



CITY COUNCIL MINUTES 20-018

9:30 a.m.
August 21, 2020
Council Chamber
Hamilton City Hall
71 Main Street West

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

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 City of Hamilton is home to many Indigenous people from across Turtle Island (North America) and it was recognized that we must do more to learn about the rich history of this land so that we can better understand our roles as residents, neighbours, partners and caretakers.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

4. COMMUNICATIONS

Withdrawn:

- 4.15 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting an update on the government issued emergency order with respect to labour deployment.

Added Items:

- 4.3 Correspondence respecting the by-law to Require the Wearing of Face Coverings Within Enclosed Public Spaces:

(q) Trish Smink

Recommendation: Be received.

4.9 Correspondence respecting the reduction of Aberdeen Avenue from 4 lanes to 2 lanes:

(aq) Linda and Joseph Devellano
(ar) Natalie Sobel
(as) Janis Blimkie
(at) Lisa Ramacieri
(au) Brian Hoath
(av) Dave and Susan McKay
(aw) Jane Brunton
(ax) Chris Schoufour
(ay) Gwen Vance
(az) Isabel Simpson
(ba) Alexander Malcolm
(bb) Luke O'Reilly
(bc) Tricia Hellingman
(bd) Pat Devlin
(be) Dave Frei
(bf) Emily and Dale McDonald
(bg) Judy Conrod
(bh) JR Kearns MD
(bi) John Augstman
(bj) Carl Feldmann
(bk) Louise Patenall

Recommendation: Be received and referred to the General Manager of Public Works for appropriate action.

4.22 Correspondence respecting the 2026 Commonwealth Games:

(e) Kevin Gonci
(f) Kevin Gonci
(g) Michael Moniz

Recommendation: Be received and referred to the consideration of Item (f)(i) of General Issues Committee Report 20-011.

4.27 Correspondence from Hamilton Niagara Haldimand Brant LHIN advising the City of Hamilton of funding to Support One-time Critical Mental Health & Addictions Services due to COVID-19 based upon your organization's proposal submitted in April 2020.

Recommendation: Be received.

- 4.28 Correspondence from Joel D. Farber of Fogler, Rubinoff LLP, respecting Item 9.2 City of Hamilton Comments on Proposed Growth Plan Amendment #1.

Recommendation: Be received and referred to the consideration of Item 5 Planning Committee Report 20-008.

7. NOTICES OF MOTION

- 7.2 1200-1280 Rymal Road East and 385 Nebo Road - Extension of Development Charge Credit
- 7.3 Amendment to Item 4.7 of the Council Minutes of June 24, 2020, respecting Correspondence from Eric Miller, Chair, Hamilton Farmers' Market Board of Directors requesting that City Council Support the Hamilton Farmers' Market with an Equivalence of the Canadian Commercial Rent Assistance Program (CECRA) Program
- 7.4 Request for the Immediate Reinstatement of the Suspension of Evictions
- 7.5 Amendment to Item 5.4 (d) of Council Minutes 20-006 respecting the Municipal Incentives for the 90 Carling Street Rental Project (HSC20009) (Ward 1)

9. PRIVATE & CONFIDENTIAL

- 9.2 Encampment Litigation Update (LS20023(a)) (City Wide)
- 9.3 Potential Litigation – Building Permit Issue (LS19035(a))

10. BY-LAWS AND CONFIRMING BY-LAW

Revised Bill:

- 20-174 To Amend Zoning By-law No. 3692-92 Respecting Lands Located at 42, 44, 48, 52 and 54 Lakeshore Drive, Stoney Creek
Ward: 10
ZAC-18-005

Added Bills:

- 20-176 Removal of Part Lot Control
Part of Block 1, Registered Plan No. 62M-1253, Municipally Known as 1 Garlent Avenue and 22, 24, 26, 28 and 30 Cleland Avenue (Ancaster) (Ward 12)
- 20-177 Removal of Part Lot Control
Block 2 of Registered Plan of Subdivision No. 62M-1253,

Municipally Known as 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 59, 61 and 63 Beasley Grove, Ancaster (Ward 12)

- 20-178 To Amend Zoning By-law No. 6593 (Hamilton), as amended by By-law No. 12-251, respecting lands located at 85 Poulette Street, Hamilton
Ward: 1
ZAH-19-047
- 20-179 To Amend Zoning By-law No. 6593,
Respecting Lands Located at 1406 Upper Gage Avenue, Hamilton
ZAR-20-005
- 20-180 A By-law to Amend By-law 07-170 being a By-law to License and Regulate Various Businesses
- 20-181 To Amend By-law 05-200 Respecting Temporary Use By-law for Outdoor Commercial Patios
CI 20-F
- 20-182 To Adopt Official Plan Amendment No. 136 to the Urban Hamilton Official Plan
Respecting: 527 Shaver Road and 629 Garner Road West (Ancaster)
Ward: 12
- 20-183 To Amend Zoning By-law No. 87-57
Respecting Lands Located at 527 Shaver Road and 629 Garner Road West (Ancaster)
Ward: 12

(Pearson/Jackson)

That the agenda for the August 21, 2020 meeting of Council be approved, ***as amended***.

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

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES – Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson

YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

DECLARATIONS OF INTEREST

Councillor Clark declared an interest to Item 6.1 respecting Amending the Licensing and Application Process for Cannabis Retail Stores to Consider Radial Separation from Other Cannabis Locations as his son has a business interest in a Cannabis Retail Store.

Councillor Ferguson declared an interest to Item 3 of Audit, Finance and Administration Committee respecting Report FCS20067 respecting Options for Relief from Municipal Fees and Charges for the Taxi Industry as he is an investor in the taxi industry.

Councillor Pearson declared an interest to Items 7.4 and 6.9 respecting a Request for the Immediate Reinstatement of the Suspension of Evictions, as she is a landlord.

Councillor Merulla declared an interest to Items 7.4 and 6.9 respecting a Request for the Immediate Reinstatement of the Suspension of Evictions, as he is a landlord.

Councillor VanderBeek declared an interest to Items 7.4 and 6.9 respecting a Request for the Immediate Reinstatement of the Suspension of Evictions, as she is a landlord.

APPROVAL OF MINUTES OF PREVIOUS MEETING

3. July 17, 2020 (Item 3.1) and August 13, 2020 (Item 3.2)

(Ferguson/Pauls)

That the Minutes of the July 17, 2020 and August 13, 2020 meetings of Council be approved, as presented.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

COMMUNICATIONS

(Pearson/Johnson)

That Council Communications 4.1 through to 4.14 and 4.16 through to 4.28 be approved, **as amended**, as follows:

- 4.1 Correspondence from Peel Region to the Honourable Christine Elliott requesting support for their resolution Responding to the Mental Health and Addictions System needs in Peel.

Recommendation: Be **endorsed**.

- 4.2 Correspondence from the Township of Perth South requesting support for their resolution respecting the Farm Property Class Tax Rate Program.

Recommendation: Be received.

- 4.3 Correspondence respecting the by-law to Require the Wearing of Face Coverings Within Enclosed Public Spaces:

- (a) Carolyn Vanderwoude
- (b) Bill Pauhl
- (c) Susan McClung
- (d) Suzanna Vanderwoude
- (e) Marie Roberts
- (f) Trish Smink
- (g) Derek Brown
- (h) Kathy Wilkes
- (i) Danny Cerino
- (j) Tobi Bos
- (k) Darren Mullin
- (l) Melanie Scholtens
- (m) Todd Ouellette
- (n) Amanda Fudge
- (o) Patrick Sohier
- (p) Rose Romero
- (q) Trish Smink

Recommendation: Be received.

- 4.4 Correspondence from the Town of Gore Bay requesting support for the Municipality of McDougall's resolution respecting AMO's proposal for the Northern Ontario District Social Services Boards replace the current OPP Detachment Boards.

Recommendation: Be received.

4.5 Correspondence respecting the defunding of the Hamilton Police Service:

- (a) Kevin Sooley
- (b) Gabriela Bragues
- (c) Sally McKay
- (d) Rosa Zetler
- (e) Maddie Brockbank
- (f) Mikayla Zolis
- (g) Erika McMeekin
- (h) Lauren Harnish
- (i) Benjamin Mallory
- (j) Mariel Rutherford
- (k) Danica Evering
- (l) Alaiya Berti
- (m) Skylar Chung
- (n) Claire Bodkin
- (o) Kate Burtney
- (p) Rebecca Johnson
- (q) Sarah Hanlon
- (r) Abedar Kamgari
- (s) Rochelle Martin
- (t) Colleen Murray
- (u) Genevieve O'Grady
- (v) Ed and Karin Horn
- (w) Rebecca Steckle
- (x) Adrian Underhill
- (y) Patricia Varanesi
- (z) Katharine King
- (aa) Laura Howden
- (ab) Tasha Lee Van Dinther
- (ac) Vincent Barzetti
- (ad) Kate Melville
- (ae) Arden Hagedorn
- (af) Ariel Bader-Shamai
- (ag) Andrew Pettit
- (ah) Alix MacLean
- (ai) Dr. Xavier Michaud
- (aj) Lisa Cowling

Recommendation: Be received ***and 4.5 (c) Sally McKay be referred to the staff preparing the Community Wellness and Safety Plan.***

4.6 Correspondence from Daegan McNeaney in support of Urban Hens.

Recommendation: Be received.

- 4.7 Correspondence from Paul O'Byrne, Chair, McMaster Okanagan Committee in support of the Bike Share Program in Hamilton.

Recommendation: Be received.

- 4.8 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting the Royal Assent of Bill 184 on July 22, 2020, the Protecting Tenants and Strengthening Community Housing Act, 2020.

Recommendation: Be received and referred to the General Manager of Healthy and Safe Communities for appropriate action.

- 4.9 Correspondence respecting the reduction of Aberdeen Avenue from 4 lanes to 2 lanes:

- (a) Angelina Baldin
- (b) Richard Harris
- (c) Suzanne Mills
- (d) Sandra Rodrigues
- (e) Sean and Sara Curran
- (f) Jon and Barb Francis
- (g) Barb Francis
- (h) Doug Malcolm
- (i) Bob and Rosemary Miller
- (j) Judi Childs
- (k) Natalie Childs
- (l) Jane Heming
- (m) Glenn Madill
- (n) Mark Boda
- (o) Mario Garbin
- (p) Ligia Cordovani
- (q) Elaine McCormick
- (r) Mark Cunningham
- (s) Ryan Amos
- (t) Jenny Dunlop
- (u) Jim Stephens
- (v) Sandra Levy
- (w) Dave King
- (x) Blair Cerello
- (y) Sandy Mitchell
- (z) Susan Corcoran
- (aa) Judy Sykora
- (ab) Chris Carroll
- (ac) Christine and Luis Arruda
- (ad) Mary and Peter Mauro
- (ae) Kathy Joynt and Dawson Pratt
- (af) Rhoda Hassmann
- (ag) Paul and Maris Doesburg
- (ah) Lisa Borkovich

- (ai) Matt Coulson
- (aj) Kassia Stevenson
- (ak) Ina Levitt- Yanover and Ian Yanover
- (al) John Burke
- (am) Allyn Walsh
- (an) Patricia Wilson and Randy Cross
- (ao) Robert Schofield
- (ap) Brett and Zena Dalton
- (aq) Linda and Joseph Devellano
- (ar) Natalie Sobel
- (as) Janis Blimkie
- (at) Lisa Ramacieri
- (au) Brian Hoath
- (av) Dave and Susan McKay
- (aw) Jane Brunton
- (ax) Chris Schoufour
- (ay) Gwen Vance
- (az) Isabel Simpson
- (ba) Alexander Malcolm
- (bb) Luke O'Reilly
- (bc) Tricia Hellingman
- (bd) Pat Devlin
- (be) Dave Frei
- (bf) Emily and Dale McDonald
- (bg) Judy Conrod
- (bh) JR Kearns MD
- (bi) John Augstman
- (bj) Carl Feldmann
- (bk) Louise Patenall

Recommendation: Be received and referred to the General Manager of Public Works for appropriate action.

- 4.10 Correspondence from Christine Cosgrove respecting the heavy volume of traffic on Trinity Church Road.

Recommendation: Be received and referred to the General Manager of Public Works for appropriate action.

- 4.11 Correspondence from the Municipality of West Grey respecting their anti-racism resolution.

Recommendation: Be received.

- 4.12 Correspondence from Lou Ann Binning, President of Niagara Regional Labour Council requesting that the City of Hamilton consider supporting a motion for the provincial and federal governments to provide emergency operating funds to protect vital local services, including public transportation and emergency services.

Recommendation: Be endorsed.

- 4.13 Correspondence from McMaster Student Union respecting Transit Fees for Full-time Undergraduate Students of McMaster University.

Recommendation: Be received and referred to the General Manager of Public Works for appropriate action.

- 4.14 Correspondence from Jim MacLeod, Vice President, Ancaster Village Heritage Community requesting the creation of a Community Safety Zone (CSZ).

Recommendation: Be received and referred to the General Manager of Public Works ***for a report back to Public Works Committee on whether the Ancaster Village Heritage Community meets the warrants required to be a Community Safety Zone.***

- 4.16 Correspondence from the Ministry of the Solicitor General, Public Safety Division respecting the Proclamation of the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020.

Recommendation: Be received.

- 4.17 Correspondence respecting homeless encampments:

- (a) Jackie Levitt
- (b) Jenna Iacobucci
- (c) Katie McCrindle
- (d) Marin Hudson
- (e) Elizabeth Seidl
- (f) Jessica Merolli and Rob Pettapiece
- (g) Stephen Butson and Kazue Suzuki
- (h) Vilma Rossi
- (i) Miriam Novick
- (j) Maddie Brockbank
- (k) Jenn Cross
- (l) Sienna DiGiuseppe
- (m) Mary Love
- (n) Stefani Dubbeldam
- (o) Craig Burley
- (p) Laura Pin
- (q) Parnika Godkhindi
- (r) Michael Dennis
- (s) Ryan Crawford
- (t) Matt Steski
- (u) Carly Eisbrenner
- (v) Gurinder Sandhu
- (w) Kevin Kim

- (x) Cassandra Roach
- (y) Ani Chenier
- (z) Joshua Weresch
- (aa) Scott Neigh
- (ab) Sureka Pavalagantharajah
- (ac) Julia Bryson
- (ad) Karen Schulman Dupuis
- (ae) Pamela Taplay
- (af) Samantha Richarz
- (ag) Melissa Govindaraju
- (ah) Agnes Orban
- (ai) Rachel Weldrick and John Dowbiggin
- (aj) Dr. Yvgeniy Oparin
- (ak) Haider Saeed
- (al) Michelle Hruschka
- (am) Jeanette Eby
- (an) Clara Lu
- (ao) Danica Evering
- (ap) Frances Murray
- (aq) Meaghan Ross

Recommendation: Be received ***and referred to the General Manager of Healthy and Safe Communities to respond to all of those who have submitted correspondence on this matter.***

- 4.18 Correspondence from Wm. J. (Bill) Custers, Senior Manager, Broadcast, TV Hamilton Limited respecting the upcoming Reconsideration Motion regarding the start time for Hamilton City Council meetings.

Recommendation: Be received and referred to the consideration of Item 7.1.

- 4.19 Correspondence from Alex Johnstone, Chair, Hamilton-Wentworth District School Board to Honourable Premier Doug Ford and Stephen Lecce, Minister of Education respecting their concerns and needs in order to support a safe reopening of their schools in September.

Recommendation: Be received.

- 4.20 Correspondence from Marija Kott respecting a residential cannabis growth by-law.

Recommendation: Be received.

- 4.21 Correspondence from David Balan respecting 13+ Negative and Costly impacts of the Hamilton LRT on the residents and businesses on King St., that need your diligent consideration.

Recommendation: Be received.

4.22 Correspondence respecting the 2026 Commonwealth Games:

- (a) Peter Graefe
- (b) Anthony Frisina
- (c) Ainsley Gelder
- (d) Brenda Bianchi
- (e) Kevin Gonci
- (f) Kevin Gonci
- (g) Michael Moniz

Recommendation: Be received and referred to the consideration of Item (f)(i) of General Issues Committee Report 20-011.

4.23 Correspondence from Craig Burley respecting Councillor Merulla.

Recommendation: Be received.

4.24 Correspondence from Gary Carr, Regional Chair, Halton Region respecting the proposed CN truck-rail hub in Milton.

Recommendation: Be received.

4.25 Correspondence from Bob Maton, President, Ancaster Village Heritage Community respecting the Long-Bisby Building Fire and Demolition By-Law.

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

4.26 Correspondence from the Ministry of Transportation respecting new regulatory framework setting out evidentiary rules to govern school bus stop arm camera programs.

Recommendation: Be received and referred to the General Manager of Public Works for appropriate action.

4.27 Correspondence from Hamilton Niagara Haldimand Brant LHIN advising the City of Hamilton of funding to Support One-time Critical Mental Health & Addictions Services due to COVID-19 based upon your organization's proposal submitted in April 2020.

Recommendation: Be received.

4.28 Correspondence from Joel D. Farber of Fogler, Rubinoff LLP, respecting Item 9.2 City of Hamilton Comments on Proposed Growth Plan Amendment #1.

Recommendation: Be received and referred to the consideration of Item 5 Planning Committee Report 20-008.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Pearson/Johnson)

That Council move into Committee of the Whole to consider the Committee Reports.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

MAYOR'S TASK FORCE ON ECONOMIC RECOVERY REPORT 20-003
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(Nann/Wilson)

That the Mayor's Task Force on Economic Recovery Report 20-003, being the meeting held on Thursday, July 30, 2020, be received and the recommendations contained therein be approved.

Result: Motion on the Mayor's Task Force on Economic Recovery Report 20-003, CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

GENERAL ISSUES COMMITTEE REPORT 20-011

(Pearson/Johnson)

That General Issues Committee Report 20-011, being the meeting held on Monday, August 10, 2020, be received and the recommendations contained therein be approved.

At Council's request, Item 7 (a) and (b), were voted on separately as follows:

7. Potential for Major Events in 2022 and 2023 (PED20071) (City Wide) (Item 13.2)

Result: Item 7 (a) CARRIED by a vote of 10 to 5, as follows:

NO - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
NO - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
NO - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NO - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
NO - Ward 9 Councillor Brad Clark

Result: Item 7 (b) CARRIED by a vote of 13 to 2, as follows:

NO - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NO - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

At Council's request, the title of Item 8 was ***amended*** to read as follows:

8. Chedoke Creek *Potential* Ministry Charges (PW19008(i)/LS19004(i)) (City Wide) (Item 13.3)

- (a) That the direction provided to staff in Closed Session, respecting Report PW19008(i)/LS19004(i), respecting the Chedoke Creek ***Potential*** Ministry Charges, be approved; and,
- (b) That Report PW19008(i)/LS19004(i), respecting the Chedoke Creek ***Potential*** Ministry Charges, remain confidential.

Result: Motion on the balance of General Issues Committee Report 20-011, as Amended, CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

PLANNING COMMITTEE REPORT 20-007

(Danko/Farr)

That Planning Committee Report 20-007, being the meeting held on Tuesday, August 11, 2020, be received and the recommendations contained therein be approved.

(Pearson/Danko)

That recommendation (a) of Item 4 of the Planning Committee Report 20-007 respecting Applications for Amendments to Stoney Creek Zoning By-law No. 3692-92 and City of Hamilton Zoning By-law No. 05-200 and Draft Plan of Condominium (Vacant Land) for Lands Known as 42, 44, 48, 52, and 54 Lakeshore Drive (Stoney Creek) (PED20082) be **amended** by deleting sub-sections (i) and (ii) and replacing them with new sub-sections (i), (ii), (iii) and (iv), as follows:

4. Applications for Amendments to Stoney Creek Zoning By-law No. 3692-92 and City of Hamilton Zoning By-law No. 05-200 and Draft Plan of Condominium (Vacant Land) for Lands Known as 42, 44, 48, 52, and 54 Lakeshore Drive (Stoney Creek) (PED20082)

- (a) That Revised Zoning By-law Amendment Application ZAC-18-005, by A.J. Clarke and Associates (c/o Franz Kloibhofer) on behalf of Robert Kosik, Mildred Kosik, Wendell Harrison, Elizabeth Laing, Robert Strong, Maureen Strong, and Elizabeth Sleep (Owners) to change the zoning from the Rural Residential "RR" Zone to the Single Residential "R2-66" Zone, Modified, in order to permit 28 units for single detached dwellings on a private road (condominium road) on lands known as 42, 44, 48, 52, and 54 Lakeshore Drive (Stoney Creek), as shown on Appendix "A" to Report PED20082, be APPROVED on the following basis:
 - ~~(i) That the draft By-law attached as Appendix "B" to Report PED20082, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,~~
 - ~~(ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow (2019), and complies with the Urban Hamilton Official Plan.~~
 - (i) That the draft By-law attached as Appendix "B" to Report PED20082, be amended by deleting Subsections 2. (d) and (i) in their entirety and replacing them with the text in Schedule "A" attached hereto;**
 - (ii) That pursuant to Section 34(17) of the Planning Act, R.S.O. 1990, c. P.13, further notice of this change made to the proposed By-law shall not be required;**

- (iii) That the amended draft By-law pursuant to sub-section (i) herein, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,***
- (iv) That the proposed amendment is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow (2019), and complies with the Urban Hamilton Official Plan.***

Result: Amendment to Item 4 CARRIED by a vote of 14 to 2, as follows:

NO - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
NO - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Result: Motion on the balance of Planning Committee Report 20-007, CARRIED by a vote of 16 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

PUBLIC WORKS COMMITTEE REPORT 20-006

(Danko/Merulla)

That Public Works Committee Report 20-006, being the meeting held on Wednesday, August 12, 2020, be received and the recommendations contained therein be approved.

(Ferguson/Merulla)

That recommendation (a) of Item 11 of the Public Works Committee Report 20-006, respecting a Fiddlers Green Road Sidewalk Extension (Ward 12), be **amended** to correct the funding information, as follows:

11. Fiddlers Green Road Sidewalk Extension (Ward 12) (Item 9.4)

WHEREAS, there is a missing section of sidewalk on Fiddlers Green Road, between the Highway 403 bridge and Enmore Avenue; and,

WHEREAS, residents have requested the installation of a sidewalk extension on Fiddlers Green Road, from the Highway 403 bridge to Enmore Avenue, Ancaster to enable walkability and enhance roadway safety;

THEREFORE, BE IT RESOLVED:

- (a) That Public Works staff be authorized and directed to install a sidewalk extension on Fiddlers Green Road, from the Highway 403 bridge to Enmore Avenue, Ancaster, in 2020, at **an approximate total** cost of \$80,000, **with \$75,191.07** to be funded from the ~~Ward 12 Area Rating Reserve Account~~ **Ancaster Capital Reserve (108030) and \$4,808.93 to be funded from the Ward 12 Non Property Tax Revenue Account (3301609612)**; 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: Amendment to Item 11 CARRIED by a vote of 16 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson

YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Result: Motion on the balance of Public Works Committee Report 20-006, CARRIED by a vote of 16 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 20-006
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(Wilson/Clark)

That Audit, Finance and Administration Committee Report 20-006, being the meeting held on Thursday, August 13, 2020, be received and the recommendations contained therein be approved.

At Council's request, Item 3 (a), (b) and (c), were voted on separately as follows:

Result: Item 3 (a) CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
CONFLICT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

Result: Item 3 (b) CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
CONFLICT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Result: Item 3 (c) CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
CONFLICT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Result: Motion on the balance of Audit, Finance and Administration Committee Report 20-006, CARRIED by a vote of 16 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson

YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

EMERGENCY AND COMMUNITY SERVICES REPORT 20-005

(Pauls/Nann)

That Emergency and Community Services Committee Report 20-005, being the meeting held on Monday, August 17, 2020, be received and the recommendations contained therein be approved.

Councillor Clark made the following “**Friendly Amendment**” to Item 3 sub-section (b):

3. City of Hamilton Support for the Hamilton is Home Coalition of Affordable Housing Developers

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton join the Hamilton is Home Coalition as an active participating member;
- (b) That Housing Services Division staff be directed to participate in and liaise with the Hamilton is Home Coalition **and their member agencies**;
- (c) That Housing Services Division staff be directed to report back to the Emergency & Community Services Committee on the level of commitment and support expected of staff and other resources required by the Division to support the Hamilton is Home Coalition, facilitate the City’s participation in and support for the Hamilton is Home Coalition proposals and projects, and adequately support expected affordable housing development proposals through 2021;
- (d) That the Real Estate Division be directed to conduct an updated analysis of City land holdings and potential land purchases from government agencies regarding their potential for affordable housing development and report back to the Affordable Housing Site Selection Sub-Committee with recommendations for appropriate sites to dedicate to affordable housing; and,
- (e) That the Mayor be directed to send a letter to the Honourable Ahmed Hussen, the Honourable Filomena Tassi, and the President and Chief Executive Officer of CMHC, Evan Siddall, informing them of Council’s

commitment to and prioritization of affordable housing development and expressing the City of Hamilton's support in principle for the Hamilton is Home Coalition and its forthcoming funding proposal.

Result: Motion on Emergency & Community Services Committee Report 20-005 as Amended, CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Pauls/Clark)

That Council recess at 12:15 p.m.

CARRIED

Council reconvened at 12:45 p.m.

PLANNING COMMITTEE REPORT 20-008

(Pearson/Johnson)

That Section 5.7(2) of the City's Procedural By-law 18-270, which provides that a minimum of 48 hours shall pass before a Standing Committee Report is presented to Council, be waived in order to consider the Planning Committee Report 20-008.

Result: Motion CARRIED by a 2/3's majority vote of 12 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge

YES - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Farr/Whitehead)

That Planning Committee Report 20-008, being the meeting held on Tuesday, August 18, 2020, be received and the recommendations contained therein be approved.

(Partridge/Wilson)

That recommendation (a) of Item 5 of the Planning Committee Report 20-008 respecting Comments on Proposed Amendment 1 to A Place to Grow and Revised Land Needs Assessment Methodology (PED19033(b)) (City Wide), be **amended** by adding sub-section (x), as follows:

5. Comments on Proposed Amendment 1 to A Place to Grow and Revised Land Needs Assessment Methodology (PED19033(b)) (City Wide)

- (a) That the Province of Ontario be advised that the City of Hamilton provides the following comments and recommended changes to Proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (ERO #019-1680):

(x) The City of Hamilton does not support the proposed revision to Growth plan policy 4.2.8.2 (a) which would permit new mineral aggregate operations and wayside pits and quarries within the habitat of endangered and threatened species. The City does not support any permission for new or expanded mineral aggregate operations within the habitat of endangered and threatened species within any part of Hamilton, including lands within the Growth Plan, Greenbelt Plan and Niagara Escarpment Plan areas.

Result: Amendment to Item 5 CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinde Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson

YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Councillor Clark made the following “**Friendly Amendment**” to Item 5, sub-section (b)(iii):

- (b) That the Province of Ontario be advised the City of Hamilton provides the following comments and recommended changes to the Revised Land Needs Assessment Methodology A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (ERO #019-1679):
 - (i) The Land Needs Assessment methodology provides a detailed, standardized approach to the completion of the LNA and remove any opportunities for doubt or debate regarding the approach to LNA completion. The revised methodology should be presented in a detailed stand-alone document similar the 2018 version;
 - (ii) The Province provide greater detail as to how market demand is to be defined to remove opportunities for lengthy tribunal debates over this topic and provide direction on how municipalities can reconcile market demand with the required Growth Plan intensification and density targets; and,
 - (iii) The completion and approval of the LNA **methodology** should not require additional public consultation, potentially resulting in lengthy debates and delays, as the completion of a Land Needs Assessment is a technical document, and it is understood that municipalities consulted on LNA inputs such as intensification and density targets.

Main Motion as **Amended** to read as follows:

5. Comments on Proposed Amendment 1 to A Place to Grow and Revised Land Needs Assessment Methodology (PED19033(b)) (City Wide)

- (a) That the Province of Ontario be advised that the City of Hamilton provides the following comments and recommended changes to Proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (ERO #019-1680):
 - (i) The final Schedule 3 forecast shall reflect either the Low or Reference scenario;
 - (ii) Revise Growth Plan policy 5.2.4.2 to provide flexibility to municipalities in how the 2051 forecasts are accounted in the Land Needs Assessment and conformity work as follows (additional wording in italics):

“5.2.4.2 All upper and single tier municipalities will, through a municipal comprehensive review, apply the forecasts in Schedule 3 for planning and managing growth to the horizon of this Plan. *For the period from 2041 to*

2051, municipalities are not required to designate lands to accommodate the forecasted growth, but must identify a strategy for how the growth will be accommodated.”;

- (iii) The City does not support the proposed revisions to Growth Plan policies 2.2.1, 5.2.4.1 and 5.2.4.2. These policies should not be revised and should instead maintain the existing policy wording of the Growth Plan 2019 which requires municipalities to plan for the forecasts in Schedule 3, and do not provide any opportunity for municipalities to consider higher forecasts;
- (iv) As an alternative to (iii), if the Province maintains the revision to policies 2.2.1, 5.2.4.1 and 5.2.4.2, the Policy should be revised to state that only Councils may request an increased Schedule 3 forecast with appropriate justification. The revised Schedule 3 forecast would require approval from the Minister, and if such approval is not granted, the Schedule 3 forecast will apply (similar to the policy direction surrounding alternative intensification or density targets);
- (v) The Schedule 3 ‘Mock B’ format in Amendment 1 which contains the 2051 population and employment forecasts, with no interim year forecasts, is the preferred option for the Schedule 3 format;
- (vi) As an alternative to (v), if the ‘Mock A’ format of Schedule 3 is approved, then the Hemson population and employment forecasts for the 2031 and 2041 time periods be incorporated into Schedule 3 rather than maintaining the current 2019 Schedule 3 numbers;
- (vii) The Housing by Type forecast included in the “Hemson Greater Golden Horseshoe: Growth Forecasts to 2051” report be revised to reflect the minimum Growth Plan policy requirements that provide a more realistic housing unit breakdown for municipalities to reference;
- (viii) As an alternative to (vii), the Hemson Housing by Type forecast could be removed from the Technical Report to avoid confusion; and,
- (ix) The Local Planning Appeal Tribunal proceedings regarding the 2011 Ministry modifications to the Urban Hamilton Official Plan and the 2009 Ministry modifications to the Rural Hamilton Official Plan shall be continued and disposed of in accordance with the 2019 Growth Plan, as amended, and the boundaries of the settlement area in the Urban Hamilton Official Plan shall not be modified by the LPAT and shall not be modified until a municipal comprehensive review has been completed except in accordance with Growth Plan policies 2.2.8.4 and 2.2.8.5.
- (x) ***The City of Hamilton does not support the proposed revision to Growth plan policy 4.2.8.2 (a) which would permit new mineral aggregate operations and wayside pits and quarries within the habitat of endangered and threatened species. The City does not support***

any permission for new or expanded mineral aggregate operations within the habitat of endangered and threatened species within any part of Hamilton, including lands within the Growth Plan, Greenbelt Plan and Niagara Escarpment Plan areas.

- (b) That the Province of Ontario be advised the City of Hamilton provides the following comments and recommended changes to the Revised Land Needs Assessment Methodology A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (ERO #019-1679):
- (i) The Land Needs Assessment methodology provides a detailed, standardized approach to the completion of the LNA and remove any opportunities for doubt or debate regarding the approach to LNA completion. The revised methodology should be presented in a detailed stand-alone document similar the 2018 version;
 - (ii) The Province provide greater detail as to how market demand is to be defined to remove opportunities for lengthy tribunal debates over this topic and provide direction on how municipalities can reconcile market demand with the required Growth Plan intensification and density targets; and,
 - (iii) The completion and approval of the LNA **methodology** should not require additional public consultation, potentially resulting in lengthy debates and delays, as the completion of a Land Needs Assessment is a technical document, and it is understood that municipalities consulted on LNA inputs such as intensification and density targets.
- (c) That the City Clerk's Office be directed to forward Report PED19033(b) to the Ministry of Municipal Affairs and Housing, and this Report is considered the City of Hamilton's formal comments on Amendment 1 to A Place to Grow (ERO posting 019-1680) and the Revised Land Needs Assessment Methodology (ERO posting 019-1679).

At Council's request, Item 5 (a)(ix), was voted on separately as follows:

Result: Item 5 (a)(ix) CARRIED by a vote of 14 to 2, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES- Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NO - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek

YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
NO - Ward 9 Councillor Brad Clark

Result: Balance of the Main Motion (Item 5) as *Amended*, CARRIED by a vote of 16 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Result: Motion on the balance of Planning Committee Report 20-008, CARRIED by a vote of 16 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Pearson/Johnson)

That the Committee of the Whole Rise and Report.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
CONFLICT - Ward 9 Councillor Brad Clark

MOTIONS

6.1 Amending the Licensing and Application Process for Cannabis Retail Stores to Consider Radial Separation from Other Cannabis Locations

(Jackson/Merulla)

WHEREAS in late 2018 the Council of the City of Hamilton permitted Cannabis Retail Stores to operate in accordance with the *Cannabis Licence Act*, 2018;

WHEREAS in late 2018 the Council of the City of Hamilton submitted the City of Hamilton Cannabis Policy Statement to the Province of Ontario, along with a request that it be used to guide the Province in making decisions on the approval of cannabis licenses in the City of Hamilton;

WHEREAS the City of Hamilton Cannabis Policy Statement states that Cannabis Retail Stores should not be permitted in areas that already have a high concentration of Cannabis Retail Stores (ie. “clustering” of stores should be avoided);

WHEREAS the Province of Ontario passed O.Reg 468/18 under the *Cannabis Licence Act*, 2018 which outlines considerations for issuing Cannabis Retail Stores, but does not include high concentration or radial separation of Cannabis Retail Stores as a consideration;

WHEREAS in early 2019 the Province of Ontario announced that the Alcohol and Gaming Commission of Ontario (AGCO) would conduct a lottery to permit 25 private cannabis retail store authorizations two of which went to City of Hamilton locations;

WHEREAS in late 2019 the Province of Ontario announced that the AGCO had been given regulatory authority to open the market for retail cannabis stores beginning in January 2020, without the need for a lottery;

WHEREAS the AGCO has continued to send Cannabis Retail Store applications to the City of Hamilton for the required 15-day comment period;

WHEREAS the City has reviewed 49 Cannabis Retail Store applications for comment since January 2020; and

WHEREAS the AGCO does not take into consideration radial separation for Cannabis Retail Stores.

THEREFORE, BE IT RESOLVED:

- (a) That the Mayor contact the Premier of Ontario, Ministry of Attorney General, and local Members of Provincial Parliament to ask that the Province consider amending its licensing and application process for Cannabis Retail Stores to consider radial separation from other cannabis locations.
- (b) That the request be sent to other municipalities in Ontario, including the Association of Municipalities of Ontario for their endorsement.
- (c) That Staff be requested to submit heat maps outlining the location of all proposed AGCO Cannabis Retail Store in the City on all AGCO Cannabis Retail Store applications.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
CONFLICT - Ward 9 Councillor Brad Clark

6.2 Amendment to Item 6.2 of the Council Minutes 20-013 respecting the Financial Impact of Declining Transit Revenues

(Collins/Jackson)

That Item 6.2 of the Council Minutes 20-013, respecting the Financial Impact of Declining Transit Revenues, be amended by deleting the words “Public Works

Committee” and replacing them with the words “General Issues Committee”, to read as follows:

6.2 Financial Impact of Declining Transit Revenues

WHEREAS, it is estimated that transit ridership is currently down 70%;

WHEREAS, transit ridership fell 4% after the 2008 recession and 2019 ridership is relatively unchanged from 2008 ridership numbers;

WHEREAS, it is anticipated that recovery and post recovery transit ridership will be well below average annual pre-COVID levels for the foreseeable future;

WHEREAS, the decline in ridership will result in a significant loss in farebox and transit ridership revenue in 2020 and 2021;

WHEREAS, the *Municipal Act* requires municipalities to pass balanced budgets, thereby offsetting lost transit ridership revenues through the potential of an increase in tax levy;

WHEREAS, the City’s Transit Area Rating formula is largely weighted to the former City of Hamilton; and,

WHEREAS, it is anticipated that the cost of declining transit revenues will be shifted primarily to the former City of Hamilton;

THEREFORE, BE IT RESOLVED:

That staff be directed to provide a report to the ~~Public Works Committee~~ **General Issues Committee** that summarizes the financial impact of declining transit revenues, and a list of options available to Council to temporarily offset the loss in 2021.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson

YES - Deputy Mayor - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

6.3 Amendment to Item 6.2 of Council Minutes 20-011, respecting the Installation of Speed Cushions on Rendell Boulevard, Hamilton, between Fennell Avenue East and Queensdale Avenue East (Ward 6)

(Jackson/Whitehead)

That recommendation (a) of Item 6.2 of Council Minutes 20-011, respecting the Installation of Speed Cushions on Rendell Boulevard, Hamilton, between Fennell Avenue East and Queensdale Avenue East (Ward 6), be amended to increase the number of speed cushions from two to four and change the funding source, as follows:

6.2 Installation of Speed Cushions on Rendell Boulevard, Hamilton, between Fennell Avenue East and Queensdale Avenue East (Ward 6)

WHEREAS, residents are requesting the installation of traffic calming measures along Rendell Boulevard via a petition to address roadway safety concerns as a result of speeding and cut-through traffic;

THEREFORE, BE IT RESOLVED:

- (a) That staff be authorized and directed to install ~~two~~ **four** speed cushions on Rendell Boulevard, Hamilton, between Fennell Avenue East and Queensdale Avenue East, in 2020, at a total cost not to exceed \$13,000 ~~\$26,000~~, be funded from the ~~Ward 6 Area Rating Capital Reserve Fund (408056)~~ **Ward 6 Capital Reinvestment Discretionary Account (3301909600)**; 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 14 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson

YES - Ward 2 Councillor Jason Farr

YES - Ward 3 Councillor Nrinder Nann

YES - Ward 4 Councillor Sam Merulla

YES - Ward 5 Councillor Chad Collins

YES – Ward 6 Councillor Tom Jackson

NOT PRESENT - Ward 7 Councillor Esther Pauls

YES - Ward 8 Councillor John-Paul Danko

YES - Mayor Fred Eisenberger

YES - Ward 15 Councillor Judi Partridge

YES - Ward 14 Councillor Terry Whitehead

YES - Ward 13 Councillor Arlene VanderBeek

YES - Ward 12 Councillor Lloyd Ferguson

YES - Ward 11 Councillor Brenda Johnson

YES - Deputy Mayor - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

6.4 Special Enforcement Area with Increased Fines – Johnson Tew Park

(VanderBeek/Partridge)

That Council waive the notice provision within By-law 07-351, a By-Law to Adopt and Maintain a Policy with Respect to the Provision of Public Notice in order for an amendment to be made to By-law 17-225, a By-law to Establish a System of Administrative Penalties effective immediately.

Result: Motion CARRIED on 2/3 Majority vote of 15 to 0, as follows:

YES – Ward 1 Councillor Maureen Wilson

YES - Ward 2 Councillor Jason Farr

YES - Ward 3 Councillor Nrinder Nann

YES - Ward 4 Councillor Sam Merulla

YES - Ward 5 Councillor Chad Collins

YES – Ward 6 Councillor Tom Jackson

NOT PRESENT - Ward 7 Councillor Esther Pauls

YES - Ward 8 Councillor John-Paul Danko

YES - Mayor Fred Eisenberger

YES - Ward 15 Councillor Judi Partridge

YES - Ward 14 Councillor Terry Whitehead

YES - Ward 13 Councillor Arlene VanderBeek

YES - Ward 12 Councillor Lloyd Ferguson

YES - Ward 11 Councillor Brenda Johnson

YES - Deputy Mayor - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

(VanderBeek/Partridge)

WHEREAS, on April 10, 2019 Council approved Amendments to By-law 01-218, being a By-law to Regulate On-Street Parking (the “On-Street Parking By-law”) and By-law 17-225, being a By-law to Establish a System of Administrative Penalties (the “Administrative Penalties By-law”) which created Special Enforcement Areas utilizing an increased fine structure and enforcement strategy to provide relief to local residents from serious negative parking impacts in the Greensville Waterfall Area;

WHEREAS, since the Special Enforcement Areas were created in April 2019, parking penalty issuance in the Medwin Drive and Tews Lane Area has decreased by 57%; and

WHEREAS, staff, in consultation with the Ward 13 Councillor, recommend the implementation of similar amendments to By-law 01-219, being a By-law to Manage and Regulate Municipal Parks (the “Parks By-law”) and corresponding amendments to By-law 17-225, being the Administrative Penalties By-law to create Special Enforcement Areas to increase the fine structure for certain parking infractions within Johnson Tew Park to further alleviate parking issues in the vicinity of Tew Falls.

THEREFORE, BE IT RESOLVED:

- (a) That By-law 01-219, being a By-law to Manage and Regulate Municipal Parks (the “Parks By-law”) be amended, to enforce parking related matters utilizing a Special Enforcement Area, as attached hereto as Appendix “A”; and
- (b) That By-law 17-225, being a By-law to Establish a System of Administrative Penalties be amended, by adding Items 14 - 17 to Table 4, as attached hereto as Appendix “A”.

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

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES – Ward 6 Councillor Tom Jackson
 NOT PRESENT - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

6.5 Appointment to the Planning Committee

(Partridge/Pearson)

That Councillor Ferguson be appointed to the Planning Committee, for the balance of the 2018 to 2022 term of Council.

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

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 NO - Ward 5 Councillor Chad Collins
 YES – Ward 6 Councillor Tom Jackson
 NOT PRESENT - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek

YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

6.6 Reconsideration of Item 5 of the Audit, Finance and Administration Report 19-008 of the May 22, 2019 Council Minutes (19-010) respecting Changing the Time of Council Meetings

(Whitehead/Partridge)

That Item 5 of the Audit, Finance and Administration Report 19-008 of the May 22, 2019 Council Minutes (19-010) respecting Changing the Time of Council Meetings which reads as follows, be reconsidered:

5. Governance Review Sub-Committee Report 19-003 - April 25, 2019 (Item 10.4)

(c) Changing the Time of Council Meetings (Referred from Council at it's meeting of February 27, 2019) (Item 11.1)

WHEREAS, Council does feel at present that the Council meetings held at 5:00 p.m., should be moved to an earlier time;

WHEREAS, an amendment to the time of Council meetings would constitute an amendment to the By-law to Govern the Proceedings of Council and Committees of Council;

WHEREAS, an amendment to the By-law to Govern the Proceedings of Council and Committees of Council requires that public notice be placed in the newspaper a minimum of 14 days prior to the Committee meeting; and,

WHEREAS, Council has mandated the Governance Review Sub-Committee the task of making recommendations on matters pertaining to governance structure and the governing proceedings of Council and its' committees.

THEREFORE, BE IT RESOLVED:

- (i) That Section 3.2 of the By-law to Govern the Proceedings of Council and Committees of Council **be amended** to reflect a **9:30 a.m.** start time as follows:

3.2 Regular Council Meeting Times

- (1) Unless otherwise decided by Council, Regular Council meetings shall be held:

- (a) in January:

on the fourth Wednesday of the month, commencing at **9:30 a.m.** unless such day is a public or civic holiday, in which case Council shall set an alternate day and time;

- (b) in February, April, May, June, September, October and November:

every second and fourth Wednesday of each month, commencing at **9:30 a.m.**, unless such day is a public or civic holiday, in which case Council shall set an alternate day and time;

- (c) in March:

on the fourth Wednesday of the month, commencing at **9:30 a.m.** unless such day is a public or civic holiday, in which case Council shall set an alternate day and time;

- (d) in July and August:

on a Friday of each month (one meeting per month), commencing at 9:30 a.m., unless such a day is a public or civic holiday, in which case Council shall set an alternate day and time;

- (e) in December:

on the second Wednesday of the month, commencing at 9:30 a.m., unless such a day is a public or civic holiday, in which case Council shall set an alternative day and time; or

- (f) in accordance with the schedule approved by Council.

- (ii) That the regular meetings of the City Council for the remainder of 2019, be held at 9:30 a.m.;
- (iii) That, from time to time, there may be a need for Special Council Meeting at 5:00 p.m. to accommodate a Ceremonial Activity where the individuals being recognized are unable to attend a meeting during the day; and
- (iv) That the required notice be placed in the newspaper a minimum of 14 days prior to the Audit, Finance &

Administration Committee meeting when the amendment is to be considered.

Result: Motion CARRIED by a 2/3's majority vote of 11 to 4, as follows:

NO - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
NO - Ward 3 Councillor Nrinder Nann
NO - Ward 4 Councillor Sam Merulla
NO - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Whitehead/Partridge)

That Item 5 of the Audit, Finance and Administration Report 19-008 of the May 22, 2019 Council Minutes (19-010) respecting Changing the Time of Council Meetings which reads as follows, be considered:

5. Governance Review Sub-Committee Report 19-003 - April 25, 2019 (Item 10.4)

(c) Changing the Time of Council Meetings (Referred from Council at it's meeting of February 27, 2019) (Item 11.1)

WHEREAS, Council does feel at present that the Council meetings held at 5:00 p.m., should be moved to an earlier time;

WHEREAS, an amendment to the time of Council meetings would constitute an amendment to the By-law to Govern the Proceedings of Council and Committees of Council;

WHEREAS, an amendment to the By-law to Govern the Proceedings of Council and Committees of Council requires that public notice be placed in the newspaper a minimum of 14 days prior to the Committee meeting; and,

WHEREAS, Council has mandated the Governance Review Sub-Committee the task of making recommendations on matters pertaining to governance structure and the governing proceedings of Council and its' committees.

THEREFORE, BE IT RESOLVED:

- (i) That Section 3.2 of the By-law to Govern the Proceedings of Council and Committees of Council **be amended** to reflect a **9:30 a.m.** start time as follows:

3.2 Regular Council Meeting Times

(1) Unless otherwise decided by Council, Regular Council meetings shall be held:

(a) in January:

on the fourth Wednesday of the month, commencing at **9:30 a.m.** unless such day is a public or civic holiday, in which case Council shall set an alternate day and time;

(b) in February, April, May, June, September, October and November:

every second and fourth Wednesday of each month, commencing at **9:30 a.m.**, unless such day is a public or civic holiday, in which case Council shall set an alternate day and time;

(c) in March:

on the fourth Wednesday of the month, commencing at **9:30 a.m.** unless such day is a public or civic holiday, in which case Council shall set an alternate day and time;

(d) in July and August:

on a Friday of each month (one meeting per month), commencing at 9:30 a.m., unless such a day is a public or civic holiday, in which case Council shall set an alternate day and time;

(e) in December:

on the second Wednesday of the month, commencing a 9:30 a.m., unless such a day is a public or civic holiday, in which case

Council shall set an alternative day and time;
or

- (f) in accordance with the schedule approved by Council.
- (ii) That the regular meetings of the City Council for the remainder of 2019, be held at 9:30 a.m.;
- (iii) That, from time to time, there may be a need for Special Council Meeting at 5:00 p.m. to accommodate a Ceremonial Activity where the individuals being recognized are unable to attend a meeting during the day; and
- (iv) That the required notice be placed in the newspaper a minimum of 14 days prior to the Audit, Finance & Administration Committee meeting when the amendment is to be considered.

(Whitehead/Partridge)

That Item 5 of the Audit, Finance and Administration Report 19-008 of the May 22, 2019 Council Minutes (19-010) respecting Changing the Time of Council Meetings, be **amended** to read as follows:

5. Governance Review Sub-Committee Report 19-003 - April 25, 2019 (Item 10.4)

(c) Changing the Time of Council Meetings (Referred from Council at it's meeting of February 27, 2019) (Item 11.1)

That Section 3.2 of the By-law to Govern the Proceedings of Council and Committees of Council **be amended** to reflect a **9:30 a.m.** start time as follows:

3.2 Regular Council Meeting Times

- (1) Unless otherwise decided by Council, Regular Council meetings shall be held:
 - (a) in January:

on the fourth Wednesday of the month, commencing at **9:30 a.m.** unless such day is a public or civic holiday, in which case Council shall set an alternate day and time;
 - (b) in February, April, May, June, September, October and November:

every second and fourth Wednesday of each month, commencing at **9:30 a.m.**, unless such day is a public or civic holiday, in which case Council shall set an alternate day and time;

(c) in March:

on the fourth Wednesday of the month, commencing at **9:30 a.m.** unless such day is a public or civic holiday, in which case Council shall set an alternate day and time;

(d) in July and August:

on a Friday of each month (one meeting per month), commencing at 9:30 a.m., unless such a day is a public or civic holiday, in which case Council shall set an alternate day and time;

(e) in December:

on the second Wednesday of the month, commencing at 9:30 a.m., unless such a day is a public or civic holiday, in which case Council shall set an alternative day and time; or

(f) in accordance with the schedule approved by Council.

(2) *That, from time to time, there may be a need for Special Council Meeting at 5:00 p.m. to accommodate a Ceremonial Activity where the individuals being recognized are unable to attend a meeting during the day; and*

(3) Advance notice of meetings for the public's information may be found by accessing the Committee and Council Meeting Calendar on the City's website at www.hamilton.ca

Result: Motion, as Amended CARRIED by a vote of 11 to 4, as follows:

NO - Ward 1 Councillor Maureen Wilson

YES - Ward 2 Councillor Jason Farr

NO - Ward 3 Councillor Nrinder Nann

NO - Ward 4 Councillor Sam Merulla

NO - Ward 5 Councillor Chad Collins

YES – Ward 6 Councillor Tom Jackson

NOT PRESENT - Ward 7 Councillor Esther Pauls

YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

6.7 1200-1280 Rymal Road East and 385 Nebo Road - Extension of Development Charge Credit

(Jackson/Partridge)

WHEREAS the owners of 385 Nebo and 1200-1280 Rymal Road are seeking an extension to the Development Charge demolition credit that expired in December 2018;

WHEREAS the City allows for credits against Development Charges for demolitions, to account for the fact that the servicing already existed for the previous development, and should therefore be credited to the new development;

WHEREAS demolition credits are typically granted for 5 year periods, but are extendable under the DC By-law by staff, in certain circumstances, or by Council;

WHEREAS the demolition credit is based on a demolition that occurred in August 2008 and was previously extended to December 2018 by City staff due to delays beyond the developer's control to obtain the necessary Ministry of Environment approvals;

WHEREAS, since resolving the MOE requirements, the owners have been taking all reasonable steps to advance their development through site plan approval, minor variance approval, and Building Permit approval;

WHEREAS the owner has now obtained all necessary City approvals and is ready to immediately commence development once the issue of the demolition credit is resolved;

THEREFORE BE IT RESOLVED

That the City Development Charges (DC) demolition credits of 39,930.85 industrial square feet and 2,152.78 non-industrial square feet, for the lands known as 385 Nebo Road and 1200 – 1280 Rymal Road be extended to the effect that all 42,083.63 square feet will expire December 31, 2020

That any foregone DC revenue related to the extension of DC demolition credits for the lands known as 385 Nebo Road and 1200 – 1280 Rymal Road, currently estimated at \$535 K total, be funded through the Waterworks Capital Reserve (108015), the Sanitary Sewer Reserve (108005), the Storm Sewer Reserve (108010)

and the Tax Supported DC Exemptions Recovery Project (2051580510), currently estimated at \$5 K, \$192 K, \$91 K, and \$247 K respectively.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

6.8 Amendment to Item 4.7 of the Council Minutes of June 24, 2020, respecting Correspondence from Eric Miller, Chair, Hamilton Farmers' Market Board of Directors requesting that City Council Support the Hamilton Farmers' Market with an Equivalence of the Canadian Commercial Rent Assistance Program (CECRA) Program

(Farr/Whitehead)

That the recommendation as shown below in Item 4.7 be deleted in its entirety and replaced with the following in lieu thereof, to read as follows:

- 4.7 Correspondence from Eric Miller, Chair, Hamilton Farmers' Market Board of Directors requesting that City Council support the Hamilton Farmers' Market with an equivalence of the Canadian commercial Rent Assistance Program (CECRA) program.

~~Recommendation: Be received and referred to the General Manager of Finance and Corporate Services for a report back to General Issues Committee in July 2020.~~

Recommendation:

- (a) Be received and referred to the September 14, 2020 Annual General Meeting of the Sole Voting Member of the Hamilton Farmers' Market; and,***

- (b) ***Be referred to the General Manager of Finance and Corporate Services for a report to the Sole Voting Member of the Hamilton Farmers' Market at its meeting of September 14, 2020.***

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

6.9 Request for the Immediate Reinstatement of the Suspension of Evictions

(Whitehead/Nann)

WHEREAS, there are 6231 households on the Access to Housing Social Housing Waitlist;

WHEREAS, rental housing continues to be under pressure from condominium conversion and reduced new construction;

WHEREAS, the local need for affordable rental housing has grown at a faster pace than supply;

WHEREAS, access to safe, affordable and stable housing is a social determinant of health;

WHEREAS, Bill 184, Protecting Tenants and Strengthening Community Housing Act, 2020, was introduced in order to protect vulnerable residents from facing housing instability as a result of the pandemic;

WHEREAS, the end to the eviction freeze may have significant impacts on those individuals most affected from the economic impacts of the COVID-19 pandemic; and,

WHEREAS, rental housing is an essential form of housing stock that meets the needs of diverse Hamiltonians;

THEREFORE BE IT RESOLVED:

- (a) That Council request the Province of Ontario, through the Ministry of the Attorney General, the Ministry of Children, Community and Social Services and the Ministry of Municipal Affairs and Housing to immediately reinstate the suspension of evictions to ensure those most affected by the COVID-19 pandemic remain in stable housing; and
- (b) That Council request the Province of Ontario, through the Ministry of the Attorney General, the Ministry of Children, Community and Social Services and the Ministry of Municipal Affairs and Housing provide the following, should the suspension of evictions remain lifted:
 - (i) provide open data on eviction applications heard before the Landlord and Tenant Board, including the type of notice provided by landlords to tenants, the type of application made by landlords to the Landlord and Tenant Board, the size of the household before the Landlord and Tenant Board and the outcome of the application, including the content of any orders (i.e., evicted, not evicted, ordered to repay arrears, etc.);
 - (ii) identify tenants in need of housing support services through the eviction process and provide these services for every household that is evicted through the Landlord and Tenant Board, with a goal of timely re-housing;
 - (iii) provide and fund emergency shelter spaces and related supports in municipalities for households evicted through the Landlord and Tenant Board at no cost to the municipality until proper housing can be provided for those households; and,
 - (iv) invest in the development of affordable rental housing and housing benefits in municipalities, commensurate with population and core housing need, and prioritize access for renters who have been evicted and for those who are paying more than 30 percent of income on rent and may be at risk of being evicted;

(Whitehead/Nann)

That the motion respecting a Request for the Immediate Reinstatement of the Suspension of Evictions, be **amended** by adding sub-section (c), as follows:

- (c) ***That the motion respecting a Request for the Immediate Reinstatement of the Suspension of Evictions be forwarded to Association of Municipalities; local Members of Parliament and Provincial Parliament and all Ontario Municipalities for endorsement.***

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann

YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
CONFLICT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
CONFLICT - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Main Motion, as **Amended**, to read as follows:

WHEREAS, there are 6231 households on the Access to Housing Social Housing Waitlist;

WHEREAS, rental housing continues to be under pressure from condominium conversion and reduced new construction;

WHEREAS, the local need for affordable rental housing has grown at a faster pace than supply;

WHEREAS, access to safe, affordable and stable housing is a social determinant of health;

WHEREAS, Bill 184, Protecting Tenants and Strengthening Community Housing Act, 2020, was introduced in order to protect vulnerable residents from facing housing instability as a result of the pandemic;

WHEREAS, the end to the eviction freeze may have significant impacts on those individuals most affected from the economic impacts of the COVID-19 pandemic; and,

WHEREAS, rental housing is an essential form of housing stock that meets the needs of diverse Hamiltonians;

THEREFORE BE IT RESOLVED:

- (a) That Council request the Province of Ontario, through the Ministry of the Attorney General, the Ministry of Children, Community and Social Services and the Ministry of Municipal Affairs and Housing to immediately reinstate the suspension of evictions to ensure those most affected by the COVID-19 pandemic remain in stable housing; and
- (b) That Council request the Province of Ontario, through the Ministry of the Attorney General, the Ministry of Children, Community and Social Services and the

Ministry of Municipal Affairs and Housing provide the following, should the suspension of evictions remain lifted:

- (i) provide open data on eviction applications heard before the Landlord and Tenant Board, including the type of notice provided by landlords to tenants, the type of application made by landlords to the Landlord and Tenant Board, the size of the household before the Landlord and Tenant Board and the outcome of the application, including the content of any orders (i.e., evicted, not evicted, ordered to repay arrears, etc.);
- (ii) identify tenants in need of housing support services through the eviction process and provide these services for every household that is evicted through the Landlord and Tenant Board, with a goal of timely re-housing;
- (iii) provide and fund emergency shelter spaces and related supports in municipalities for households evicted through the Landlord and Tenant Board at no cost to the municipality until proper housing can be provided for those households; and
- (iv) invest in the development of affordable rental housing and housing benefits in municipalities, commensurate with population and core housing need, and prioritize access for renters who have been evicted and for those who are paying more than 30 percent of income on rent and may be at risk of being evicted;

(c) That the motion respecting a Request for the Immediate Reinstatement of the Suspension of Evictions be forwarded to Association of Municipalities; local Members of Parliament and Provincial Parliament and all Ontario Municipalities for endorsement.

Result: Main Motion, as Amended, CARRIED by a vote of 11 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
CONFLICT - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
CONFLICT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
CONFLICT - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

6.10 Amendment to Item 5.4 (d) of Council Minutes 20-006 respecting the Municipal Incentives for the 90 Carling Street Rental Project (HSC20009) (Ward 1)**(Wilson/Merulla)**

WHEREAS, staff have advised that Recommendation (a) to Item 5.4 (d) of the Council Minutes 20-006, respecting Report HSC20009, Municipal Incentives for the 90 Carling Street Rental Project, states that approval of the Municipal Housing Project Facilities By-Law and term sheet for the Municipal Housing Project Facilities Agreement is contingent upon 1649626 Ontario Inc. obtaining funds from Canada Mortgage and Housing Corporation in the amount of \$5.68 M;

WHEREAS, staff have advised that the report should not have made the by-law and term sheet approval contingent on Canada Mortgage and Housing Corporation funds as commitment of those funds is contingent on a signed Municipal Housing Project Facilities Agreement; and,

WHEREAS, staff have advised that the amount of \$5.68 M was incorrectly identified as the amount of funds to be provided by the Canada Mortgage and Housing Corporation to the project;

THEREFORE, BE IT RESOLVED:

That Item 5.4(d) (a) of the Council Minutes 20-006, respecting Report HSC20009, Municipal Incentives for the 90 Carling Street Rental Project, which was approved by Council on April 8, 2020, be **amended** by deleting the words “contingent upon 1649626 Ontario Inc. obtaining funds from Canada Mortgage and Housing Corporation in the amount of \$5.68 M”, as follows:

- (a) That Hamilton 90 Carling Street Municipal Housing Project Facilities By-Law, attached as Appendix “A” and Term Sheet for Municipal Housing Project Facilities Agreements – 90 Carling Street, attached as Appendix “B” to Report HSC20009, regarding Municipal Incentives for the Carling Street Rental Project, be approved ~~contingent upon 1649626 Ontario Inc. obtaining funds from Canada Mortgage and Housing Corporation in the amount of \$5.68 M;~~

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead

YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

NOTICES OF MOTION

7.1 Reconsideration of Item 5 of the Audit, Finance and Administration Report 19-008 of the May 22, 2019 Council Minutes (19-010) respecting Changing the Time of Council Meetings

(Whitehead/Partridge)

- (a) That the Rules of Order be waived to allow for the introduction of a Motion respecting Reconsideration of Item 5 of the Audit, Finance and Administration Report 19-008 of the May 22, 2019 Council Minutes (19-010) respecting Changing the Time of Council Meetings; and
- (b) That Council waive the notice provision within By-law 07-351, a By-Law to Adopt and Maintain a Policy with Respect to the Provision of Public Notice in order for an amendment to be made to the Procedural By-law effective immediately.

Result: Motion CARRIED by a 2/3's majority vote of 12 to 3, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
NO - Ward 3 Councillor Nrinder Nann
NO - Ward 4 Councillor Sam Merulla
NO - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Refer to Item 6.6 for further disposition of this item.

7.2 1200-1280 Rymal Road East and 385 Nebo Road - Extension of Development Charge Credit

(Jackson/Partridge)

That the Rules of Order be waived to allow for the introduction of a Motion respecting 1200-1280 Rymal Road East and 385 Nebo Road - Extension of Development Charge Credit.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Refer to Item 6.7 for further disposition of this item.

7.3 Amendment to Item 4.7 of the Council Minutes of June 24, 2020, respecting Correspondence from Eric Miller, Chair, Hamilton Farmers' Market Board of Directors requesting that City Council Support the Hamilton Farmers' Market with an Equivalence of the Canadian Commercial Rent Assistance Program (CECRA) Program

(Farr/Whitehead)

That the Rules of Order be waived to allow for the introduction of a Motion respecting an Amendment to Item 4.7 of the Council Minutes of June 24, 2020, respecting Correspondence from Eric Miller, Chair, Hamilton Farmers' Market Board of Directors requesting that City Council Support the Hamilton Farmers' Market with an Equivalence of the Canadian Commercial Rent Assistance Program (CECRA) Program.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins

YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Refer to Item 6.8 for further disposition of this item.

7.4 Request for the Immediate Reinstatement of the Suspension of Evictions

(Whitehead/Nann)

That the Rules of Order be waived to allow for the introduction of a Motion respecting a Request for the Immediate Reinstatement of the Suspension of Evictions.

Result: Motion CARRIED by a 2/3's majority vote of 14 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
CONFLICT - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Refer to Item 6.9 for further disposition of this item.

7.5 Amendment to Item 5.4 (d) of Council Minutes 20-006 respecting the Municipal Incentives for the 90 Carling Street Rental Project (HSC20009) (Ward 1)

(Wilson/Merulla)

That the Rules of Order be waived to allow for the introduction of a Motion respecting an Amendment to Item 5.4 (d) of Council Minutes 20-006 respecting the Municipal Incentives for the 90 Carling Street Rental Project (HSC20009) (Ward 1).

Result: Motion CARRIED by a 2/3's majority vote of 13 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Refer to Item 6.10 for further disposition of this item.

STATEMENTS BY MEMBERS

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

PRIVATE & CONFIDENTIAL

Council determined that discussion of Item 9.1 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

9.1 Closed Session Minutes – August 13, 2020

(Johnson/Pearson)

That the Closed Session Minutes dated August 13, 2020 be approved, as presented, and remain confidential.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge

YES - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

(VanderBeek/Pearson)

That Council move into Closed Session respecting Items 9.2 and 9.3, pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270, as amended; and, Section 239(2), Sub-sections (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

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

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 NOT PRESENT - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES – Ward 6 Councillor Tom Jackson
 NOT PRESENT - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

9.2 Encampment Litigation Update (LS20023(a)) (City Wide)

(Farr/Collins)

- (a) That the direction provided to staff in Closed Session respecting Report LS20023(a), the Encampment Litigation Update, be approved; and,
- (b) That Report LS20023(a), respecting the Encampment Litigation Update, remain confidential

Result: Motion CARRIED by a vote of 9 to 3, as follows:

NO - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 NO - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla

YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
NO- Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark

9.3 Potential Litigation – Building Permit Issue (LS19035(a))

(VanderBeek/Partridge)

- (a) That the direction provided to staff in Closed Session respecting Report LS19035(a), the Potential Litigation – Building Permit Issue, be approved;
- (b) That the funding for all City costs associated with the settlement, acquisition, demolition and site restoration of 10 Newman Road, Dundas, be charged to the Building Permit Revenue Stabilization Reserve (Reserve Number 104050);
- (c) That the Mayor and Clerk be authorized to execute all necessary documents for the proposed settlement, acquisition and demolition of 10 Newman Road, Dundas, in a form satisfactory to the City Solicitor, and
- (d) That Report LS19035(a), respecting the Potential Litigation – Building Permit Issue, remain confidential.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT- Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark

BY-LAWS

(Pearson/Pauls)

That Bills No. 20-166 to No. 20-185 be passed and that the Corporate Seal be affixed thereto, and that the By-laws, be renumbered, be signed by the Mayor and the City Clerk to read as follows:

- | | |
|--------|---|
| 20-166 | To Establish City of Hamilton Land Described as Block 5 on Plan 62M-1253 as Part of Beasley Grove
Ward: 12 |
| 20-167 | To Establish City of Hamilton Land Described as Block 679 on Plan 62M-1266 as Part of Skinner Road
Ward: 15 |
| 20-168 | A By-law to Establish Certain 2020 User Fees and Charges for Services, Activities or the Use of Property
Ward: City Wide |
| 20-169 | Being a By-law to amend By-law No. 01-219, To Manage and Regulate Municipal Parks, and Administrative Penalty By-law No. 17-225 to create Special Enforcement Areas
Ward: 13 |
| 20-170 | To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking
Schedule 8 (No Parking Zones)
Schedule 12 (Permit Parking Zones)
Schedule 13 (No Stopping Zones)
Schedule 20 (School Bus Loading Zones)
Ward: 1, 2, 3, 4, 6, 7, 9, 10 |
| 20-171 | To Adopt the Water and Wastewater Infrastructure Support Community Improvement Project Area
Ward: City Wide |
| 20-172 | To Adopt the Water and Wastewater Infrastructure Support Community Improvement Plan
Ward: City Wide |
| 20-173 | To Amend City of Hamilton By-law No. 10-221, as amended, being a By-law to Prescribe Standards for the Maintenance and Occupancy of Property
Ward: City Wide |
| 20-174 | To Amend Zoning By-law No. 3692-92 Respecting Lands Located at 42, 44, 48, 52 and 54 Lakeshore Drive, Stoney Creek
Ward: 10
ZAC-18-005 |

- 20-175 To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 42, 44, 48, 52 and 54 Lakeshore Drive, Stoney Creek
Ward: 10
ZAC-18-005
- 20-176 Removal of Part Lot Control
Part of Block 1, Registered Plan No. 62M-1253, Municipally Known as 1 Garlent Avenue and 22, 24, 26, 28 and 30 Cleland Avenue (Ancaster) (Ward 12)
- 20-177 Removal of Part Lot Control
Block 2 of Registered Plan of Subdivision No. 62M-1253,
Municipally Known as 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 59, 61 and 63 Beasley Grove, Ancaster (Ward 12)
- 20-178 To Amend Zoning By-law No. 6593 (Hamilton), as amended by
By-law No. 12-251, respecting lands located at 85 Poulette Street, Hamilton
Ward: 1
ZAH-19-047
- 20-179 To Amend Zoning By-law No. 6593,
Respecting Lands Located at 1406 Upper Gage Avenue, Hamilton
ZAR-20-005
- 20-180 A By-law to Amend By-law 07-170 being a By-law to License and Regulate
Various Businesses
- 20-181 To Amend By-law 05-200 Respecting Temporary Use By-law for Outdoor
Commercial Patios
CI 20-F
- 20-182 To Adopt Official Plan Amendment No. 136 to the Urban Hamilton Official Plan
Respecting: 527 Shaver Road and 629 Garner Road West (Ancaster)
Ward: 12
- 20-183 To Amend Zoning By-law No. 87-57
Respecting Lands Located at 527 Shaver Road and 629 Garner Road West
(Ancaster)
Ward: 12
- 20-184 To Amend By-law No. 18-270, the Council Procedural By-law
Ward: City Wide
- 20-185 To Confirm Proceedings of Council

(Jackson/Farr)

That Schedule 8 of Bill 20-170, to Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking, be **amended** by deleting the following:

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
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~~8 – E Sherwood East 67m South Anytime Adding
No Parking Rise of Brucedale
Avenue to
22m south
Thereof~~

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

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES – Ward 6 Councillor Tom Jackson
 NOT PRESENT - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT- Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
 NOT PRESENT - Ward 9 Councillor Brad Clark

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

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES – Ward 6 Councillor Tom Jackson
 NOT PRESENT - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT- Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
 NOT PRESENT - Ward 9 Councillor Brad Clark

(Pearson/Whitehead)

That, there being no further business, City Council be adjourned at 8:31 p.m.

Result: Motion CARRIED by a vote of 11 to 1, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NO - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT- Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland
City Clerk