilizing diplomatic channels to confront nations and allies who proliferate and export Islamophobia globally.

Unfortunately, the prolonged climate of Islamophobia throughout North America, Europe, and beyond has given rise to numerous voices and organizations that profit from the marginalization of Muslims in public life. Extensive studies and analysis of these entities have generally concluded that such Islamophobic voices have evolved into transnational networks that amount to an industry.

Numerous reports have detailed the extent to which this phenomenon of online Islamophobia has portrayed Islam as an inherently violent, sexist belief system that cannot fit into Western societies. Relevant organs in government must familiarize themselves with these entities, reject them, and draw a clear line between fair criticism of religious praxis versus Islamophobic attempts to foment hatred among constituencies.

For example, reports prepared by foreign dictatorships or well-known Islamophobes are often utilized by Canadian agencies. In *Kablawi v. Canada (Citizenship and Immigration)*, 2010 FC 888, for example, the adjudicating officer relied on the writings of Daniel Pipes. Daniel Pipes is an American academic and founder of the right-wing think-tank, Middle East Forum. It has been argued that Pipes supports racial profiling and the surveillance of Muslim communities and believes Muslims in the United States seek to infiltrate and overthrow the country. It has been further argued that Pipes has spent decades promoting anti-Muslim tropes and has financed numerous activists and organizations that spread misinformation about Muslims and Islam. Canadian agencies should never be relying on such suspect or biased sources.

RECOMMENDATION

33. A commitment by Global Affairs Canada to combat Islamophobia globally;
34. Provide direction to all federal government agencies to cease the usage of biased and inherently fallacious sources produced by the Islamophobia industry; and
35. Through the Special Envoy, or through another body, conduct audits across agencies like the CBSA and CSIS to determine whether biased, dictatorship-produced, or other fallacious materials are utilized in decision-making and policymaking processes.

PROVINCIAL GOVERNMENTS

VIOLENT ISLAMOPHOBIA

- 49 Hate Crimes Accountability Unit Across All Provinces
- 51 Provisions that Ban White Supremacist Groups from Incorporating
- 52 Legislation Barring Hateful Rallies on Public Property
- 53 Give Municipalities Authority to Develop Street Harrassment Bylaws

SYSTEMIC ISLAMOPHOBIA

- 54 Addressing Islamophobia in Education
- 56 Ensure All Police Acts Reflect Recommendations from Ontario's Tulloch Report
- 57 Funding ARDs with a Clear Anti-Islamophobia Mandate
- 58 Developing Provincial Anti-Racism Councils wiht Muslim Representation
- 59 Creating and/or Furthering Plans for Clear FQR/FCR
- 60 Ensure BIPOC and Muslim Representation in Agencies, Boards, and Commissions
- 61 Funding for and Access to Provincial Human Rights Commissions and Increasing Limitations Human Rights Complaints
- 62 Regular Attitudinal Surveys by Provinces to Gauge Different Forms of Xenophobia
- 63 Funding and Training for Resettlement Social Services
- 64 Support Healing and Educational Programs for Communities

HATE CRIMES ACCOUNTABILITY UNIT ACROSS ALL PROVINCES

Many of our community members who experience the traumas of hateful assaults often opt to move on with their lives without reporting the incident. A 2015 [report](#) by the Department of Justice noted that it is “likely that hate crimes are among the most under-reported forms of criminality.”

There are many causes of this under-reporting. One of the most pressing reasons is that when many Muslims bring forward their complaints about hate crimes, cases are often dropped or charges are never laid. For example, the newly-banned group the Three Percenters [surveilled mosques in Alberta](#). To the best of our knowledge, although these issues were reported to law enforcement, no charges were ever laid despite the incidents being reported. In [another incident](#), a man on an LRT station made a noose, held it up in front of a woman wearing hijab in Edmonton, told her that the noose was for her, and sang the national anthem. The police did nothing on the premise that the man was performing a magic trick. In another instance, the Wolves of Odin [trespassed and illegally entered the Al-Rashid mosque – the oldest mosque](#) in Canada. No charges were ever laid.

These stories – of reporting, but where no charges are laid – are commonplace.

Many in our community want Hate Crimes Accountability Units in each province, established under the provincial Ministries of the Attorney General. In the instance that a local police agency elects to not pursue an investigation of a hate-motivated incident, a complainant could report directly to the provincial Hate Crime Accountability Unit, which would have powers to investigate what happened in the process.

These units can also gather hate crime unit data and keep the information they collect to help coordinate services between jurisdictions and share intelligence about potential perpetrators.

The Hate Crimes Accountability Unit could also advise on penalties to be imposed on police officers or liaisons who unfairly discourage reporting of incidents by telling complainants not to move forward with their complaints, or who unreasonably refuse to move forward with an investigation.

Finally, a Hate Crimes Accountability Unit could build out methodologies for third-party reporting, where those who are uncomfortable to directly report to police could report through a social service agency, a law firm, or through a civil liberties group.

RECOMMENDATION

36. Institute a provincial Hate Crimes Accountability Unit in all provinces;

37. Make Hate Crimes Accountability Units responsible for providing guidance on appropriate penalties for police officers or officers who discourage reporting; and

38. Through Hate Crimes Accountability Units, develop methodologies for third-party reporting.

PROVISIONS THAT BAN WHITE SUPREMACIST GROUPS FROM INCORPORATING

Think about this: the [Canada Nationalist Party \(CNP\)](#), for example, run by a notorious anti-Semite, succeeded in [registering](#) as a political party to run in federal elections. This enabled the CNP to theoretically have access to voter lists.

This is concerning. It is important to prevent organizations with white supremacist ideologies or ties to be officially recognized or incorporated in any way. In Alberta, for instance, the [KKK was a registered society until 2003](#). Simply put, that is unacceptable.

In Alberta, Bill 206, or the Societies (Preventing the Promotion of Hate) Amendment Act, 2018 put forward by then MLA Craig Coolahan, set forward draft provincial legislation that would give the registrar the power to look at whether a registering society has a purpose affiliated with hate. We suggest that provincial Registrars be empowered to strike down groups with white supremacist ties, but to also ensure that there are safeguards for appeal in the case of over-reach by the Registrar.

RECOMMENDATION

39. Legislative change to empower relevant registrars to prevent white supremacist groups from registering as a society.

LEGISLATION BARRING HATEFUL RALLIES ON PUBLIC PROPERTY

We all saw the violence on the Capitol in Washington earlier this year where organizations like the Proud Boys and the Three Percenters attacked and stormed the Capitol.

The reality is that hateful white supremacist rallies, often targeted at the Muslim community, have been a consistent part of the Canadian Muslim experience over the last decade.

After the 2017 mass murder of six Muslims in Quebec City, alt-right groups held [rallies](#) in downtown Toronto. These alt-right groups argued that motion M-103 was a “gateway drug for the Muslim Brotherhood.” [Similar rallies](#) across the country [popped up](#), often sparking violent confrontations involving protestors tied to [groups](#) like the Soldiers of Odin.

The Proud Boys, the Three Percenters, the Soldiers of Odin, La Meute, and many other groups of concern have organized rallies across the country. While some of these groups are now banned, legislators need to do more in relation to white supremacist rallies and gatherings.

Most recently, the conflation of anti-vaxxers and white supremacist rallies has been of particular concern. In Edmonton, in February 2021, an anti-masker rally was held in Edmonton, attended by prominent Islamophobes and white supremacist groups, where attendees carried torches – in an homage to [Charlottesville](#) where white nationalists marched with torches – while shouting racist and hateful messages.

Lawmakers across each province must make sure that this does not play itself out again. The freedom to gather is a fundamental right of Canadians. However, we propose that provinces explore constitutionally valid methods to curtail white supremacist rallies.

Provinces need to review their existing laws regarding public gatherings and clarify their application processes by defining what is and is not allowed in legislation.

RECOMMENDATION

40. Pass legislation that prohibits violent white supremacist rallies on provincial property, while paying careful attention to ensure that the legislation is not overbroad and does not limit freedom to dissent.

GIVE MUNICIPALITIES AUTHORITY TO DEVELOP STREET HARASSMENT BYLAWS

Be it the [attacks](#) on Black Muslim women in Alberta over the course of recent months, or violent [confrontations](#) at a park in Quebec, street-harassment forms a major bulk of anti-Muslim hate-motivated incidents in Canada. These incidents often come at the intersection of gendered Islamophobia as Muslim women wearing hijabs are frequent targets. These incidents upend the sense of safety in public spaces for Muslims in Canada and have led to fear and trepidation that greatly impacts everyday life. These concerns with safety in public spaces dovetail with the those raised by

other groups, including organizations advocating against gender-based violence.

Municipalities can introduce by-laws to keep our public spaces safe. Bylaws addressing street harassment have already been introduced in [some municipalities](#) and [motions](#) have been passed in others to consider bylaws on street harassment. Some of these bylaws include penalties such as tickets and fines for individuals engaging in targeted harassment in public spaces.

RECOMMENDATION

41. Provinces mandate municipalities to pass bylaws to combat and deter street harassment; and
42. Periodic review of bylaw enforcement, including stakeholder consultation, to ensure that the municipal bylaws effectively address street harassment.

ADDRESSING ISLAMOPHOBIA IN EDUCATION

Schools are far too often the site of some of the most scarring lived experiences of Islamophobia in Canada for children who are Muslim and those who are perceived to be Muslim. However, schools are also sites that hold great potential for transformative social change.

Studies and reports of the [lived experiences](#) of Muslim children in Canadian school systems tell us that Islamophobia takes many forms in educational contexts. This includes

- 1) experiences of [bullying and alienation](#) by peers,
- 2) [lack of understanding and supports](#) for Muslim students, including those who have been through an Islamophobic experience,
- 3) Islamophobic content in curriculum,
- 4) absence of nuanced and affirming representations of Islam and Muslims,
- 5) resistance to or [lack of religious accommodations](#) for Muslim students,

6) normalized or unchecked Islamophobic discourse. These experiences are further shaped by various forms of gendered and racialized Islamophobia.

While the Muslim community is one of the most educated communities within Canada, they are still overrepresented in [unemployment and under employment rates](#). With this context in mind, Muslim student success and Muslim excellence are key areas that need to be prioritized in anti-Islamophobia work in education.

Beyond the student experience, Muslim parents, educators, and administrators often face Islamophobia. This includes parents being unreasonably dismissed for their concerns, discrimination in employment and promotions for teachers and administrators, harassment, and toxic spaces.

In our consultations, education was consistently identified as a long-term solution towards eradicating all forms of xenophobia, and towards ending the violence faced by Canadian Muslims today.

RECOMMENDATION

43. Ministries of Education should work with school boards, in consultation with local Muslim communities in particular districts, to develop anti-Islamophobia strategies that are responsive to local contexts and speak to broader issues of Islamophobia. Such strategies should be based on student voice data, student success, and representation in staffing within the context of districts' commitments to human rights and equity. The anti-Islamophobia strategies in education should include consideration of the following:

- a. Review and reform of curriculum that relates to Islam and Muslims;
- b. Development of curriculum, resources and programs that affirm Muslim identities, contribute to Muslim student success and excellence, and include nuanced representations of Islam and Muslims;
- c. Audits of adequacy of religious accommodations for Muslim students and staff and recommendations for change where necessary;
- d. Anti-Islamophobia trainings and educational opportunities (such as the [Green Square](#) campaign and the National Day of Remembrance of the Quebec City Mosque Attack and Action Against Islamophobia) for students, educators and staff;
- e. Clear, accessible and effective complaints mechanism, including mitigation strategies for fears of reprisal, for students and staff who have experienced Islamophobia and racism; and
- f. Culturally-responsive resource development for student well-being that addresses mental health needs and trauma supports for Muslim students.

ENSURE ALL POLICE ACTS REFLECT RECOMMENDATIONS FROM ONTARIO'S TULLOCH REPORT

Abdirahman Abdi. Ejaz Choudry. Soleiman Faqiri. The names of Canadian Muslims who lost their lives at the hands of agents of the state are seared into our collective conscience. Their names are part of a longer list of Indigenous and Black victims, amongst other vulnerable communities, who have suffered at the hands of the police.

We cannot presume to expect that we can work towards the eradication of violence from our streets when police brutality, and failed systems of police accountability, continue to be major concerns for our communities. Things must change.

Incidents like the [shooting death](#) of 62-year-old Ejaz Choudry, who struggled with mental illness, last summer in his Malton, Ontario home represents a good case of why community members do not trust police officers to always show the best judgement, even if it is a matter of life and death.

This suspicion then extends to oversight committees that usually [clear](#) the officers in question, as they did in the case of Choudry.

Justice Michael Tulloch released his [major report](#) in 2017 after conducting an independent review of Ontario's three civilian oversight bodies: the Special Investigations Unit (SIU), the Office of the Independent Police Review Director (OIPRD), and the Ontario Civilian Police Commission (OCPC). His conclusions include an lengthy list of dozens of recommendations, from instituting separate legislation for all civilian police oversight bodies, to hiring more diverse investigators with various cultural competencies, to expanding and clarifying mandates (via legislation), to releasing reports of investigations and names of officers in question, to limiting the length of certain investigations, and so on.

The recommendations of the Tulloch Report should be taken seriously by lawmakers not just in Ontario, but across the country.

RECOMMENDATION

44. All provinces should adopt the recommendations of the Tulloch Report.

FUNDING ARDS WITH A CLEAR ANTI-ISLAMOPHOBIA MANDATE

Anti-Racism Directorates (ARDs) study and respond to systemic racism within Canada. With that in mind, ARDs and similar bodies across the country must incorporate Islamophobia as a distinct segment of their mandates, and work to develop provincial anti-Islamophobia plans in accordance to the respective circumstances in each province.

These bodies also need much more funding, particularly in a post-COVID era and the concomitant rise of racism and xenophobia.

RECOMMENDATION

45. Establish (as needed, in consultation with local communities) and fund provincial ARDs.

DEVELOPING PROVINCIAL ANTI-RACISM COUNCILS WITH MUSLIM REPRESENTATION

There is a pressing need to ensure that action against Islamophobia and racism cannot simply be a commitment of words and must involve action. That requires continued stakeholder conversations and consultations.

Hearing from community members in meaningful and sustained ways is integral to developing appropriate and effective policies and programs to combat Islamophobia and other forms of hate.

RECOMMENDATION

46. Establish anti-racism councils or panels across provinces that represent a diverse intersection of community voices, including Muslims, to tackle some of the most immediate challenges communities are facing in tackling racism locally.

CREATING AND/OR FURTHERING PLANS FOR CLEAR FQR/FCR

So many talented, often highly educated members in our community come to Canada seeking a better life but have to toil for years due to this country not accepting their credentials and qualifications. A 2019 report found that [Canadian Muslims were consistently over-educated and under-employed](#). This gap is most highlighted when it comes to Canadian Muslim women.

A failure to provide better paths to foreign credential assessments and qualification processes exacerbates social conditions and existing challenges for new Canadians.

Remedying this reality needs to include bold steps towards improving Foreign Qualification or Credentials Recognition (FQR/FCR) in each province.

Fairness-to-newcomers programs thus need to be put in place so as to guarantee fair access for all skilled newcomers to employment opportunities, and to empower them to leverage their learning and competencies to contribute to their provinces. This will not just benefit newcomers, but will also empower and enrich the cities and provinces that they reside in.

RECOMMENDATION

47. Make FQR/FCR improvement a central mandate requirement for Ministries of Labour.

ENSURE BIPOC AND MUSLIM REPRESENTATION IN AGENCIES, BOARDS AND COMMISSIONS

Provinces are often made up of hundreds of agencies, boards, and commissions (ABCs) that span dozens of different sectors, from agriculture to public works to community affairs. These entities affect people on a daily basis in very intimate ways.

Unfortunately, leadership positions among these ABCs do not represent the diversity of Canada. One recent [study](#) of almost 10,000 individuals across eight cities revealed that Black and racialized people make up just 10% of board positions despite being over 28% of the population in these cities.

This has serious effects on our community, which has long called for more diversity and better representation on entities that define much of our everyday lives. We welcome the federal government's Gender Based Analysis Plus (GBA+) approach to ensure more gender diversity in leadership positions. However, a distinct racial equity approach is needed as well, as noted above.

We call for a more intersectional approach where racism and Islamophobia are not relegated below other considerations, but are taken together in distinct analysis in order to improve representation in leadership positions across all government entities, and particularly ABCs.

RECOMMENDATION

48. Actively recruit Muslims and other minority groups into provincial ABCs.

FUNDING FOR AND ACCESS TO PROVINCIAL HUMAN RIGHTS COMMISSIONS AND INCREASING LIMITATION PERIODS FOR HUMAN RIGHTS COMPLAINTS

Canadians are encouraged to bring their human rights complaints to commissions that are directly tasked with promoting and enhancing these rights in respective provinces.

These bodies are at the centre of how provinces inquire into issues of systemic discrimination, including racism and Islamophobia. It is also where people can bring complaints forward when they believe their individual rights, which are protected by the law, have been violated.

In a time of social polarization and increased hate crimes, these commissions must be armed with the proper resources to protect victims of abuse. Provincial governments must increase funding in this respect to help the commissions do their jobs and assist as many people as possible.

There are also currently limits on how much time passes after an incident for it to be reported and considered by the commissions. Depending on the nature of the alleged violation and the province, limitations vary up to several months or a year. This does not take into consideration how many people need encouragement to report a traumatic incident of racism or Islamophobia. This can take years to happen.

In 2017, the Alberta legislature amended the limitations period for survivors of sexual misconduct. Ontario also passed Bill 132, Sexual Violence and Harassment Action Plan Act, which likewise abolished time limits for suing for sexual assault, domestic violence, or child abuse. The above precedents establish that in particular circumstances, there can be appropriate legislative change to limitation periods given what we have learned about the difficulties victims of hate face in filing complaints.

RECOMMENDATION

49. Allocate funding to ensure that human rights commissions can decrease wait times, increase access, and provide needed education; and

50. Extend limitation periods for human rights complaints to 5 years (to take into account the trauma victims face), while allowing a claimant to seek an extension to the limitation period if the claimant has extenuating circumstances reasonably demonstrating why they were unable to file a formal human rights complaint within the 5-year limitation period.

REGULAR ATTITUDINAL SURVEYS BY PROVINCES TO GAUGE DIFFERENT FORMS OF XENOPHOBIA

Violent Islamophobia and its accompanying attitudes have become a serious challenge to Canadian society. The disturbing rate of violent and sometimes deadly attacks are buoyed by wider suspicions and attitudes about Islam and Muslims that have been pushed by certain segments of mass media, and certain politicians, over the last two decades.

Diagnosing these trends requires surveys that focus on different aspects of Islamophobic sentiment, including Islamophobia at multiple intersections, such as gendered and anti-Black Islamophobia. This could include studying aversions to the hijab or inter-religious marriages with Muslims.

Previous surveys have included these aspects but have been few and far between. [One](#) was conducted in 2018 with over 1,000 Canadians and found that the Canadians surveyed were “more than twice as likely to be uncomfortable with a prime minister who wears a hijab (44%), than with a prime minister who wears a cross (21%),” for instance, and “31% were uncomfortable with a family member getting engaged to a Muslim.”

Provinces should fund and conduct them regularly to locate trends or changes in attitudes, which will help inform appropriate responses to negative sentiments.

RECOMMENDATION

51. Provinces should conduct regular polls to determine the state of racism and Islamophobia in their province and to determine the relevant aspects of Islamophobic sentiment.

FUNDING AND TRAINING FOR RESETTLEMENT SOCIAL SERVICES

Resettlement services and programs across Canada have suffered precipitous cuts to their capacities for helping newcomers in this country.

This has long had a serious effect on Muslims who come to Canada for a better life and face often unforeseen social challenges, be it housing, work, or healthcare. Those who struggle need help with their language skills, job search skills, and various other issues that arise in the course of trying to get on one's feet, a process that this country needs to have more respect for.

Canada has a checkered history, with moments of honour but also moments of shame, in resettling refugees and other newcomers. However, coming to Canada as a refugee itself is not the end of the process. If anything, it is the beginning. Those who come start their lives as refugees in Canada are often left to their own devices. They are left to start over in a country with which they have little familiarity.

Settlement services should help fill this gap, but [dozens](#) of organizations across Ontario alone have reported cuts to their budgets. This is unhelpful in an era of [increasing](#) displacement around the world.

RECOMMENDATION

52. Appropriately fund settlement services to ensure that newcomers have the necessary opportunities to succeed in Canada; and

53. Ensure that social services agencies are mandated to provide regular training on anti-racism and anti-Islamophobia for frontline staff.

SUPPORT HEALING AND EDUCATIONAL PROGRAMS FOR RELIGIOUS COMMUNITIES

The recent rise in Islamophobia and antisemitism has highlighted how discrimination based on religious identity has made its way to the forefront of social violence in Canada today. Other religious groups that include Sikh Canadians often experience Islamophobia as well by hateful actors who mistake them for Muslims.

Sadly, many of the most vulnerable individuals who receive this hate are children or youth who confront these issues at school and elsewhere. These experiences often take distinct shape depending on the intersectional identities of survivors of trauma. Provinces have to make it a priority for these respective communities to assemble resources and strategies to help their young people both heal from and respond to the trauma of hate.

RECOMMENDATION

54. Fund programs and organizations supporting youth navigating turbulent times through education, mental health supports, community spaces and other forms of support.

MUNICIPAL GOVERNMENTS

VIOLENT ISLAMOPHOBIA

- 66 Pass Street Harassment Bylaws with Ticketing Authority

SYSTEMIC ISLAMOPHOBIA

- 67 Community Funding for Local Anti-Islamophobia Initiatives
- 68 Build Anti-Islamophobia Mayoral Advisory Circles/Councils
- 69 Public Education Campaigns to Confront Islamophobia
- 70 Celebrating the History of Canadian Muslims
- 71 Invest in Alternative Measures to Policing
- 72 Increase Opportunities for Young Canadian Muslims in City Decision Making

PASS STREET HARASSMENT BYLAWS WITH TICKETING AUTHORITY

Not all forms of Islamophobic or hateful acts or crimes take the shape of violently fatal attacks that make the news. Many happen regularly on the streets where perpetrators can easily flee after spewing a hateful verbal assault.

For example, if an individual walks up to another individual on public transit, and screams “terrorist” and the n-word in their face (as has happened to a survivor who NCCM is assisting), in the absence of a direct threat or actual assault, there are limited tools by which to hold the offender accountable.

Charging offenders with criminal harassment in the Criminal Code is rarely exercised by police officers for a single-instance of harassment.

This issue with street harassment has obviously gender-related impacts, with thousands of Canadian women dealing with the issue of “cat-calling” while on the street. That is why the [2017 Taking Action to End Violence Against Young Women and Girls in Canada](#) report recommended that the Government of Canada strengthen the harassment offence provisions in the Criminal Code. However, no implementation has occurred to-date and municipalities are left to fill this gap.

This is a perennial problem that our community members across the country have voiced for years, but to little effect. It has taken a huge spike of incidents of harassment for this to be taken seriously.

RECOMMENDATION

55. Pass municipal street harassment bylaws that are proportional and constitutional, such as the approach now being adopted in Edmonton after an NCCM initiative. Bylaws should also address clearly hateful verbal assaults and give authorities the ability to ticket and fine when necessary.

COMMUNITY FUNDING FOR LOCAL ANTI-ISLAMOPHOBIA INITIATIVES

Local communities often have the most nuanced grasp of the issues they face in relation to Islamophobia and other forms of hate. Communities who face these problems often have the most productive ideas on how to address and resolve them. Municipalities therefore need to aid local community initiatives in the fight against Islamophobia.

More funding is needed for local groups, including religious institutions, advocacy organizations, or education programs, to both educate their constituents of the problems of Islamophobia and to brainstorm the best solutions for local communities, neighbourhoods, and individuals.

RECOMMENDATION

56. Municipalities provide dedicated funding for local community-based anti-Islamophobia initiatives.

BUILD ANTI-ISLAMOPHOBIA MAYORAL ADVISORY CIRCLES/COUNCILS

Circles or councils made up of a diverse set of Muslim voices should be formed by cities as direct advisors to mayors and other decision makers. They should meet regularly and sustain a consistent conversation around Islamophobia and how to combat it, which would then be presented to the broader public.

These meetings should develop a concrete plan to help mayors strategize against the rise and spread of Islamophobia. The councils should be comprised of representatives who come from every corner of the community, with specific attention paid to ensure that the diversity of the local Muslim population is appropriately represented.

RECOMMENDATION

57. Mayors should build Anti-Islamophobia Advisory Councils/Circles while ensuring that there is appropriate representation of diverse local Muslim communities.

PUBLIC EDUCATION CAMPAIGNS TO CONFRONT ISLAMOPHOBIA

Now, more than ever, there is a clear need for municipalities to build locally driven public awareness campaigns that confront Islamophobic attitudes and perspectives.

For example, in 2017, the Ontario Council of Agencies Serving Immigrants (OCASI), the Canadian Arab Institute (CAI), NCCM and the Ontario Human Rights Commission (OHRC) collaborated with media studio

Mass Minority on a range of public education strategies. These included public service announcements and a social media campaign called #BreaktheBehaviour. Similar public service awareness campaigns that confront Islamophobic attitudes and perspectives, with local faces and with local context, is critically important.

RECOMMENDATION

58. Municipalities dedicate specific funding for anti-Islamophobia public awareness campaigns.

CELEBRATING THE HISTORY OF CANADIAN MUSLIMS

In addition, to addressing to violent and systemic discrimination against Muslims today, it is important to commemorate and build public awareness of the historical experiences and contributions that Muslims have made to our hometowns in Canada.

Sadly, the image of Muslims as foreign outsiders who do not fit into Canadian society has suppressed and marginalized Muslim Canadians who have contributed to Canadian society and culture.

The recognition of Hodan Nalayeh, a Somali-Canadian journalist who once resided in Vaughan, in the renaming of the Vaughan Secondary-School provides an important example of celebrating the history of Canadian Muslims. Nalayeh made immeasurable and immense contributions to the Canadian community, and told the stories of our communities that are often doubly-marginalized – stories of Black Muslims in Canada, and stories of how communities flourished.

RECOMMENDATION

59. Invest in celebrating the history of local Canadian Muslims and initiatives through a concrete program that brings these figures and names to the forefront of local-level recognition. Municipalities should fund events and spaces where their accomplishments are celebrated in a way that clearly shows that Muslims have made real contributions to Canadian society and are far from the violent caricatures that constantly make the news.

INVEST IN ALTERNATIVE MEASURES TO POLICING

Problems with policing and over-policing have been felt by many Muslim community in Canada, not least of which because our community members often [find themselves](#) on the fatal end of police violence. The gradual [increase](#) in police budgets, now in the billions, have corresponded with a post-9/11 era where surveillance, infiltration, and policing of racialized communities have often been used as justifications for such budget increases.

Various communities have called for redeployment of funds and resources from post-9/11 surveillance, weaponry, and over-policing towards alternative forms of community safety and investigations that do not rely solely on our current, overused pool of officers.

RECOMMENDATION

60. Redirect funding towards alternative measures to policing in municipal budgets.

INCREASE OPPORTUNITIES FOR YOUNG CANADIAN MUSLIMS IN CITY DECISION MAKING

Our community has long voiced concerns over the exclusions of Muslims from various spaces. This is especially true for Muslim youth who feel that their identity simply is not accepted in decision-making circles that otherwise purport to be accepting and tolerant. This gap plays a major role in fostering mistrust between various minority communities and official decision-making bodies.

The Youth Fellowship in Toronto provides an important example of what positive opportunities for young Canadian

Muslims can look like. The Youth Fellowship is a leadership development program building the next generation of Muslim, Tamil, Filipino, and Black public servants. The fellowship program consists of a training course developing civic engagement skills and a paid part-time placement in a Toronto city councillor's office.

We recommend that other municipalities adopt similar measures to train a next generation of diverse leaders.

RECOMMENDATION

61. Develop models for training young Muslim leaders for the future such as the Youth Fellowship program in Toronto.



**NATIONAL
COUNCIL
OF CANADIAN
MUSLIMS**

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**CONSEIL
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DES MUSULMANS
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Votre voix. Votre avenir.



Appendix 2 – National Council of Canadian Muslims – Municipal Recommendations

The following are the seven recommendations that the NCCM has made to municipal governments across Canada to tackle violent and systemic forms of Islamophobia.

These recommendations should be reviewed with some contextual factors in mind:

- Canadian Muslims are not a monolithic body and the NCCM encourages municipalities to listen to those who have alternate perspectives as well.
- The recommendations are not listed in order of priority as a holistic approach to solving Islamophobia is required.
- The recommendations were crafted generally and do not consider, for example, the difference between single-tier and two-tier municipal structures and the recommendations should be reviewed with that lens.

Included below each recommendation are staff's preliminary thoughts as to how particular recommendations may align with City and advisory committee work plans with the caveat that further consultation, research, and work is required.

1. Pass municipal street harassment bylaws that are proportional and constitutional, such as the approach now being adopted in Edmonton after an NCCM initiative. Bylaws should also address clearly hateful verbal assaults and give authorities the ability to ticket and fine when necessary.

This recommendation aligns with work already being done by the Anti-Racism Advisory Committee. At its April 20, 2021 meeting the Committee passed a motion recommending an Anti-Street Harassment By-Law. This went to the Social Pillar at its July 22, 2021 meeting and a motion carried to send this item to Council to request a report from staff. At its August 9, 2021 meeting, Council moved:

That the Social Sustainability Committee recommend that the proposal from the Anti-Racism Advisory Committee to amend the current public nuisance by-law be sent to City Council to request a report back from City staff on the following:

Amend By-law 2007-295 (a By-law to address Public Nuisances) under Section 2 "Prohibitions" to add: "No person shall, in a public place, unnecessarily interfere with another person's use and enjoyment of the Public Place by using abusive or insulting language as a personal invective."; and

That staff be directed to consider adding "aggressive behaviour" to the amendments to the Public Nuisances By-law. Carried as Amended

A staff report on this recommendation is forthcoming.

2. Municipalities provide dedicated funding for local community-based anti-Islamophobia initiatives.

This recommendation will be discussed with the Anti-Racism Advisory Committee and where appropriate, staff will seek opportunities to work with other agencies, levels of government, and community groups. Budget approval, if necessary, may be sought for implementation.

3. Mayors should build Anti-Islamophobia Advisory Councils/Circles while ensuring that there is appropriate representation of diverse local Muslim communities.

This recommendation aligns with the following item from the approved 2021 workplan of the Anti-Racism Advisory Committee:

Committee/Board Recruit Outreach to BIPOC Communities: using statistics from the Clerk's office, identify committees where BIPOC residents are under-represented and propose ways to overcome barriers to recruitment of BIPOC residents to these committees.

This recommendation also aligns with staff's continued work on a 2019 direction from Council, which was delayed by Covid-19, to seek best practices and develop a new Public Appointment Policy and Application Process for citizen appointments to all city boards and committees and to develop proactive strategies to ensure that the appointment process reflects, in part, the diversity of the city.

4. Municipalities dedicate specific funding for anti-Islamophobia public awareness campaigns.

This recommendation aligns with the following item from the approved 2021 workplan of the Anti-Racism Advisory Committee:

Public Education Campaign on Anti-Racism: a campaign to raise public awareness about recognizing what racism is, why it is harmful, and what to do when you see it.

Staff will continue working with the Anti-Racism Advisory Committee on the implementation of workplan items in coordination with other City-led and community-led initiatives. Where necessary, budget approval may be sought.

5. **Invest in celebrating the history of local Canadian Muslims and initiatives through a concrete program that brings these figures and names to the forefront of local-level recognition. Municipalities should fund events and spaces where their accomplishments are celebrated in a way that clearly shows that Muslims have made real contributions to Canadian society and are far from the violent caricatures that constantly make the news.**

Working with the advisory committees and local representatives from the Muslim community, staff can explore ways to commemorate and build public awareness of the historical experiences and contributions that Muslims have made to St. Catharines, perhaps through a public art or history display at City Hall.

6. **Redirect funding towards alternative measures to policing in municipal budgets.**

Policing is not within the purview of the City; however, this recommendation aligns somewhat with the work of staff, as well as both the Anti-Racism Advisory Committee and the Recreation Master Plan Advisory Committee as they continue to work on the 'Rzone Policy' that was developed in 2019.

7. **Develop models for training young Muslim leaders for the future such as the Youth Fellowship program in Toronto.**

The City is not a single tier municipality like Toronto; however, there may be some opportunities for partnership with local organizations under this recommendation. Staff will explore opportunities to support this recommendation with input from the advisory committees and local organizations such as the Folk Arts Multicultural Centre and Muslim community groups.

Resolution to Support Calls to Action in Wake of London Islamophobic Attack

updated: July 21, 2021

Background

The National Council of Canadian Muslims has called for a national summit on Islamophobia in the wake of the London attacks. This summit will be held on July 22, 2021.

The City of Toronto passed a motion in support of this summit as well as several other actions, the motion with the two amendments strengthening it can be found here <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.MM34.43>

I had circulated earlier reports from the Niagara Regional Police of hate-crimes in St. Catharines and how none were prosecuted as hate crimes, in one case the police had even asked for it to be prosecuted as a hate crimes.

Many politicians are expressing regret for having supported Islamophobic politics before, see for example from MP Michelle Rempel <https://mprempel.ca/news/f/on-islamophobia-and-the-london-attack>

Section 13 of the Canada Human Rights Act prohibited online hate but was removed/repealed under the Harper government.

The proposal here is for St. Catharines to support the same calls for actions

Resolution in Support of Calls for Action In the Wake of the Islamophobic Attack in London, Ontario

WHEREAS on June 6, 2021, members of a Muslim family were killed in a racist terrorist attack which targeted the family because of they were Muslim; and

WHEREAS Islamophobia is a form of racism and needs to be addressed systemically, and

WHEREAS the National Council of Canadian Muslims has called for a national summit on Islamophobia and the Federal Minister of Diversity, Inclusion, and Youth has committed to holding this summit, and

WHEREAS none of the police-reported hate crimes in Niagara in the last two years have been prosecuted as hate crimes, per the reports of the Niagara Regional Police Service; and

WHEREAS the attack suspect has been charged with terrorism

THEREFORE BE IT RESOLVED that the Anti-Racism Advisory Committee recommends the City of St. Catharines condemn the London attack of June 6, 2021 as an act of Islamophobia and terrorism; and

THEREFORE BE IT FURTHER RESOLVED the Anti-Racism Advisory Committee recommends the City of St. Catharines support the call for a national summit on Islamophobia, endorse the demands for

federal, provincial, and municipal actions from the National Council of Canadian Muslims submitted to the submit, and consider endorsing the calls to action from the summit;

THEREFORE BE IT FURTHER RESOLVED the Anti-Racism Advisory Committee recommends the City of St. Catharines urges provincial crown prosecution attorneys to aggressively prosecute hate crimes as hate crimes; and

THEREFORE BE IT FURTHER RESOLVED the Anti-Racism Advisory Committee recommends the City of St. Catharines asks the province of Ontario to re-instate funding for the Anti-Racism Directorate; and

THEREFORE BE IT FURTHER RESOLVED the Anti-Racism Advisory Committee recommends the City of St. Catharines condemn politicians and governments of all political backgrounds who promote hate, including but not limited to xenophobia and Islamophobia, for political gain; and

THEREFORE BE IT FURTHER RESOLVED the Anti-Racism Advisory Committee recommends the City of St. Catharines call upon the Government of Canada to immediately introduce and strengthen laws to address online hate speech, including white supremacy and the distribution of hateful materials targeting minority groups, including Muslims, and including considering re-introducing Section 13 of the Canada Human Rights Act which targeted online hate; and

THEREFORE BE IT FURTHER RESOLVED the Anti-Racism Advisory Committee recommends the City of St. Catharines denounce the Quebec Charter of Values and Bill 21 as they are inherently biased toward people of faith and in this context in particular Muslim women for its ban on the hijab and other head coverings; and

THEREFORE BE IT FURTHER RESOLVED the Anti-Racism Advisory Committee recommends the City of St. Catharines support and invite public discussions on how to prevent online hate in coordination with the efforts of other levels of government



By-laws to be considered Monday, October 18, 2021

- (a) A By-law to amend By-law No. 89-2000 entitled "A By-law regulating traffic and parking on City Roads." (One reading – with respect to parking prohibitions on Trillium Lane. Delegation of Powers and Duties By-law No. 2020-156.)
- (b) A By-law to amend By-law No. 89-2000 entitled "A By-law regulating traffic and parking on City Roads." (One reading – with respect to stopping prohibitions on Village Road. Delegation of Powers and Duties By-law No. 2020-156.)
- (c) A By-Law to authorize the transfer of 2020 Canada Community-Building Funds (Gas Tax Funds) to The Regional Municipality of Niagara. (One reading – with respect to the transfer of community building funds. General Committee, November 18, 2019, Item No. 3.2)
- (d) A By-law to authorize an Agreement with 1244947 Ontario Limited. (One reading – with respect to Brownfield Tax Increment Finance Program (BTIF) application under 2020CIP for 75 Niagara Street. To be considered by Council, October 18, 2021.)
- (e) A By-law to declare surplus the lands known as part of McKay Street lying east of Hillview Road, Township Plan 94, being Part of PIN 46172-0430 LT. (One reading – with respect to the surplus the lands known as part of McKay Street. To be considered by Council, October 18, 2021.)
- (f) A By-law to provide for the collection of taxes for all property classes and to authorize an interim tax levy for the Year 2022. (One reading – with respect to the collection of taxes for all property classes and authorization of an interim tax levy. To be considered by Council, October 18, 2021.)
- (g) A By-law to confirm the proceedings of council at its meeting held on the 18th day of October 2021. (One reading - with respect to confirming the proceedings of the meeting held on October 18, 2021.)