



CITY COUNCIL MINUTES 19-016

5:00 p.m.
September 25, 2019
Council Chamber
Hamilton City Hall
71 Main Street West

Present: Mayor F. Eisenberger, Deputy Mayor – A. VanderBeek
Councillors M. Wilson, J. Farr, N. Nann, C. Collins, S. Merulla, T. Jackson, E. Pauls, J. P. Danko, B. Clark, M. Pearson, B. Johnson, L. Ferguson, and J. Partridge

Absent: Councillor T. Whitehead – Personal

Mayor Eisenberger called the meeting to order and recognized that Council is meeting on the traditional territories of the Erie, Neutral, HuronWendat, Haudenosaunee and Mississaugas. This land is covered by the Dish with One Spoon Wampum Belt Covenant, which was an agreement between the Haudenosaunee and Anishinaabek to share and care for the resources around the Great Lakes. It was further acknowledged that this land is covered by the Between the Lakes Purchase, 1792, between the Crown and the Mississaugas of the Credit First Nation.

The Mayor called upon Gen Kelsang Rabgye, the Resident Teacher of Samudra Kadampa Buddhist Centre in Hamilton, to provide the invocation.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

5. COMMUNICATIONS

5.9 Correspondence requesting that Council withdraw their support for negotiations with Cardus and their proposed use of Balfour House:

- (a) Robert Brosius
- (b) Ruth Cameron
- (c) Robert Brosius
- (d) Michael Demone

Recommendation: Be received and referred to the consideration of Item 1 of General Issues Committee Report 19-017.

- 5.10 Correspondence from Michael Van Pelt, President and CEO, Cardus respecting the Proposal for the Adaptive Re-Use of Balfour House/Chedoke Estate.

Recommendation: Be received and referred to the consideration of Item 1 of General Issues Committee Report 19-017.

- 5.11 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting the launching of a consultation on potential changes to the delivery of building code services.

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action.

7. MOTIONS

- 7.1 Control System on Northbound Ramp of the Lincoln Alexander Parkway at Garth Street

Deferred to the October 9th, 2019 Council meeting.

- 7.2 Levels of Congestion on Garth Street and Scenic Drive at Peak Hours

Deferred to the October 9th, 2019 Council meeting.

- 7.5 Review of Position of Director, Physician **Recruitment**

Revised from "Retention".

8. NOTICES OF MOTION

- 8.1 Amendment to the Terms of the Reference of the Accessible Transit Services Review Sub-Committee

(Clark/Partridge)

That the agenda for the September 25, 2019 meeting of Council be approved, **as amended**.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge

NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

DECLARATIONS OF INTEREST

Councillor Wilson declared a conflict with respect to Item 9 of the Planning Committee Report 19-014, respecting Report LS19037 / PED19198, Appeal to the Local Planning Appeal Tribunal on the City of Hamilton's Approval of Official Plan Amendment (OPA 102) and Zoning By-law Amendment (By-law 18-114) for the Lands Located at 44 Hughson Street South, 75 James Street South and 9 Jackson Street East by Fengate Hamilton Lands GP Inc. and LPF Hamilton Lands LP due to her spouse's potential involvement, directly or through firms with which he is associated, in negotiations that might arise as a result of the Report's implementation.

Councillor M. Wilson declared an interest to Items 8, (d)(i), (e)(iii) and (g)(iv) of the General Issues Committee Report 19-017, respecting Report PED18168(b) - Sports, Entertainment and Convention Venues Review, as her spouse's involvement or potential involvement, directly or through firms with which he is associated in negotiations that might arise as a result of the reports implementation.

APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 September 11, 2019

(VanderBeek/Pearson)

That the Minutes of the September 11, 2019 meeting of Council be approved, as presented.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

COMMUNICATIONS

(VanderBeek/Ferguson)

That Council Communications 5.1 to 5.11 be approved, ***as amended***, as follows:

- 5.1 Correspondence from the City of Kitchener requesting support for their resolution respecting the lobbying of the Federal Government to review the regulations related to consumer packaging on single-use wipes to remove the word flushable.

Recommendation: Be ***endorsed***.

- 5.2 Correspondence from the City of Kitchener requesting support for their resolution respecting that the Province of Ontario review producer requirements and look for extended producer responsibility for all packaging.

Recommendation: Be received.

- 5.3 Correspondence from the Municipality of Hasting Highlands requesting support for their resolution endorsing a mandatory septic re-inspection reporting system.

Recommendation: Be received.

- 5.4 Correspondence from Gary Carr, Regional Chair, Halton Region to the Honourable Doug Ford, Premier of Ontario requesting support for their resolution that the Minister of Municipal Affairs and Housing immediately restore the amendments to the Planning Act that mandate the evaluation of appeals on a consistency and conformity with Provincial policies and plans basis and that the Government of Ontario eliminate the LPAT entirely, as an antiquated body that slows delivery and adds costs to housing supply via expensive and drawn out tribunal hearings.

Recommendation: Be ***received***.

- 5.5 Correspondence from the Township of Zorra requesting support for their resolution supporting the continuation of the mandatory and non-mandatory programs of the Upper Thames River Conservation Authority (UTRCA) with the provision that no programs of the UTRCA or of the other Conservation Authorities in Ontario be "wound down" and that the Ministry of Environment, Conservation and Parks give clear direction on what programs are considered mandatory and non-mandatory and on how those programs will be funded in the future.

Recommendation: Be ***endorsed***.

- 5.6 Correspondence from the Township of McNab/Braeside in support of the City of Hamilton's resolution respecting a Response to the Proposed Provincial Restructuring of Local Public Health Agencies.

Recommendation: Be received.

- 5.7 Correspondence from the Municipality of Chatham-Kent to the Honourable Doug Downey, Attorney General of Ontario requesting support for their resolution respecting Provincial Funding Cuts to Legal Aid Ontario.

Recommendation: Be received.

- 5.8 Correspondence from the Town of Newmarket requesting support for their resolution respecting More Homes, More Choices Act, 2019 - Bill 108 Proposed Regulations.

Recommendation: Be received.

- 5.9 Correspondence requesting that Council withdraw their support for negotiations with Cardus and their proposed use of Balfour House:

- (a) Robert Brosius
- (b) Ruth Cameron
- (c) Robert Brosius
- (d) Michael Demone

Recommendation: Be received and referred to the consideration of Item 1 of General Issues Committee Report 19-017.

- 5.10 Correspondence from Michael Van Pelt, President and CEO, Cardus respecting the Proposal for the Adaptive Re-Use of Balfour House/Chedoke Estate.

Recommendation: Be received and referred to the consideration of Item 1 of General Issues Committee Report 19-017.

- 5.11 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting the launching of a consultation on potential changes to the delivery of building code services.

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek

YES - Councillor Brenda Johnson

YES - Councillor Maria Pearson

YES - Councillor Brad Clark

(Ferguson/Johnson)

That Council move into Committee of the Whole for consideration of the reports.

CARRIED

PUBLIC WORKS COMMITTEE REPORT 19-013

2. Proposed Permanent Closure and Sale of a Portion of Fletcher Avenue, Hamilton (PW19075) (Ward 5) (Item 8.1)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson

YES - Councillor Jason Farr

YES - Councillor Nrinder Nann

YES - Councillor Sam Merulla

YES - Councillor Chad Collins

YES - Councillor Tom Jackson

YES - Councillor Esther Pauls

YES - Councillor John-Paul Danko

YES - Councillor Lloyd Ferguson

YES - Mayor Fred Eisenberger

YES - Councillor Judi Partridge

NOT PRESENT - Councillor Terry Whitehead

YES - Deputy Mayor Arlene VanderBeek

YES - Councillor Brenda Johnson

YES - Councillor Maria Pearson

YES - Councillor Brad Clark

3. Hamilton Transit Bus Maintenance and Storage Facility – Transit Project Assessment Process (PW19081) (Ward 3) (Item 10.1)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson

YES - Councillor Jason Farr

YES - Councillor Nrinder Nann

YES - Councillor Sam Merulla

YES - Councillor Chad Collins

YES - Councillor Tom Jackson

YES - Councillor Esther Pauls

YES - Councillor John-Paul Danko

YES - Councillor Lloyd Ferguson

YES - Mayor Fred Eisenberger

YES - Councillor Judi Partridge

NOT PRESENT - Councillor Terry Whitehead

YES - Deputy Mayor Arlene VanderBeek

YES - Councillor Brenda Johnson

YES - Councillor Maria Pearson

YES - Councillor Brad Clark

4. To Recognize Distracted Driving by Handheld Device as a Violation of the *Criminal Code of Canada, 1985 (City Wide)* (Item 11.1)

Result: Motion CARRIED by a vote of 14 to 1, as follows:

YES - Councillor Maureen Wilson

YES - Councillor Jason Farr

YES - Councillor Nrinder Nann

YES - Councillor Sam Merulla

YES - Councillor Chad Collins

YES - Councillor Tom Jackson

YES - Councillor Esther Pauls

YES - Councillor John-Paul Danko

NO - Councillor Lloyd Ferguson

YES - Mayor Fred Eisenberger

YES - Councillor Judi Partridge

NOT PRESENT - Councillor Terry Whitehead

YES - Deputy Mayor Arlene VanderBeek

YES - Councillor Brenda Johnson

YES - Councillor Maria Pearson

YES - Councillor Brad Clark

5. Enforcement of One-Meter Law for Cyclist Safety (City Wide) (Item 11.2)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson

YES - Councillor Jason Farr

YES - Councillor Nrinder Nann

YES - Councillor Sam Merulla

YES - Councillor Chad Collins

YES - Councillor Tom Jackson

YES - Councillor Esther Pauls

YES - Councillor John-Paul Danko

YES - Councillor Lloyd Ferguson

YES - Mayor Fred Eisenberger

YES - Councillor Judi Partridge

NOT PRESENT - Councillor Terry Whitehead

YES - Deputy Mayor Arlene VanderBeek

YES - Councillor Brenda Johnson

YES - Councillor Maria Pearson

YES - Councillor Brad Clark

6. Installation of Speed Cushions on Oakcrest Drive, Hamilton (Ward 6) (Item 11.3)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

7. Installation of a Speed Cushion on Inchbury Street, Hamilton, between Tecumseth Street and York Boulevard (Ward 1) (Item 11.4)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

8. Installation of a Speed Cushion on Oxford Street, Hamilton, between Barton Street West and York Boulevard (Ward 1) (Item 11.5)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann

YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

**9. Standardization of Enterprise Asset Management Systems - Phase 2
(CONFIDENTIAL PW19035(a)/FCS19040(a)) (City Wide) (Item 14.2)**

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(Ferguson/Johnson)

That the THIRTEENTH Report of the Public Works Committee be adopted, as presented, and the information section received.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko

YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

BOARD OF HEALTH CLERK'S REPORT 19-009
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(Wilson/Danko)

That the NINTH Clerk's Report of the Board of Health, be received for information.

CARRIED

PLANNING COMMITTEE REPORT 19-014

**2. Greensville Area Special Event Parking Pilot Program (PED19189) (Ward 13)
(Item 7.2) (REVISED)**

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

3. Hamilton Municipal Heritage Committee Report 19-006 (Item 7.3)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls

YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

4. Support the “C” Gaming Model – Princess Bingo (Item 8.1)

Result: Motion CARRIED by a vote of 12 to 3, as follows:

NO - Councillor Maureen Wilson
YES - Councillor Jason Farr
NO - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
NO - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

5. Application for Zoning By-law Amendment for Lands Located at 455 Sprinbrook Avenue, 253 Fair Street and Block 14, Plan 62M-1161 (Ancaster) (PED19169) (Ward 12) (Item 8.2)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek

YES - Councillor Brenda Johnson

YES - Councillor Maria Pearson

YES - Councillor Brad Clark

6. **Application for a Zoning By-law Amendment for Lands Located at 1351, 1355, 1359 and 1375 Upper James Street and 16, 24, 34, 40 and 48 Stone Church Road East, Hamilton (PED19059) (Ward 8) (Item 8.3)**

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson

YES - Councillor Jason Farr

YES - Councillor Nrinder Nann

YES - Councillor Sam Merulla

YES - Councillor Chad Collins

YES - Councillor Tom Jackson

YES - Councillor Esther Pauls

YES - Councillor John-Paul Danko

YES - Councillor Lloyd Ferguson

YES - Mayor Fred Eisenberger

YES - Councillor Judi Partridge

NOT PRESENT - Councillor Terry Whitehead

YES - Deputy Mayor Arlene VanderBeek

YES - Councillor Brenda Johnson

YES - Councillor Maria Pearson

YES - Councillor Brad Clark

7. **Properties of Potential Cultural Heritage Interest in Waterdown (Item 11.1) (Revised)**

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson

YES - Councillor Jason Farr

YES - Councillor Nrinder Nann

YES - Councillor Sam Merulla

YES - Councillor Chad Collins

YES - Councillor Tom Jackson

YES - Councillor Esther Pauls

YES - Councillor John-Paul Danko

YES - Councillor Lloyd Ferguson

YES - Mayor Fred Eisenberger

YES - Councillor Judi Partridge

NOT PRESENT - Councillor Terry Whitehead

YES - Deputy Mayor Arlene VanderBeek

YES - Councillor Brenda Johnson

YES - Councillor Maria Pearson

YES - Councillor Brad Clark

8. Upper Mount Albion Road Completion (Item 12.2)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

9. Appeal to the Local Planning Appeal Tribunal on the City of Hamilton's Approval of Official Plan Amendment (OPA 102) and Zoning By-law Amendment (By-law 18-114) for the Lands Located at 44 Hughson Street South, 75 James Street South and 9 Jackson Street East by Fengate Hamilton Lands GP Inc. and LPF Hamilton Lands LP (LS19037/PED19198) (Wards 1 and 2) (Item 14.1)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

CONFLICT - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(Pearson/Clark)

That the FOURTEENTH Report of the Planning Committee be adopted, as presented, and the information section received.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

GENERAL ISSUES COMMITTEE REPORT 19-017

1. Proposal for the Adaptive Re-Use of Balfour House/Chedoke Estate (PED19168) (Ward 14) (Item 10.1)

(Clark/Pearson)

That Item 1 of the General Issues Committee Report 19-017, respecting Report PED19168 - Proposal for the Adaptive Re-Use of Balfour House/Chedoke Estate, be amended by adding a new sub-section (d), to read as follows:

- (d) That the Cardus Institute (Cardus) be advised that any information it provides, in accordance with Cardus' forthcoming, detailed proposal for the adaptive re-use and lease of the Balfour/Chedoke Estate, is being provided voluntarily as part of its unsolicited proposal, and by requesting and reviewing this information, the City is not making any commitments to pursue or enter into any leasing arrangement for Balfour/Chedoke House.

Main Motion, as amended, to read as follows:

1. Proposal for the Adaptive Re-Use of Balfour House/Chedoke Estate (PED19168) (Ward 14) (Item 10.1)

- (a) That staff be directed to request, from the Cardus Institute, a detailed proposal to be submitted to the General Manager of the Planning & Economic Development Department within a two-month period, for the adaptive re-use and lease of the Balfour/Chedoke Estate, located at 1

Scenic Drive, Hamilton, with that submission to include the following, and report back to the General Issues Committee:

- (i) A functional plan including, but not limited to, the types of uses that would be provided on the site, the nature of any physical changes to the site (buildings and land) that would be required to accommodate those uses, and anticipated use capacity and related requirements;
 - (ii) The opportunities for public access to the site; and,
 - (iii) Demonstration of the viability and sustainability of their business model, and their financial capacity to undertake all necessary improvements to the site, with no financial contribution from the City;
- (b) That staff be directed to include in their forthcoming report, respecting the proposal from the Cardus Institute regarding the adaptive re-use and lease of the Balfour/Chedoke Estate, located at 1 Scenic Drive, Hamilton, any proposed uses that would require changes to the in-force-and-effect zoning or Official Plan policies on the site;
- (c) That staff be directed to seek a preliminary opinion from the Ontario Heritage Trust (OHT) on the proposal received for the Adaptive Re-Use and Lease of the Balfour House/Chedoke Estate, located at 1 Scenic Drive, Hamilton in order to identify any preliminary or potential concerns the OHT may have with the proposed use(s), and include this preliminary opinion in the staff report for Committee's information; and,
- (d) ***That the Cardus Institute (Cardus) be advised that any information it provides, in accordance with Cardus' forthcoming, detailed proposal for the adaptive re-use and lease of the Balfour/Chedoke Estate, is being provided voluntarily as part of its unsolicited proposal, and by requesting and reviewing this information, the City is not making any commitments to pursue or enter into any leasing arrangement for Balfour/Chedoke House.***

Result: Amendment CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge

NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

Result: **Main Motion, *as amended*, CARRIED by a vote of 13 to 2, as follows:**

NO - Councillor Maureen Wilson
YES - Councillor Jason Farr
NO - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

2. Equity, Diversity and Inclusion Framework (HUR19019) (City Wide) (Item 10.2)

Result: **Motion CARRIED by a vote of 15 to 0, as follows:**

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

3. Barton Kenilworth Tax Increment Grant Program - 286 Sanford Avenue North, Hamilton (PED19184) (Ward 3) (Item 10.3)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

4. Hamilton Tax Increment Grant Program - 244 Dundas Street East, Waterdown (PED19185) (Ward 15) (Item 10.4)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

7. Advisory Committee for Persons with Disabilities Report 19-007, August 13, 2019 (Item 10.7)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr

YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

8. Bulldogs/Cadillac Fairview Proposal (Item 11.1)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

CONFLICT - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(Eisenberger/Pearson)

That the SEVENTEENTH Report of the General Issues Committee be adopted, **as amended**, and the information section received.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko

YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

SOLE VOTING MEMBER HAMILTON FARMERS' MARKET REPORT 19-002
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1. Hamilton Farmers' Market Board Resolution - Vendor Director Appointment (Item 4.1)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(Eisenberger/Partridge)

That the SECOND Report of the Sole Voting Member of the Hamilton Farmers' Market be adopted, as presented, and the information section received.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge

NOT PRESENT - Councillor Terry Whitehead

YES - Deputy Mayor Arlene VanderBeek

YES - Councillor Brenda Johnson

YES - Councillor Maria Pearson

YES - Councillor Brad Clark

AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 19-013
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1. Trunked Two-Way Radio System Upgrade (FCS18068(a) / HSC18037(a)) (City Wide) (Item 14.2)

(Collins/Merulla)

That the recommendation of Item 1 of Audit, Finance and Administration Committee Report 19-013 respecting the Trunked Two-Way Radio System Upgrade (FCS18068(a) / HSC18037(a)) be deleted in its entirety and the following be inserted therein:

~~That the recommendations of Report FCS18068(a) / HSC18037(a), respecting Trunked Two-Way Radio System Upgrade remain confidential until after Council approval.~~

That the recommendations of Report FCS18068(a) / HSC18037(a), respecting Trunked Two-Way Radio System Upgrade remain confidential ***until execution of the necessary agreements and the ancillary documents.***

Result: *Amendment CARRIED by a vote of 14 to 1, as follows:*

YES - Councillor Maureen Wilson

YES - Councillor Jason Farr

YES - Councillor Nrinder Nann

YES - Councillor Sam Merulla

YES - Councillor Chad Collins

YES - Councillor Tom Jackson

YES - Councillor Esther Pauls

YES - Councillor John-Paul Danko

NO - Councillor Lloyd Ferguson

YES - Mayor Fred Eisenberger

YES - Councillor Judi Partridge

NOT PRESENT - Councillor Terry Whitehead

YES - Deputy Mayor Arlene VanderBeek

YES - Councillor Brenda Johnson

YES - Councillor Maria Pearson

YES - Councillor Brad Clark

Result: *Main Motion, as Amended CARRIED by a vote of 14 to 1, as follows:*

YES - Councillor Maureen Wilson

YES - Councillor Jason Farr

YES - Councillor Nrinder Nann

YES - Councillor Sam Merulla

YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
NO - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(Collins/Merulla)

That the THIRTEENTH Report of the Audit, Finance & Administration Committee be adopted, ***as amended***, and the information section received.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 19-011

- 1. Renewal of the Advertising Rights for J.L. Grightmire Arena with Duck Sports (on Behalf of the Dundas Real McCoys Senior Hockey Club) (HSC19055) (Ward 13) (Item 7.2)**

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls

YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

2. Call for Proposal for Service System Managers Employment Services Transformation (HSC19041(a)) (City Wide) (Item 10.1)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

3. Elimination of the Transition Child Benefit (HSC19050) (City Wide) (Item 10.2)

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
NOT PRESENT - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
NOT PRESENT - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson

YES - Councillor Brad Clark

(Merulla/Nann)

That the ELEVENTH Report of the Emergency & Community Services Committee be adopted, as presented, and the information section received.

Result: Motion CARRIED by a vote of 12 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
NOT PRESENT - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Brad Clark

(Ferguson/Pearson)

That the Committee of the Whole Rise and Report.

CARRIED

MOTIONS

Mayor Eisenberger relinquished the Chair to introduce the following Motion.

7.3 Ontario Health Teams

(Eisenberger/Clark)

WHEREAS, the meeting of the Board of Health did not achieve quorum on September 16, 2019, where Report BOH19020(b) respecting the Ontario Health Teams Update, was to be considered; and,

WHEREAS, the execution of the Hamilton Health Team application is required in advance of the October 9, 2019 deadline to the Ministry of Health (MOH).

THEREFORE BE IT RESOLVED:

- (a) That the General Manager of Healthy and Safe Communities be authorized and directed to continue to participate in the local planning and development of Hamilton's Ontario Health Team application including the goals, principles, and objectives of Year 1 in accordance with the application;

- (b) That staff be directed to report back to Board of Health with any updates on Hamilton's Ontario Health Team (OHT) proposal development including updates on the Ministry's process, future agreements, proposed changes to the provision of services, reallocation of resources related to the local Ontario Health Team planning; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute the Hamilton Health Team application in advance of the October 9, 2019 deadline to the Ministry of Health (MOH).

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

Mayor Eisenberger assumed the Chair.

7.4 Ward 3 Social Infrastructure

(Nann/Merulla)

WHEREAS, Beautiful Alleys has been coordinating resident-led initiatives annually since 2012 to keep Ward 3 Alleys clean, green and safe;

WHEREAS, BIPOC 2SLGBTQIA+ residents in the city are leading important work to debrief and strategize effective responses to targeted hate and violence with the organizational support of Spectrum Youth;

WHEREAS, the Bagshaw Room, the largest community room at First Place used by residents and the larger community, requires a new partition to accommodate two activities to occur simultaneously; and,

WHEREAS, the motion respecting Ward 3 Social Infrastructure was to be considered at the October 3, 2019 Emergency & Community Services Committee, and that meeting has now been cancelled;

THEREFORE, BE IT RESOLVED:

- (a) That the following initiatives, be approved for funding through the corresponding accounts:
- (i) That Beautiful Alleys through the GALA Neighbourhood Association be granted funds in the amount of \$3,000, for coordinating future clean-ups and training, from the Ward 3 Cell Tower Fund (3301609603);
 - (ii) That Spectrum Youth Advocacy be granted \$3,000, to support the work of BIPOC 2SLGBTQIA+ residents, from the Ward 3 Cell Tower Fund (3301609603); and,
 - (iii) That CityHousing be granted \$16,000, for the construction and maintenance of a new partition wall for the Bagshaw room, from the Ward 3 Area Rating Discretionary Account - Social Infrastructure (3301909300);
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

7.5 Review of Position of Director, Physician Retention Recruitment

(VanderBeek/Clark)

WHEREAS, the meeting of the Board of Health did not achieve quorum on September 16, 2019, where the Physician Recruitment and Retention Steering Committee Report 19-001, was to be considered; and

WHEREAS, the Working Group to review the position of the Director, Physician Recruitment is scheduled for October 7, 2019.

THEREFORE BE IT RESOLVED:

That the General Manager, Finance and Corporate Services; the General Manager, Healthy and Safe Communities, and the Executive Director, Human Resources and Organizational Development, or their designates, be invited to participate in the meetings of the Working Group of the Physician Recruitment and Retention Steering Committee to review the position of Director, Physician Recruitment.

(Ferguson/VanderBeek)

That the motion respecting Review of Position of Director, Physician Retention Recruitment, be deferred to the October 9, 2019 Council Meeting.

CARRIED

7.6 Restoration of the Memorial Cairn

(Jackson/Merulla)

WHEREAS, the Memorial Cairn was originally built in 1969, sponsored by Legion Branch 163 and the Chedoke Hospital;

WHEREAS, the recent sale of the Chedoke lands, transferred the ownership of the Memorial Cairn to Wellwood (situated on the same property);

WHEREAS, Wellwood has applied to the Commemorative War Memorial Partnership Project, through Veterans Affairs for funding for the restoration of the Memorial Cairn on the former Chedoke Hospital Property grounds, 501 Sanatorium Road, Hamilton;

WHEREAS, the funding from the Commemorative War Memorial Partnership Project would not cover 100% of the \$6,000 required for the restoration of the Memorial Cairn; and

WHEREAS, Wellwood is unable to sponsor or fundraise for this project as it is not related to Wellwood's mission, To serve those touched by cancer.

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton approve one time funding in the amount of \$1,500, for the stone masonry work that is required to restore the Memorial Cairn, adjacent to Wellwood on the former Chedoke Hospital Property grounds, 501 Sanatorium Road, Hamilton from to be funded from the Ward 14 Area Rating Reserve Account #108064; and
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such term and conditions in a form satisfactory to the City Solicitor.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann

YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
NOT PRESENT - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

7.7 Funding for Construction of Rolston Path within Captain Cornelius Park (Ward 8)

(Danko/Pauls)

WHEREAS, City Council has made a concerted effort to focus on initiatives to help improve communities across the City based on the resident voice;

WHEREAS, the Rolston Neighbourhood Action Plan was endorsed by Council in March 2016;

WHEREAS, Captain Cornelius Park, and the urban forest on the property, has been deemed a prominent asset within the Rolston Community by the residents;

WHEREAS, through the youth voice and the resident engagement resulting in a desire to improve environmentally appropriate access to the urban forest for all residents has been deemed a priority;

WHEREAS, through a substantial community engagement process, the residents designed their wishes for a fully accessible path through the forest; and,

WHEREAS, Phase 1 of the path construction has been completed and costs to complete Phase 2 exceed the previously allocated funding;

THEREFORE, BE IT RESOLVED:

- (a) That a contribution of \$30,000 be made to the Neighbourhood Strategy Project (2051255204) from the Ward 8 Area Rating Reserve Fund (108058), to assist in funding the construction of an *Accessibility for Ontarians with Disabilities Act, 2005*, compliant path ("Rolston Path") and accompanying amenities through the urban forest of Captain Cornelius Park; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

7.8 Amendment to Item 7 of the Planning Committee Report 16-020, respecting Report PED16205 - Update and Declaration of Surplus and Sale of Downtown City-owned Surface Parking Lots

(Pearson/Clark)

That sub-section (d) to Item 7 of the Planning Committee Report 16-020, respecting Report PED16205 - Update and Declaration of Surplus and Sale of Downtown City-owned Surface Parking Lots, which was approved by Council on November 23, 2016, be amended by deleting the words "to the abutting property owner of 252 James Street North, (The Synod of The Diocese of Niagara; the Incumbent and Churchwardens of Christ's Church Cathedral)", to read as follows:

- (c) That Car Park Lot No. 70, identified in Appendix "D" and "D-2" (207-211 Hughson Street North), attached to Report PED16205, be sold at fair market value ~~to the abutting property owner of 252 James Street North, (The Synod of The Diocese of Niagara; the Incumbent and Churchwardens of Christ's Church Cathedral);~~

Main Motion, as amended, to read as follows:

7. Update and Declaration of Surplus and Sale of Downtown City-owned Surface Parking Lots (PED16205) (Ward 2) (Item 8.2)

- (a) That City-owned surface parking lots, identified in Appendices "C" and "D" attached to Report PED16205, be declared surplus to the requirements of the City of Hamilton in accordance with the "Procedural By-law for the Sale of Land", being By-law No. 14-204;
- (b) That Car Park Lot No. 69 (12 York Boulevard) being part of a larger parcel known as 12-28 York Boulevard, being part of PIN No. 175860078 and identified in Appendix "D" and "D-1", attached to Report

PED16205, be severed and sold at fair market value to the abutting property owner of 95-105 James Street North, 15 Vine Street, and 107-109 James Street. North; (1263261 Ontario Inc.);

- (c) ***That Car Park Lot No. 70, identified in Appendix “D” and “D-2” (207-211 Hughson Street North), attached to Report PED16205, be sold at fair market value;***
- (d) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to sell the lands identified in recommendations(a), (b) and (c) to this Report PED16205 at fair market value, on terms and conditions satisfactory to the General Manager of Planning and Economic Development, and in a form satisfactory to the City Solicitor;
- (e) That all contents within confidential Appendices “A”, “B”, “C”, and “D”, to Report PED16205 remain confidential, with the exception only releasing the list of properties that have been declared surplus in Appendices “C”, and “D”, as may be amended, following approval of Council.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
 YES - Councillor Jason Farr
 YES - Councillor Nrinder Nann
 YES - Councillor Sam Merulla
 YES - Councillor Chad Collins
 YES - Councillor Tom Jackson
 YES - Councillor Esther Pauls
 YES - Councillor John-Paul Danko
 YES - Councillor Lloyd Ferguson
 YES - Mayor Fred Eisenberger
 YES - Councillor Judi Partridge
 NOT PRESENT - Councillor Terry Whitehead
 YES - Deputy Mayor Arlene VanderBeek
 YES - Councillor Brenda Johnson
 YES - Councillor Maria Pearson
 YES - Councillor Brad Clark

7.9 Amendment to the Terms of the Reference of the Accessible Transit Services Review Sub-Committee

(Merulla/Collins)

WHEREAS there is a necessity for the Accessible Transit Services Review Sub-Committee to meet as soon as possible;

WHEREAS the current membership of the Accessible Transit Services Review Sub-Committee as per the Terms of Reference is five (5) Councillors, which requires three (3) members for quorum; and,

WHEREAS, there are currently two (2) Councillors appointed to the Accessible Transit Services Review Sub-Committee.

THEREFORE, BE IT RESOLVED:

That the Accessible Transit Services Review Sub-Committee's membership be reduced to three (3) Councillors.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

NOTICES OF MOTION

Councillor Merulla introduced a Notice of Motion respecting an Amendment to the Terms of the Reference of the Accessible Transit Services Review Sub-Committee.

8.1 Amendment to the Terms of the Reference of the Accessible Transit Services Review Sub-Committee

(Merulla/Collins)

That the Rules of Order be waived to allow for the introduction of a Motion respecting an Amendment to the Terms of the Reference of the Accessible Transit Services Review Sub-Committee, due to its time sensitivity given that a meeting of the Sub-Committee is to be scheduled as soon as possible.

Result: Motion CARRIED by a 2/3's majority vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko

YES - Councillor Lloyd Ferguson
 YES - Mayor Fred Eisenberger
 YES - Councillor Judi Partridge
 NOT PRESENT - Councillor Terry Whitehead
 YES - Deputy Mayor Arlene VanderBeek
 YES - Councillor Brenda Johnson
 YES - Councillor Maria Pearson
 YES - Councillor Brad Clark

STATEMENTS BY MEMBERS

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

BY-LAWS

(VanderBeek/Johnson)

That Bills No. 19-219 to No. 19-245, be passed and that the Corporate Seal be affixed thereto, and that the By-laws, be numbered, be signed by the Mayor and the City Clerk to read as follows:

By-law No.

219	Removal of Part Lot Control from Lot 121 of Registered Plan 876 "South Airfield Park" known as 10 and 12 Eaton Place, Hamilton Removal of Part Lot Control Registered Plan No. 876 Ward: 4
220	Respecting: Removal of Part Lot Control, Lots 221, 222, and 234 on Registered Plan No. 865 "North Airfield Park" municipally known as 34 Sumach Street, and 31 Eastwood Place Ward: 4
221	Respecting: The removal of Part Lot Control from Lot 95 on Registered Plan No. 876 "South Airfield Park" known as 47 and 49 Eastvale Place. Ward: 4
222	Removal of Part Lot Control Respecting: Removal of Part Lot Control, Lot 136 and Part of Lot 135 on Registered Plan No. 876 "South Airfield Park" municipally known as 64, 66, and 68 Eaton Place. Registered Plan No.876 Ward: 4
223	Respecting: Removal of Part Lot Control, Lot 2 on Registered Plan No. 1087 "North Airfield Park Extension" municipally known as 689 Britannia Avenue. Ward: 4
224	To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking Schedule 4: Special Event Parking Zones Ward: 13

225	To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking Schedule 8: No Parking Schedule 12 – Permit Parking Schedule 14 – Wheelchair loading zone Schedule 20 – School Bus Loading Zone Ward: 1,3,4,8,15
226	To Establish City of Hamilton Land Described as Block 24 on Plan 62M-1212 as Part of Highvalley Road Ward: 12
227	To Establish City of Hamilton Land Described as Blocks 64 and 65 on Plan 62M-1260 as Part of Klein Circle Ward: 12
228	To Impose a Sanitary Sewer Charge Upon Owners of Land Abutting Fifty Road from South Service Road to approximately 68 metres South of South Service Road, in the City of Hamilton Ward: 10
229	To Impose a Sanitary Sewer Charge Upon Owners of Land Abutting South Service Road from Fifty Road to approximately 140 metres East of Fifty Road, in the City of Hamilton Ward: 10
230	To Impose a Sanitary Sewer Charge Upon Owners of Land Abutting South Service Road from Oriole Avenue to Fifty Road, in the City of Hamilton Ward: 10
231	To Impose Watermain and Storm Sewer Charges Upon Owners of Land Abutting Vince Mazza Way from Winona Road to South Service Road, in the City of Hamilton Ward: 10
232	To Adopt: Official Plan Amendment NO. 126 to the Urban Hamilton Official plan respecting: 2782 Barton Street East, Hamilton Ward: 5
233	To amend Zoning By-law No. 05-200 with respect to lands located at 1351, 1355, 1359, 1375 Upper James Street and 16, 24, 34, 40 and 48 Stone Church Road East, Hamilton Ward: 8
234	To Amend Zoning By-law no. 6593 (Hamilton) Respecting Lands at 2782 Barton Street East, in the City of Hamilton Ward: 5
235	To Amend Zoning By-law No. 87-57 Respecting Lands Located at 455 Springbrook Avenue, 253 Fair Street and Block 14, Plan 62M-1161

	Ward: 12
236	Removal of Part Lot Control Block 207, within Registered Plan No. 62M-1238 "Mountainview Heights Phase 2", municipally known as, 35,37,39,41,43 and 45 Riverwalk Drive. Ward: 15
237	Removal of Part Lot Control, Lots 1 and 13, Registered Plan No. 1162, "Mohawk Park Extension", known as 2 & 4 Seeley Avenue and 485 & 487 East 25th Street, Hamilton Ward: 7
238	The removal of Part Lot Control from Lot 138 on Registered Plan No. 865 "North Airfield Park" known as 27 Grimsby Street. Ward: 4
239	Removal of Part Lot Control Block 207, within Registered Plan No. 62M-1238 "Mountainview Heights Phase 2", municipally known as, 35,37,39,41,43 and 45 Riverwalk Drive. Ward: 15
240	Removal of Part Lot Control, Lots 18, 21, 22, 23, and 24, Registered Plan No. 1162, "Mohawk Park Extension", known as 373, 375, 379, 381, 385 & 387 East 23rd Street and 305, 307, 314 & 316 East 24th Street, Hamilton Ward: 7
241	Removal of Part Lot Control, Lots 27, 35, and 39, Registered Plan No. 1162, "Mohawk Park Extension", known as 383 East 22nd Street, 374 East 21st Street and 643 Upper Wentworth Street, Hamilton Ward: 7
242	Removal of Part Lot Control from Lot 106 of Registered Plan 865 "North Airfield Park" known as 4 and 5 Martha Street, Hamilton Ward: 4
243	Removal of Part Lot Control Block 208, Registered Plan No. 62M-1238 "Mountainview Heights Phase 2", municipally known as, 47,49,51,53,55 and 57 Riverwalk Drive. Ward: 15
244	Removal of Part Lot Control from Lot 172 of Registered Plan 865 "North Airfield Park" known as 89 Martha Street, Hamilton Ward: 4
245	To Confirm the Proceedings of City Council

Result: Motion CARRIED by a vote of 12 to 0, as follows:

YES - Councillor Maureen Wilson

NOT PRESENT - Councillor Jason Farr

YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
YES - Mayor Fred Eisenberger
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Deputy Mayor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Brad Clark

(Ferguson/Pearson)

That, there being no further business, City Council be adjourned at 7:51 p.m.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland
City Clerk