



CITY COUNCIL MINUTES 20-027

9:30 p.m.
December 16, 2020
Council Chamber
Hamilton City Hall
71 Main Street West

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

Absent: Councillor S. Merulla – Personal.

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

Change to the disposition of Communication Items:

- 4.3 Correspondence from Halton Region respecting their resolution in regards to the Water Supply for 720, 768 and 780 Mountain Brow Road West in North Aldershot, Burlington for information.

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

- 4.12. Correspondence from Ian Borsuk of Environment Hamilton on behalf of the Hamilton Transit Alliance respecting the status of transit in the City of Hamilton and potential concerns on how the provincial government has chosen to proceed with providing municipalities like Hamilton with essential funding as a result of the pandemic.

Recommendation: Be received ***and referred to the General Managers of Public Works and Finance and Corporate Services for appropriate action.***

Added Communication Items:

- 4.2. Correspondence respecting the protest to defund the Hamilton Police:

(bf) Craig Burley

Recommendation: Be received.

- 4.23 Correspondence from the Town of Carleton Place requesting support for their resolution respecting a request to the Government of Ontario to prioritize children and childcare as part of its overall post pandemic recovery plan; develop a comprehensive plan for the provision of licensed childcare and early learning education and provide for increased funding to childcare providers reflective of COVID-19 operating cost increases.

Recommendation: Be received.

- 4.24 Correspondence from the Township of Matachewan requesting support for their resolution requesting that the application deadline on any further grants have a longer turn around time.

Recommendation: Be received.

- 4.25 Correspondence from the Hamilton Farmers Market Stallholders Association respecting Fee relief to taxi plate owners but no fee relief to Farmers Market Vendors?

Recommendation: Be received.

- 4.26 Correspondence from the Associate Minister of Small Business and Red Tape Reduction, Ministry of Economic Development, Job Creation and Trade to Barton Village BIA respecting the recent measures Ontario has taken to stop the spread of COVID-19 and recognizing the devastating impact COVID-19 is having on Ontario's small businesses.

Recommendation: Be received.

- 4.27 Correspondence from General (Ret'd) Rick Hiller, Chair of the COVID-19 Vaccine Distribution Task Force respecting Ontario's Vaccine Distribution Implementation Plan.

Recommendation: Be received.

- 4.28 Correspondence from Craig Burley respecting conditions on transit funding.

Recommendation: Be received and referred to the General Managers of Public Works and Finance and Corporate Services for appropriate action.

- 4.29 Correspondence from the Ministry of Municipal Affairs and Housing respecting Enforcement Orders under the *Reopening Ontario Act, 2020*.

Recommendation: Be received.

- 4.30 Correspondence from A. Douglas Burns, Burns Associates respecting the Code of Conduct Complaint Against Councillor Merulla - Preliminary Findings Report dated November 8, 2020. This item has attachments.

Recommendation: Be received and referred to the consideration of Item 4.20.

4.2 (av) has been added as Item 4.31:

- 4.31 Correspondence from Suzanne Kelly respecting Homelessness.

Recommendation: Be received.

7. NOTICES OF MOTION

- 7.1 Ministerial Zoning Order Request to Facilitate the Rapid Housing Initiative to Construct Affordable Housing**

9. PRIVATE & CONFIDENTIAL

- 9.2 Potential Regulatory Litigation Update (PW19008(k)/LS19004(k)) (City Wide)**

(Partridge/Pearson)

That the agenda for the December 16, 2020 meeting of Council be approved, ***as amended***.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Ninder 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
NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

DECLARATIONS OF INTEREST

Councillor Ferguson declared a conflict to Item 10 of Planning Committee Report 20-015, respecting Inactive Taxi Plate Fee (PED20213) as he is an owner of a taxi cab licence.

Councillor Johnson declared an interest to Item 14 of Planning Committee Report 20-015, respecting Instructions - Appeal for Lack of Decision to the Local Planning Appeal Tribunal for Urban Hamilton Official Plan Amendment Application UHOPA-19-008 and Zoning By-Law Amendment Application ZAC-19-029, for Lands Located at 73, 77, 83, and 89 Stone Church Road West and 1029 West 5th Street, Hamilton (LS20036/PED20217) (Ward 8) (Item 14.2), as her Administrative Assistant's family is involved in the appeal.

Councillor Pauls declared an interest to Item 4.2, Correspondence respecting the protest to defund the Hamilton Police, as her son is employed with the Hamilton Police Service.

Councillor Wilson declared an interest to Item 38 of General Issues Committee Report 20-023, respecting Downtown Entertainment Precinct Status Update (PED18168(f)) (City Wide), as her spouse has a potential involvement in this matter.

Councillor Wilson declared an interest to Item 9 of Audit, Finance and Administration Committee Report 20-013, respecting 9252 Twenty Road West, Mount Hope – Water and Wastewater / Storm Charges Deferred Payment Arrangement (FCS20107) (Ward 11) as she has a family member who lives in the condominium corporation that is set out in the report.

APPROVAL OF MINUTES OF PREVIOUS MEETING

3. November 25, 2020 (Item 3.1)

(Danko/Ferguson)

That the Minutes of the November 25, 2020 meetings of Council be approved, as presented.

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

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

COMMUNICATIONS

(Clark/Ferguson)

That Council Communications 4.1 to 4.31 be approved, as ***amended*** as follows:

- 4.1. Correspondence from the Township of Huron-Kinloss requesting support for their resolution for tougher laws and larger financial penalties when dealing with unauthorized car rallies and participants.

Recommendation: Be endorsed.

- 4.2. Correspondence respecting the protest to defund the Hamilton Police:

- (a) Evan Ubene
- (b) Joy Mudjar
- (c) Ashley Daniels
- (d) Alix MacLean
- (e) Danielle Hitchcock-Welsh
- (f) Grace Evans and Scott Dobbin
- (g) Sarah Van Berkel
- (h) Rebecca Steckle
- (i) Seamus Atkinson
- (j) Lauren Stephen
- (k) Alexandra Weinberger
- (l) Rosa Zetler
- (m) Olivia Mancini
- (n) Emergency Support Committee for Refugees Board of Directors
- (o) Alexandra Weinberger
- (p) Sabatino Parisse
- (q) Patricia Varanesi
- (r) Amanda Santos
- (s) Danielle Hitchcock-Welsh
- (t) Gillian Kearns
- (u) Sarah Cripps
- (v) Hannah Uzelac

- (w) Vilma Rossi
- (x) Victoria Marko
- (y) Sonia Martin and Alan Robson
- (z) Samantha Richarz
- (aa) Laura Katz
- (ab) Olivia Bozzo
- (ac) Maureen McKeating
- (ad) Krista Binnington
- (ae) Tanya Ritchie
- (af) Oliver Fraser
- (ag) Jess Taylor
- (ah) Sandra Smith
- (ai) Jenn Cross
- (aj) Olivia Bozzo
- (ak) Emily Kulpaka
- (al) Reem Mandil
- (am) Danielle Hitchcock-Welsh
- (an) Danielle Hitchcock-Welsh
- (ao) Alexandra Weinberger
- (ap) Patricia Varanesi
- (aq) Ani Chenier
- (ar) Scott Neigh
- (as) Danielle Hitchcock-Welsh
- (at) George Ball
- (au) Michael Moniz
- ~~(av) Suzanne Kelly~~ – **Added as Item 4.31**
- (aw) Doreen Stermann
- (ax) Kim Selman
- (ay) 14 For Progress
- (az) Roger Stermann
- (ba) Diane Fields
- (bb) Meaghan Horn
- (bc) Ken McLaren
- (bd) Katie King
- (be) Sarah Van Berkel
- (bf) Craig Burley

Recommendation: Be received.

- 4.3 Correspondence from Halton Region respecting their resolution in regards to the Water Supply for 720, 768 and 780 Mountain Brow Road West in North Aldershot, Burlington for information.

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

- 4.4 Correspondence from Helen Jowett, Chair, Grand River Conservation Authority respecting Bill 229: *Protect, Support and Recover from COVID-19 Act* (Budget Measures).

(a) Additional Information

Recommendation: Be endorsed.

- 4.5 Correspondence from Brenda Johnson, Chair and Bruce MacKenzie, Vice Chair, Niagara Peninsula Conservation Authority respecting the changes to the *Conservation Authorities Act* and Conservation Authorities' Role in Land Use Planning.

Recommendation: Be endorsed.

- 4.6. Correspondence from Malwina Szczotka respecting In-School Speech Therapy Service Concern.

Recommendation: Be received.

- 4.7. Correspondence respecting Sidewalk Snow Removal:

- (a) LGBTQ Advisory Committee
- (b) Joshua Weresch

Recommendation: Be received.

- 4.8. Correspondence from the Township of Howick requesting support for their resolution requesting the Ministry of Agriculture, Food and Rural Affairs amend the *Tile Drainage Installation Act* and/or the regulations under the Act that would require tile drainage contractors to file farm tile drainage installation plans with the local municipality.

Recommendation: Be received.

- 4.9. Correspondence from Business Improvement Areas requesting Council to continue to advocate on their behalf when working with provincial and public health counterparts in implementing COVID-19 Response Framework; to consider their fate and to demand a fair and level playing field for all businesses so that they have the same opportunity to make it through the pandemic...bruised and scathed but still viable:

- (a) Tara Crugnale, Chair, Downtown Dundas Business Improvement Area
- (b) Waterdown BIA Directors, on behalf of the Waterdown BIA membership

Recommendation: Be received **and referred to the Emergency Operations Centre.**

- 4.10. Correspondence from the County of Frontenac requesting support for their resolution requesting that the Province extend the compliance deadline stated in Section 14(4) of Ontario Regulation 191/11 to require designated public sector organizations to meet the compliance standards, by a minimum of one (1) year to at least January 1, 2022 and to consider providing funding support and training resources to

municipalities to meet these compliance standards.

Recommendation: Be endorsed.

- 4.11. Correspondence from Jim Bradley, Chair, Niagara Region respecting Niagara Region's support for the Niagara Peninsula Conservation Authority Board of Directors motion requesting that the province remove the proposed Schedule 6 from Bill 229 and continue to work with the conservation authorities on regulations proposed under Bill 108 to achieve desired improvements in the planning process.

Recommendation: Be endorsed.

- 4.12. Correspondence from Ian Borsuk of Environment Hamilton on behalf of the Hamilton Transit Alliance respecting the status of transit in the City of Hamilton and potential concerns on how the provincial government has chosen to proceed with providing municipalities like Hamilton with essential funding as a result of the pandemic.

Recommendation: Be received ***and referred to the General Managers of Public Works and Finance and Corporate Services for appropriate action.***

- 4.13. Correspondence from Board of Directors of The Waterfront Regeneration Trust respecting Schedule 6 of Bill 229 which contains changes to the *Conservation Authority Act*, which will cripple Conservation Authorities, destroy watershed planning and politicize the planning process.

Recommendation: Be endorsed.

- 4.14. Correspondence requesting that Council stop MZOs and stop new sprawl proposals on farmland and natural areas outside of the urban boundary:

- (a) Kelly Ross
- (b) Nancy Hurst
- (c) Leanna Nigro

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

- 4.15. Correspondence from the City of St. Catharines requesting support for the resolution requesting that Ontario's Health Ministry accept Hospice Niagara's request and start fully funding all hospice health care workers fully right away.

Recommendation: Be endorsed.

- 4.16. Correspondence from the Municipality of Southwest Middlesex requesting support for their resolution requesting the Province work with the Federal Minister of Transportation to address concerns regarding municipal draining matters and the need for coordination with the national railways.

Recommendation: Be received.

- 4.17. Correspondence respecting faulty work; the release of financial penalties and more transparency with respect to the bidding process:

- (a) Roger Stermann
- (b) Carmen Stermann
- (c) Alexander Borghesan

Recommendation: Be received.

- 4.18. Correspondence from the Region of Peel requesting support for their resolution requesting amendments to the Criminal Code that provide protections for paramedics.

Recommendation: Be received.

- 4.19. Correspondence from the City of St. Catharines requesting support for their resolution requesting the Government of Ontario to place an interim cap of 2.5 mega tonnes per year on our gas plants' greenhouse gas pollution and develop and implement a plan to phase-out all gas-fired electricity generation by 2030 to ensure that Ontario meets its climate targets.

Recommendation: Be received.

- 4.20. Correspondence from Principles Integrity respecting a Code of Conduct complaint against Councillor Merulla.

Recommendation: Be received.

- 4.21 Correspondence from Dawn Danko, Chair, Hamilton-Wentworth District School Board to the Honourable Stephen Lecce, Minister of Education respecting their concerns regarding student transportation during our 2020-21 school reopening.

Recommendation: Be received.

- 4.22 Correspondence from Josh Neubauer, Planner, Urban Strategies; Mary Lou Tanner, Planner, Niagara Planning Group and Kate Whalen, McMaster respecting comments on the Report of the Mayor's Task Force on Economic Recovery regarding the Task Force's Report.

Recommendation: Be received, referred to the consideration of Item 8 of General Issues Committee Report 20-023 **and forwarded to the Mayor's Task Force on Economic Recovery.**

- 4.23 Correspondence from the Town of Carleton Place requesting support for their resolution respecting a request to the Government of Ontario to prioritize children and childcare as part of its overall post pandemic recovery plan; develop a comprehensive plan for the provision of licensed childcare and early learning education and provide for increased funding to childcare providers reflective of COVID-19 operating cost increases.

Recommendation: Be received.

- 4.24 Correspondence from the Township of Matachewan requesting support for their resolution requesting that the application deadline on any further grants have a longer turn around time.

Recommendation: Be received.

- 4.25 Correspondence from the Hamilton Farmers Market Stallholders Association respecting Fee relief to taxi plate owners but no fee relief to Farmers Market Vendors?

Recommendation: Be received.

- 4.26 Correspondence from the Associate Minister of Small Business and Red Tape Reduction, Ministry of Economic Development, Job Creation and Trade to Barton Village BIA respecting the recent measures Ontario has taken to stop the spread of COVID-19 and recognizing the devastating impact COVID-19 is having on Ontario's small businesses.

Recommendation: Be received.

- 4.27 Correspondence from General (Ret'd) Rick Hiller, Chair of the COVID-19 Vaccine Distribution Task Force respecting Ontario's Vaccine Distribution Implementation Plan.

Recommendation: Be received.

- 4.28 Correspondence from Craig Burley respecting conditions on transit funding.

Recommendation: Be received and referred to the General Managers of Public Works and Finance and Corporate Services for appropriate action.

- 4.29 Correspondence from the Ministry of Municipal Affairs and Housing respecting Enforcement Orders under the *Reopening Ontario Act, 2020*.

Recommendation: Be received.

- 4.30 Correspondence from A. Douglas Burns, Burns Associates respecting the Code of Conduct Complaint Against Councillor Merulla - Preliminary Findings Report dated November 8, 2020. This item has attachments.

Recommendation: Be received and referred to the consideration of Item 4.20.

- 4.31 Correspondence from Suzanne Kelly respecting Homelessness.

Recommendation: Be received.

Due to a declared conflict, Item 4.2 was voted on separately as follows:

4.2. Correspondence respecting the protest to defund the Hamilton Police

Result: Motion on Communication Item 4.2 CARRIED by a 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
NOT PRESENT - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
CONFLICT - 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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

Result: Motion on the balance of the Communication Items 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
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
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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

(Clark/Ferguson)

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

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

MAYOR'S TASK FORCE ON ECONOMIC RECOVERY 20-006

(Nann/Danko)

That the Mayor's Task Force on Economic Recovery Report 20-006, being the meeting held on Thursday, November 26, 2020, be received.

Result: Motion on the Mayor's Task Force on Economic Recovery Report 20-006, 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
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
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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

GENERAL ISSUES COMMITTEE REPORT 20-022

(Clark/Pearson)

That the General Issues Committee Report 20-022, being the meeting held on Monday, November 30, 2020, be received.

Result: Motion on the General Issues Committee Report 20-022, 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
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
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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

BOARD OF HEALTH REPORT 20-008

(Wilson/Nann)

That Board of Health Report 20-008, being the meeting held on Monday, December 7, 2020, be received and the recommendations contained therein be approved.

Result: Motion on the Board of Health Report 20-008, 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
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
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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

PUBLIC WORKS COMMITTEE REPORT 20-012**(Ferguson/Whitehead)**

That the Public Works Committee Report 20-012, be considered following the Closed Session portion of the meeting.

CARRIED**PLANNING COMMITTEE REPORT 20-015****(Clark/Pearson)**

That the Planning Committee Report 20-015, be considered following the Closed Session portion of the meeting.

CARRIED**MOTIONS****6.5 COVID-19 Recreation User Fee Financial Relief****(Jackson/Wilson)**

WHEREAS, the COVID-19 Pandemic and associated Ontario response framework safety measures has affected access to municipal recreation facilities and recreation programs;

WHEREAS, recreation program access is grounded in the values of dignity and respect, health and wellness, social inclusion and quality of life at every experience;

WHEREAS, the recreation user fee guiding principles include accountability, community benefit, equitable, fair, affordable and financial responsibility; and

WHEREAS, the City relies on user fees as a source of revenue to support the delivery of municipal services, including recreation services;

THEREFORE, BE IT RESOLVED:

- (a) That all Recreation User fees be frozen at 2020 levels for 2021, with the loss in budgeted revenues in 2021 of an estimated \$289,000, to be funded from the establishment of a COVID-19 Recreation User Fee Financial Relief Program; and,
- (b) That staff be directed to include in the 2021 Tax Supported Budget, a COVID-19 Recreation User Fee Financial Relief Program, with a \$0 net levy impact, to be fully funded through Federal/Provincial COVID-19 Safe Restart Funding.

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

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

GENERAL ISSUES COMMITTEE REPORT 20-023

(Clark/Pearson)

That General Issues Committee Report 20-023, being the meeting held on Wednesday, December 9, 2020, be received and the recommendations contained therein be approved.

25. 2021 Tax Supported User Fees (FCS20085) (City Wide) (item 9.8)**(Jackson/Wilson)**

- (a) That Appendix “G” to Item 25 of the General Issues Committee Report 20-023, respecting Report FCS20085, 2021 Tax Supported User Fees, be **amended** to reflect the freezing of all Recreational User fees at 2020 levels for 2021, with the loss in budgeted revenues in 2021 of an estimated \$289,000, to be funded from the establishment of a COVID-19 Recreation User Fee Financial Relief Program, with a \$0 net levy impact, to be fully funded through Federal/Provincial COVID-19 Safe Restart Funding;
- (b) That sub-sections (a) and (b) to Item 25 of the General Issues Committee Report 20-023, respecting Report FCS20085, 2021 Tax Supported User Fees, be **amended** by adding the word “**further**” to read as follows:
 - (a) That the 2021 User Fees contained in Appendix “A”, as **further** amended, to Report FCS20085, 2021 Tax Supported User Fees, be approved and implemented;
 - (b) That the City Solicitor be authorized and directed to prepare all necessary by-laws, for Council approval, for the purposes of establishing the user fees contained within Appendix “A”, as **further** amended, to Report FCS20085; and,

Result: Motion on the *amendment* to Item 25 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
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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

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

25. 2021 Tax Supported User Fees (FCS20085) (City Wide) (item 9.8)

- (a) That the 2021 User Fees contained in Appendix “A”, as ***further*** amended, to Report FCS20085, 2021 Tax Supported User Fees, be approved and implemented;
- (b) That the City Solicitor be authorized and directed to prepare all necessary by-laws, for Council approval, for the purposes of establishing the user fees contained within Appendix “A”, as ***further*** amended, to Report FCS20085; and,
- (c) That the Temporary Waiver and Deferral of User Fees and Charges Policy contained in Appendix “B” to Report FCS20085, “2021 Tax Supported User Fees”, be approved and implemented.

Result: Motion on the Main Motion as *Amended* - Item 25 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
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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

At Council's request, Item 34 was voted on separately as follows:

34. Authority to Expropriate for the Acquisition of Part of 339 Mountain Brow Road (PED20206) (Ward 15) (Item 13.2)

Result: Motion on Item 34 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
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
NO - 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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

At Council's request, Item 35 was voted on separately as follows:

35. Acquisition of Part of 344 Mountain Brow Road (PED20207) (Ward 15) (Item 13.3)

Result: Motion on Item 35 CARRIED by a vote of 14 to 1 as follows:

NO - 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
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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

At Council's request, Item 36 was voted on separately as follows:

36. Acquisition of Part of 351 Mountain Brow Road (PED20208) (Ward 15) (Item 13.4)

Result: Motion on Item 36 CARRIED by a vote of 14 to 1 as follows:

NO - 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
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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

Due to a declared conflict, Item 38 was voted on separately as follows:

38. Downtown Entertainment Precinct Status Update (PED18168(f)) (City Wide) (Item 13.6)

Result: Motion on Item 38 CARRIED by a vote of 14 to 0, as follows:

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

Result: Motion on the balance of General Issues Committee Report 20-023 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
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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 20-013
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(Wilson/VanderBeek)

That Audit, Finance and Administration Committee Report 20-013, being the meeting held on Thursday, December 10, 2020, be received and the recommendations contained therein be approved.

13. Commercial Relationship Between the City of Hamilton and Century Group Inc. (FCS18100(b)/LS18060(b)) (City Wide) (Item 14.1)

(VanderBeek/Wilson)

- (i) That recommendation (a) of Item 13 of Audit, Finance & Administration Committee Report 20-013 respecting the Commercial Relationship Between the City of Hamilton and Century Group Inc. (FCS18100(b)/LS18060(b)) (City Wide) (Item 14.1), be deleted in its entirety:

~~(a) — That amended Confidential recommendations (a) and (b) be released publicly following approval by Council; and,~~

- (ii) That the **following recommendations** be inserted therein, with the remaining subsections being re-lettered accordingly:

(a) That due to the impairment of the commercial relationship between the City of Hamilton and Century Group Inc., staff be directed to reject any current and future bids, proposals or quotations received from Century Group Inc., or any of its related corporate or individual entities until and including December 31, 2030; and,

(b) That the City of Hamilton not enter into any contract with Century Group Inc., or any of its related corporate or individual entities, until and including December 31, 2030.

(b)(c) That the contents of Report FCS18100(b) / LS18060(b), respecting the Commercial Relationship Between the City of Hamilton and Century Group Inc., remain confidential.

Result: Motion on the amendment to Item 13 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
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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

Due to a declared conflict, Item 9 was voted on separately as follows:

9. 9252 Twenty Road West, Mount Hope – Water and Wastewater / Storm Charges Deferred Payment Arrangement (FCS20107) (Ward 11) (Item 10.7)

Result: Motion on Item 9 CARRIED by a vote of 14 to 0, as follows:

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

Result: Motion on the balance of Audit, Finance and Administration Committee Report 20-013 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
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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 20-011

(Pauls/Nann)

That Emergency and Community Services Committee Report 20-011, being the meeting held on Thursday, December 10, 2020, be received and the recommendations contained therein be approved.

16. Appointments to the Hamilton Veterans Committee (Item 14.1)

(Pauls/Jackson)

- (i) That the recommendation of Item 16 of Emergency & Community Services Committee Report 20-011 respecting the Appointments to the Hamilton Veterans Committee (Item 14.1), be deleted its in its entirety:

~~That the recommendation respecting Appointments to the Hamilton Veterans Committee, be released publicly following approval by Council.~~

- (ii) That the **following recommendations** be inserted therein, with the remaining subsections being re-lettered accordingly:

That the following citizens be appointed to the Hamilton Veterans Committee for the balance of the 2018-2022 term:

- (i) Terry Quinn**

(ii) **Rod Paddon**

Result: Motion on the *amendment* to Item 16 CARRIED by a vote of 14 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - 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
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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

15. East Hamilton Food Bank (Added Item 11.5)

(Collins/Clark)

That sub-section (b) to Item 15 of the Emergency and Community Services Committee Report 20-011, respecting East Hamilton Food Bank, be ***amended***, to read as follows:

- (a) That three additional years of funding for the East Hamilton Food Bank at an estimated cost of ***\$95,000*** per year be provided on an annual basis, to be funded from the Ward 5 Area Rating Account instead of the Unallocated Reserve;

Result: Motion on the *amendment* to Item 15 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
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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

Result: Motion on the Emergency and Community Services Committee as Amended 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
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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

(Clark/Danko)

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 Committee Report is presented to Council, be waived in order to consider the General Issues Committee (GRIDS 2 and the Municipal Comprehensive Review) Report 20-024.

Result: Motion CARRIED by a 2/3 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
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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

GENERAL ISSUES COMMITTEE (GRIDS 2 AND THE MUNICIPAL COMPREHENSIVE REVIEW) REPORT 20-024
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(Clark/Danko)

That General Issues Committee (GRIDS 2 and the Municipal Comprehensive Review) Report 20-024, being the meeting held on Monday, December 14, 2020, be received and the recommendations contained therein be approved.

Result: Motion on the General Issues Committee (GRIDS 2 and the Municipal Comprehensive Review) Report 20-024, 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
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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

MOTIONS (CONTINUED)

6.1 Appointment to the Greater Bay Area Sub-Committee**(Nann/Jackson)**

That Councillor Wilson be appointed to the Greater Bay Area Sub-Committee, for the balance of the 2018 to 2022 term of Council.

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

6.2 Appointment to the Committee Against Racism

(Wilson/Danko)

That Councillor Nann be appointed to the Committee Against Racism, for the balance of the 2018 to 2022 term of Council.

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

6.3 Amendments to sub-sections (d) and (e) to Item 4 of the Emergency & Community Services Committee Report 19-007, respecting Report HSC19034 – Affordable Housing Demonstration Project, which was approved by Council on June 26, 2019

(Collins/Farr)

WHEREAS, it is forecast that the permits pertaining to the Affordable Housing Demonstration Project will not be pulled until July 1, 2021 at the earliest; and,

WHEREAS, this amendment will align the cash flow with commencement of the Project, while assisting to mitigate the City's 2021 Levy pressure;

THEREFORE, BE IT RESOLVED:

- (a) That sub-section (d) to Item 4 of the General Issues Committee Report 19-007, respecting Report HSC19034 – Affordable Housing Demonstration Project, be

amended by deleting the year “2021” and replacing it with the year “**2022**”, to read as follows:

- (d) That the additional annual operating impact, estimated at \$400,000, related to CityHousing Hamilton’s Roxborough housing units be included in the City’s ~~2021~~ **2022** operating budget;
- (b) That sub-section (e) to Item 4 of the General Issues Committee Report 19-007, respecting Report HSC19034 – Affordable Housing Demonstration Project, be deleted in its entirety and replaced with the following in lieu thereof:
 - ~~(e) — That an annual operating budget enhancement of \$2.09 M be included in the City’s 2021 operating budget for the Housing Services Division to fund the cost of development charges loan/grant programs to be offered through the Roxborough Community Improvement Plan Area, estimated at \$10.47 M over 5 years;~~
 - (e) ***That, beginning in 2021, an operating budget enhancement be included in the Housing Services Division’s operating budget, to fund the cost of development charges loan/grant programs to be offered through the Roxborough Community Improvement Plan Area, estimated at \$10.47 M over a 6-year period, as follows:***
 - (i) **2021** **\$1,047,000**
 - (i) **2022 to 2025** **\$2,094,000**
 - (iii) **2026** **\$1,047,000**

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

6.4 Amendments to Item 1 of the General Issues Committee Report 19-019, respecting Report PW19083/FCS18048 - Investing in Canada Infrastructure Program – Public Transit Stream Grant Program

(Danko/Pauls)

WHEREAS, Transit staff have been advised by the Ministry of Transportation Ontario that one of the projects, PRESTO Device Refresh at a cost of \$5M, in the Investing in Canada Infrastructure Program (ICIP) submission is not eligible for funding; and,

WHEREAS, the Transit Division has received a payment arrangement from the Province of Ontario for the PRESTO equipment being installed by November 27, 2020 for an estimated cost of \$4,500,000, inclusive of non-recoverable taxes, and are required to make four equal payments of \$1,125,000, which are required in 2021 (December 31, 2020, March 31, 2021, June 30, 2021 and September 30, 2021).

THEREFORE BE IT RESOLVED:

- (a) That Appendix “A” to Item 1 of the General Issues Committee Report 19-019, respecting Report PW19083/FCS18048 - Investing in Canada Infrastructure Program – Public Transit Stream Grant Program (attached hereto), which was approved by Council on October 9, 2019, be **amended** by deleting the current funding strategy for the PRESTO Device Refresh and replacing it with the following:

Total 2020 Gross Amount: ~~\$5,000,000~~ to **\$4,500,000**

Federal Contribution: ~~\$2,000,000 (40%)~~ to **\$0**

Provincial Contribution: ~~\$1,666,500 (33.33%)~~ to **\$0**

City Debt **Reserves (110023)** Contribution: ~~\$1,333,500 (26.67%)~~ to **\$4,500,000**

- (b) That sub-section (a) to Item 1 of the General Issues Committee Report 19-019, respecting Report PW19083/FCS18048 - Investing in Canada Infrastructure Program – Public Transit Stream Grant Program, be **amended**:
- (i) by adding the words “**as amended**”;
 - (ii) by adding the words “**as per the Ministry of Transportation Ontario’s approval**”;
 - (iii) by deleting the dollar amount of \$374,684,401 and replacing it with the dollar amount of **\$370,984,500**;
 - (iv) by deleting the dollar amount of \$510,911,000 and replacing it with the dollar amount of **\$505,911,000**;
 - (v) by deleting the words “submission for consideration by the Ministry of Transportation Ontario”; and
 - (vi) by adding the words “**and as the Province of Ontario’s approval of the City of Hamilton’s contribution to the PRESTO Device Refresh in the amount of \$4,500,000, inclusive of non-recoverable taxes**”, to read as follows:

- (a) That the projects listed in Appendix “A”, **as amended**, attached to Report 19-019, be approved **as per the Ministry of**

Transportation Ontario's approval of the City of Hamilton's projects ~~***submission for consideration by the Ministry of Transportation Ontario***~~ for the requested funding amount of ~~\$374,684,401~~ **\$370,984,500** for projects with a total project cost of ~~\$510,911,000~~ **\$505,911,000**, in accordance with the terms and conditions associated with the Investing in Canada Infrastructure Program (ICIP), Public Transit Stream; ***and as the Province of Ontario's approval of the City of Hamilton's contribution to the PRESTO Device Refresh in the amount of \$4,500,000, inclusive of non-recoverable taxes;***

- (c) That sub-sections (b), (d), (i), (j), (k), (l) and (m), be amended by adding the words "***as amended***" after the words "Appendix "A"";
- (d) That sub-section (k) be further amended by deleting the dollar amounts of \$83,611,200 and replacing it with the dollar amount of **\$82,277,000**; and, by deleting the dollar amount of \$48,410,200 and replacing it with the dollar amount of **\$47,067,000**, to read as follows:
 - (k) That the General Manager, Finance and Corporate Services, be authorized to negotiate and confirm the terms and placement of all debenture issue(s), and/or private placement debenture issue(s), in either a public or private market and/or bank loan agreements and debenture issue(s) and/or variable interest rate bank loan agreements and debenture issue(s), in an amount not to exceed ~~\$83,611,200~~ **\$82,277,000** Canadian currency for capital projects for Investing in Canada Infrastructure Program, Public Transit Stream as attached in Appendix "A", ***as amended***, to Report 19-019, which includes ~~\$48,410,200~~ **\$47,067,000** in Tax Supported municipal debt and \$35,210,000 in Tax Supported Development Charges municipal debt;
- (e) That sub-section (l) be further amended by adding the words "***and any agreements related to PRESTO Device Refresh***", to read as follows:
 - (l) That the Mayor and City Clerk be authorized and directed to enter into and/or execute, on behalf of the City of Hamilton, all agreements and necessary ancillary documents required for Investing in Canada Infrastructure Program, Public Transit Stream, as attached in Appendix "A" , ***as amended***, to Report 19-019 ***and any agreements related to PRESTO Device Refresh*** including those required to secure and confirm the terms and issuance of any required debenture issue(s), with content acceptable to the General Manager, Finance and Corporate Services, and in a form satisfactory to the City Solicitor; and,

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

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

6.6 Amendment to Item 9.2 of the November 11, 2020 Council Minutes, respecting Report PW20068(b) - City of Hamilton Transfer Stations and Community Recycling Centres Contract Update

(Ferguson/Partridge)

WHEREAS, staff have advised that they inadvertently left one of the report numbers off of the joint report between Legal Services and the Public Works Department;

THEREFORE, BE IT RESOLVED:

That Item 9.2 of the November 11, 2020 Council Minutes, respecting Report PW20068(b) - City of Hamilton Transfer Stations and Community Recycling Centres Contract Update, be amended by adding the report number “**LS20039(a)**” to all references to Report PW20068(b) throughout those minutes, to read as follows:

- 9.2 City of Hamilton Transfer Stations and Community Recycling Centres Contract Update (**LS20039(a)**/PW20068(b)) (City Wide); and,
- 9.2 City of Hamilton Transfer Stations and Community Recycling Centres Contract Update (**LS20039(a)**/PW20068(b)) (City Wide)

(Ferguson/Clark)

- (a) That the direction provided to staff in Closed Session respecting Report **LS20039(a)**/PW20068(b), the City of Hamilton Transfer Stations and Community Recycling Centres Contract Update, be approved; and,
- (b) That Report **LS20039(a)** PW20068(b), respecting the City of Hamilton Transfer Stations and Community Recycling Centres Contract Update, remain confidential.

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

6.7 Ministerial Zoning Order Request to Facilitate the Rapid Housing Initiative to Construct Affordable Housing

(Collins/Nann)

WHEREAS the COVID-19 pandemic has served to exacerbate the affordable housing crisis in Hamilton;

WHEREAS the City of Hamilton is committed to supporting the development of affordable housing;

WHEREAS on October 27, 2020 the Canada Mortgage and Housing Corporation (CMHC) announced details of the Rapid Housing Initiative and a \$10.8 M allocation to create affordable housing in Hamilton;

WHEREAS the Rapid Housing Initiative required municipalities to submit completed investment plans with specific project details by November 27, 2020 and development projects to be completed within 12 months of signing of the agreement between CMHC and the City;

WHEREAS the timeline requirements of the Rapid Housing Initiative do not accommodate the timelines of all approvals involved in completing affordable housing development projects, including but not limited to various administrative, and Planning processes; and

WHEREAS the actions of many City divisions are required to complete affordable housing development projects;

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton support the enactment of a Ministerial Zoning Order to permit residential uses on the ground floor of 350 King Street East;
- (b) That the Mayor be authorized and directed to request on behalf of the City of Hamilton that the Minister of Municipal Affairs and Housing enact a Ministerial Zoning Order that would implement (a); and

- (c) That City staff be directed to provide any necessary supporting documentation to the Province to facilitate the implementation of the MZO requested in (b).

Result: Motion CARRIED by a vote of 13 to 2, 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
YES - 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
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NO - Deputy Mayor - Ward 9 Councillor Brad Clark

6.8 Regulations in the Red (Control) and Grey (Lockdown) Categories for Retail Fairness

(VanderBeek/Partridge)

WHEREAS Hamilton business owners have been challenged by months of restrictions which challenge their profitability and sustainability due to COVID-19;

WHEREAS the City of Hamilton has declared its support for small business in our City during the current pandemic;

WHEREAS the City of Hamilton has entered the Provincial Red (Control) Category and may be elevated to the Grey (Lockdown) Category in coming days;

WHEREAS small retail businesses are now required to severely limit the number of patrons, and therefore their ability to conduct business, and may have to close under a lockdown situation;

WHEREAS, large big-box stores (because of their square footage) continue to operate and can allow larger numbers of people in their facilities and during lockdown would currently not be limited to selling only essential items during in-person shopping;

WHEREAS, local restaurant owners in the City of Hamilton are now limited by Provincial Order to 10 diners indoors in their facilities;

WHEREAS the restaurants with patios, in an effort to retain staff and sustain the viability of their businesses while the City is in the Red Category and now that the

weather has cooled, have found innovative ways to continue to accommodate diners outdoors; and

WHEREAS, these accommodations have been denied based on the Provincial regulations which do not provide for enclosed structures on patios and therefore allocate these efforts as an extension of the 10 person indoor dining limit, thereby reducing the number of diners inside the facility;

THEREFORE, BE IT RESOLVED:

- (a) That the Mayor correspond with the Premier requesting that the Province revise the regulations in the Red (Control) and Grey (Lockdown) categories to ensure that:
 - (i) retailers selling essential items be prohibited from selling non-essential items to in-person shoppers in the Grey (Lockdown) categories; and
 - (ii) clear guidance related to outdoor dining structures permitted (or not) so that there is consistent application of the regulations between areas in the Red (Control) and Grey (lockdown) categories; and
 - (iii) a clearer definition of the term “facility” as it relates to recreational facilities, including multi-pad arenas, soccer facilities and dance studios with separated areas.
- (b) That further to the referral of Communication Items 4.9.a and 4.9.b on the December 16th, 2020 Council Agenda to the Emergency Operations Centre (EOC) staff, staff be directed to review these issues to investigate what, if any, local actions could be taken to support the issues outlined in the correspondence and in item (a) of this motion and provide an update at the January 13th 2020 GIC meeting.
- (c) That the resolution respecting the Regulations in the Red (Control) and Grey (Lockdown) Categories for Retail Fairness, be circulated to AMO.

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
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

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

NOTICES OF MOTION

7.1 Ministerial Zoning Order Request to Facilitate the Rapid Housing Initiative to Construct Affordable Housing

(Collins/Ferguson)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Ministerial Zoning Order Request to Facilitate the Rapid Housing Initiative to Construct Affordable Housing.

Result: Motion CARRIED by a 2/3 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
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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

Refer to Item 6.7 for further disposition of this item.

(Jackson/Nann)

That Council recess at 1:15 p.m.

CARRIED

Council reconvened at 1:45 p.m.

7.2 Regulations in the Red (Control) and Grey (Lockdown) Categories for Retail Fairness

(VanderBeek/Partridge)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Regulations in the Red (Control) and Grey (Lockdown) Categories for Retail Fairness.

Result: Motion CARRIED by a 2/3 vote of 11 to 1, 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
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
NOT PRESENT - 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
NO - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

Refer to Item 6.8 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 – November 25, 2020

(Clark/Pauls)

That the Closed Session Minutes dated November 25, 2020 be approved, as presented, and remain confidential.

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

(Danko/Pearson)

That Council move into Closed Session respecting Item 9.2, Item 16 of Public Works Committee Report 20-012 and Items 13, 14 and 15 of Planning Committee Report 20-015 pursuant to Section 8.1, Sub-sections (e), (f) and (k) of the City's Procedural By-law 18-270, as amended; and, Section 239(2), Sub-sections (e), (f) and (k) 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 City; the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the City of a local board.

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

9.2 Potential Regulatory Litigation Update (PW19008(k)/LS19004(k)) (City Wide)

(Pauls/Jackson)

- (a) That the direction provided to staff in Closed Session respecting Report PW19008(k)/LS19004(k), Potential Regulatory Litigation Update, be approved; and,
- (b) That Report PW19008(k)/LS19004(k), remain confidential and not be released as a public document.

At Council's request, sub-sections (a) and (b) were voted on separately as follows:

Result: Motion on sub-section (a) 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
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
NO- Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

Result: Motion on sub-section (b) CARRIED by a vote of 8 to 7, 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
NO – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
NO - Ward 15 Councillor Judi Partridge
NO - Ward 14 Councillor Terry Whitehead
NO - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NO - Deputy Mayor - Ward 9 Councillor Brad Clark

PUBLIC WORKS COMMITTEE REPORT 20-012 - CONTINUED

(Danko/VanderBeek)

That Public Works Committee Report 20-012, being the meeting held on Monday, December 7, 2020, be received and the recommendations contained therein be approved.

16. **Stelco Inc. Severances - 386 Wilcox Street, Hamilton (PED20220/PW20067/LS20037) (Ward 3)**

(Danko/Nann)

- (i) That the recommendation (a) of Item 16 of Public Works Committee Report 20-012 respecting Stelco Inc. Severances - 386 Wilcox Street, Hamilton (PED20220/PW20067/LS20037) (Ward 3), be deleted in its entirety:

~~(a) — ***That the direction provided to staff in Closed Session, respecting Stelco Inc. Severances - 386 Wilcox Street, Hamilton, be approved;***~~

- (ii) That the ***following recommendations*** be inserted therein, with the remaining subsections being re-lettered accordingly:

(a) That staff be directed to advise Stelco that it will not satisfy all Conditions of the Committee of Adjustment decisions dated October 10, 2019, including Conditions 6 and 7, until and unless:

(i) Stelco submits a comprehensive infrastructure strategy plan (“Master Servicing Plan”) with sufficient details to meet the private and municipal servicing requirements of the City of Hamilton to the satisfaction of the General Manager of the Public Works Department and the General Manager of the Planning and Economic Development Department; and,

(ii) Stelco executes a Development Agreement substantially in the form already proposed by City staff that is approved by the the General Manager of the Public Works Department, the General Manager of the Planning and Economic Development Department and the City Solicitor;

(b) That staff be directed to advise Stelco that should it not satisfy all Conditions of the Committee of Adjustment decisions dated October 10, 2019 by January 22, 2021, that any subsequent applications to develop Stelco’s lands located at 386 Wilcox Street, Hamilton proceed by way of applications for a plan of subdivision or a plan of condominium;

(c) That staff be directed to advise Stelco that any applications to develop Stelco’s lands located at 386 Wilcox Street, Hamilton proceed such that amendments to the City’s Sewers and Drains By-law No.06-026 and the City’s Waterworks By-law R84-026 are not necessary;

- (iii) That recommendation (b) of Item 16 of Public of Public Works Committee Report 20-012 respecting Stelco Inc. Severances - 386 Wilcox Street, Hamilton (PED20220/PW20067/LS20037) (Ward 3), be ***amended*** and re-lettered as (d), as follows:

~~(b)(d)~~ That ~~Report PED20220/PW20067/LS20037, including the Recommendations therein, respecting Stelco Inc. Severances - 386 Wilcox Street, Hamilton, be released to the public following Council approval, except for~~ Appendix "B" attached to Report PED20220/PW20067/LS20037, ~~which shall~~ remain confidential; and

Result: Motion on the Amendment to Item 16 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
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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

Result: Motion on the balance of Public Works Committee Report 20-012, 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
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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

PLANNING COMMITTEE REPORT 20-015 - CONTINUED

(Farr/Collins)

That Planning Committee Report 20-015, being the meeting held on Tuesday, December 8, 2020, be received and the recommendations contained therein be approved.

13. Use of Tertiary Septic Systems in Hamilton and Update re: Local Planning Appeal Tribunal Case No. PL170858 (PW20082/LS20032) (Wards 9, 10, 11, 12, 13 and 15) (Item 14.1)

(Farr/Collins)

- (i) That the recommendation (a) of Item 13 of Planning Committee Report 20-015 respecting Use of Tertiary Septic Systems in Hamilton and Update re: Local Planning Appeal Tribunal Case No. PL170858 (PW20082/LS20032) (Wards 9, 10, 11, 12, 13 and 15) be **amended** as follows:
 - (a) That Report PW20082/LS20032 including the Recommendations therein, as amended, and Appendix "A" thereto be released to the public ***following Council approval;***
 - (b) ***That Recommendation (c) and Appendix "B" attached to Report PW20082/LS20032 remain confidential.***
- (ii) That the ***following recommendations*** be inserted therein:
 - (d) That staff be directed to review and report back to Committee no later than June 2021, on proposals, if any, for the establishment of City policies or by-laws for the regulation, monitoring and enforcement of tertiary septic systems for residential developments and ICI (industrial, commercial and institutional) developments;
 - (e) That the Mayor be directed, on behalf of City Council, to forward correspondence substantially similar to that attached as Appendix "A" to Report PW20082/LS20032 to the Ministry of Agriculture, Food and Rural Affairs, the Ministry of the Environment, Conservation and Parks and the Ministry of Municipal Affairs and Housing requesting the legislative amendments necessary to appropriately regulate, monitor and enforce the appropriate construction, use and maintenance of tertiary septic systems in the Province of Ontario and that support for this initiative be sought from other Ontario municipalities;

Result: Motion on the *amendment* to Item 13, 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
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
NO - 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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

14. Instructions - Appeal for Lack of Decision to the Local Planning Appeal Tribunal for Urban Hamilton Official Plan Amendment Application UHOPA-19-008 and Zoning By-Law Amendment Application ZAC-19-029, for Lands Located at 73, 77, 83, and 89 Stone Church Road West and 1029 West 5th Street, Hamilton (LS20036/PED20217) (Ward 8) (Item 14.2)

(Farr/Collins)

- (i) That the recommendation of Item 14 of Planning Committee Report 20-015 respecting Instructions - Appeal for Lack of Decision to the Local Planning Appeal Tribunal for Urban Hamilton Official Plan Amendment Application UHOPA-19-008 and Zoning By -Law Amendment Application ZAC-19-029, for Lands Located at 73, 77, 83, and 89 Stone Church Road West and 1029 West 5th Street, Hamilton (LS20036/PED20217) (Ward 8) be deleted in its entirety:

~~***That the recommendations of Report LS20036/PED20217 be released to the public following Council approval.***~~

- (ii) That the ***following recommendations*** be inserted therein:

(a) That Legal Staff be instructed to oppose the appeal by T.Valeri Construction Limited to the Local Planning Appeal Tribunal (LPAT) for Urban Hamilton Official Plan Amendment Application UHOPA-19-008 for a site specific amendment in order to permit a nine storey multiple dwelling containing 216 dwelling units for lands located at 73, 77, 83, and 89 Stone Church Road West and 1029 West 5th Street as shown on Appendix “A” to Report LS20036/PED20217.

- (b) *That the LPAT be advised that the reasons for Council's opposition to UHOPA-19-008 include but are not limited to the following:*
- (i) *The proposal, as submitted, exceeds the permitted density and does not meet the policies of the Urban Hamilton Official Plan related to residential intensification;*
 - (ii) *The proposed building form is not in character with the existing built forms on adjacent properties and the surrounding neighbourhood and the proposal does not effectively provide appropriate transitions in building massing and height and does not maintain or enhance the established character of the area; and,*
 - (iii) *The proposed development has not provided sufficient information to determine that there is adequate existing and planned transportation infrastructure to provide safe vehicular turning movement requirements, particularly at the intersection of Stone Church Road West and West 5th Street.*
- (c) *That Legal Staff be instructed to oppose the appeal by T.Valeri Construction Limited to the Local Planning Appeal Tribunal (LPAT) for Zoning By-law Amendment Application ZAC-19-029 for a change in zoning from the "C" (Urban Protected Residential, Etc.) District, "AA" (Agricultural) District, and "DE-2/S-1700" (Multiple Dwelling) District, Modified to a site specific "DE-2" (Multiple Dwelling) District in order to permit a nine storey multiple dwelling containing 216 dwelling units for lands located at 73, 77, 83, and 89 Stone Church Road West and 1029 West 5th Street, as shown on Appendix "A" to Report LS20036/PED20217.*
- (d) *That the Local Planning Appeal Tribunal (LPAT) be advised that the reasons for Council's opposition to application ZAC-19-029 include, but are not limited to, the following:*
- (i) *The proposal, as submitted, exceeds the permitted density and height and does not sufficiently meet the requirements of Zoning By-law No. 6593 in terms of setbacks, amenity area, landscaped area and buffering from adjacent land uses, related to residential intensification;*

- (ii) *The proposed building form is not in keeping with the building forms on adjacent properties and the proposal does not effectively provide appropriate transitions in building massing and height and does not maintain or enhance the established character; and,*
 - (iii) *The proposed development has not provided sufficient information to determine that there is adequate existing and planned transportation infrastructure to provide safe vehicular turning movement requirements, particularly at the intersection of Stone Church Road West and West 5th Street.*
- (e) *That the recommendations of Report LS20036/PED202017 be released to the public.*
- (iii) That the ***following recommendation (f)*** be inserted therein:
 - (f) *That staff be directed to schedule a non-statutory public meeting and give notice in accordance with the notice requirements of the Planning Act .*
- (iv) That the ***following recommendation (g)*** be inserted therein:
 - (g) *That Report LS20036/PED202017 and its appendices respecting Instructions - Appeal for Lack of Decision to the Local Planning Appeal Tribunal for Urban Hamilton Official Plan Amendment Application UHOPA-19-008 and Zoning By-Law Amendment Application ZAC-19-029, for Lands Located at 73, 77, 83, and 89 Stone Church Road West and 1029 West 5th Street, Hamilton (Ward 8), remain confidential.*

Result: Motion on the *amendment* to Item 14, 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
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
CONFLICT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

15. Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-17-006) and a Zoning By-law Amendment Application for the Town of Flamborough Zoning By-law No. 90-145-Z and Zoning By-law No. 05-200 Application (ZAC-17-016) for Lands Located at 909 North Waterdown Drive (Flamborough) (LS20038/PED20218) (Ward 15) (Item 14.3)

(Farr/Collins)

- (i) That the recommendation of Item 15 of Planning Committee Report 20-015 respecting Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-17-006) and a Zoning By-law Amendment Application for the Town of Flamborough Zoning By-law No. 90-145-Z and Zoning By-law No. 05-200 Application (ZAC-17-016) for Lands Located at 909 North Waterdown Drive (Flamborough) (LS20038/PED20218), **be amended**, as follows:

That recommendations (a) to (e) **and (g (formerly (f)))** in Report LS20038/PED20218, as amended, be made public following Council approval with the balance of the report to remain confidential.

- (ii) That the recommendation of Item 15 of Planning Committee Report 20-015 respecting Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-17-006) and a Zoning By-law Amendment Application for the Town of Flamborough Zoning By-law No. 90-145-Z and Zoning By-law No. 05-200 Application (ZAC-17-016) for Lands Located at 909 North Waterdown Drive (Flamborough) (LS20038/PED20218) be deleted in its entirety:

~~That recommendations (a) to (e) and (g (formerly (f))) in Report LS20038/PED20218, as amended, be made public following Council approval with the balance of the report to remain confidential.~~

- (iii) That the **following recommendations** be inserted therein:

(a) That Legal staff be instructed to oppose the appeal by Liv Developments Inc. to the Local Planning Appeal Tribunal of its application to amend the Urban Hamilton Official Plan (UHOP) for lands located at 909 North Waterdown Drive

(Flamborough), as shown on Appendix “A” to Report LS20038 / PED20218;

- (b) That Legal staff be instructed to oppose the appeal by Liv Developments Inc. to the Local Planning Appeal Tribunal of its application to amend the Town of Flamborough Zoning By-law No. 90-145-Z for lands located at 909 North Waterdown Drive (Flamborough), as shown on Appendix “A” to Report LS20038 / PED20218.***
- (c) That the LPAT be advised that the reasons for Council’s opposition to Liv Developments Inc. of its applications to amend the Urban Hamilton Official Plan (UHOP) and the Town of Flamborough Zoning By-law No. 90-145-Z include but are not limited to the following:***
 - (i) the Official Plan Amendment is not consistent with the Provincial Policy Statement (2020) and does not conform to the Growth Plan for the Greater Golden Horseshoe (2019), as amended;***
 - (ii) the applications do not comply with the applicable policies of the Urban Hamilton Official Plan and the land use structure and planned housing mix, amongst other policy considerations of the Waterdown North Secondary Plan;***
 - (iii) the proposed density of 60 units per hectare (uph) is below the 100 uph density prescribed in the High Density Residential designation of the Waterdown North Secondary Plan within the Urban Hamilton Official Plan (UHOP);***
 - (iv) the proposed housing form of stacked townhouse units does not provide for a range and mix of housing types to meet projected requirements for the density within the current designation;***
 - (v) the lack of a provision for a sidewalk on the northerly portion of North Waterdown Drive to adequately serve the needs of the future residents with ground related residential units fronting onto North Waterdown Drive does not represent orderly development;***
 - (vi) the provision of parking for sixteen parking spaces parallel to the main internal condominium road as well as the location of some of the internal driveway accesses to dwelling units does not provide for the***

safety of future residents nor does it provide for adequate landscaping and buffering of the parking area to the adjacent lands; and,

- (vii) The proposal does not represent orderly development in that insufficient information has been provided to determine if the adjacent lands to the west can be appropriately developed for High Density Residential including achieving the minimum density and not be negatively impacted by the proposal with regards to the proposed decreased density, vehicle circulation and access.*
- (d) That Legal staff be instructed to take the position before the Local Planning Appeal Tribunal that if it approves the Official Plan Amendment and Zoning By-law Amendment applications (UHOPA-17-006 and ZAC-17-016) by Liv Developments Inc. for the lands located at 909 North Waterdown Drive, Flamborough, the minimum density shall be 100 uph;*
- (e) That legal staff be authorized to retain such outside professional(s) necessary, in consultation with the Development Planning, and charge such costs to the Development Stabilization Reserve 110086; and,*
- (g) That the recommendations of Report LS20038/PED20218 be released to the public, with the exception of sub-section (f) to Report LS20038/PED20218, as amended, which is to remain confidential.*
- (iii) That the following recommendation (h) be inserted therein:*

 - (h) That Report LS20038/PED20218 and its appendices respecting Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-17-006) and a Zoning By-law Amendment Application for the Town of Flamborough Zoning By-law No. 90-145-Z and Zoning By-law No. 05-200 Application (ZAC-17-016) for Lands Located at 909 North Waterdown Drive (Flamborough), remain confidential.*

Result: Motion on the amendment to Item 15, 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

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
NO - 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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

Due to a declared conflict, Item 10 was voted on separately as follows:

10. Inactive Taxi Plate Fee (PED20213) (City Wide) (Item 10.2)

Result: Motion on Item 10 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
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
CONFLICT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

At Council's request, Item 7 (a)(ii) was voted on separately as follows:

7. Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan (PED20201) (City Wide) (Item 8.1)

- (a) That City Initiative CI-19-F – Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan, to amend policies, schedules and maps in Volume 1 – Parent Plan, Volume 2 – Secondary Plans and Rural Settlement Areas, and Volume 3 – Area and Site Specific Policies of the UHOP and RHOP, correct and clarify policies and mapping, be APPROVED on the following basis:

- (ii) That the Draft Rural Hamilton Official Plan Amendment, attached as Appendix “B” as amended to Report PED20201, be adopted by Council; and,

Result: Motion on Item 7 (a)(i) CARRIED by a vote of 14 to 1 as follows:

NO - 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
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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

6. Agriculture and Rural Affairs Advisory Committee Report 20-001 (Item 7.5)

(Clark/Danko)

That sub-section (a)(i) of Item 6 of the Planning Committee Report 20-015 respecting Stormwater Rate Program (PW20081) (City Wide), be ***amended*** to read as follows:

(a) Stormwater Rate Program (PW20081) (City Wide) (Item 8.1)

- (i) That Report PW20081, respecting the Stormwater Rate Program, be received ***and referred to staff***.

Result: Motion on the *amendment* to Item 6 (a)(i) 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
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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

Result: Motion on the balance of Planning Committee Report 20-015, CARRIED as Amended 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
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 - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

(Clark/Jackson)

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

BY-LAWS

(Clark/Whitehead)

That Bills No. 20-252 to No. 20-274 be passed and that the Corporate Seal be affixed thereto, and that the By-laws, be numbered, be signed by the Mayor and the City Clerk to read as follows:

- | | |
|-----|--|
| 252 | To Establish City of Hamilton Land Described as Block 186 on Plan 62M-992 as Part of Provident Way
Ward: 11 |
| 253 | To Establish City of Hamilton Land Described as Block 189 on Plan 62M-992 as Part of Rosebury Way
Ward: 11 |
| 254 | To Establish City of Hamilton Land Described as Parts 1, 4, 7, and 10 on Plan 62R-21280, as Part of Skinner Road
Ward: 9 |
| 255 | A By-law to Establish the 2021 Water and Wastewater/Storm Fees and Charges for Services, Activities and Use of Property Provided by the City of Hamilton
Ward: City Wide |
| 256 | To Amend the Sanitary Surcharge and Wastewater Abatement By-law No. 03-272 and Implement the 2021 Fees and Charges
Ward: City Wide |
| 257 | To Amend the Waterworks By-law No. R84-026 and Implement the 2021 Fees and Charges
Ward: City Wide |
| 258 | To Amend the Sewer and Drain By-law No. 06-026, and Implement the 2021 Fees and Charges
Ward: City Wide |
| 259 | To Amend By-law No. 15-058, a By-law Respecting Building Permits and Related Matters
Ward: City Wide |
| 260 | To Amend City of Hamilton By-law No. 17-225, being a By-law to Establish a System of Administrative Penalties
Table 23 – By-law No. 20-077 Nuisance By-law
Ward: City Wide |
| 261 | To Adopt Official Plan Amendment No. 141 to the Urban Hamilton Official Plan Respecting 56 Highland Road West (Stoney Creek)
Ward: 9 |

- 262 To Amend Zoning By-law No. 3692-92, Respecting Lands Located at 56 Highland Road West, Stoney Creek
ZAC-16-057
Ward: 9

- 263 To Adopt Official Plan Amendment No. 25 to the Rural Hamilton Official Plan Respecting 2121 and 2187 Regional Road 56 (former Township of Glanbrook)
Ward: 11

- 264 Respecting Removal of Part Lot Control, Block 155, Registered Plan No. 62M-1251 "Laguna Village", municipally known as 315 Dalglish Trail, Glanbrook
PLC-19-035
Ward: 11

- 265 Respecting Removal of Part Lot Control, Lots 7, 8 and 9 of Registered Plan No. 62M-1233 known as "Binbrook Heights Addition – Phase 1" (Parts 7 and 8 of Registered Plan 62R-20437), municipally known as 6, 10 and 14 Daw Avenue
PLC-20-009
Ward: 11

- 266 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic Schedule 5 (Stop Control)
Ward: 9, 11

- 267 To Amend By-law No. 01-215 Being a By-law To Regulate Traffic Schedule 2 (Speed Limits)
Schedule 3 (Flashing School Zones – Reduced Speed Limit)
Schedule 9 (No Right Turn on Red)
Schedule 18 (Bike Lanes)
Schedule 24 (Designated Community Safety Zones)
Ward: 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15

- 268 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic Schedule 34 (Designated Community Safety Zones)
Ward: 3

- 269 A By-law to Amend By-law No. 01-215, Being a By-law to Regulate Traffic E-Scooters
Ward: City Wide

- 270 A By-law to Regulate the Use of Commercial E-Scooters in Hamilton
Ward: City Wide

- 271 A By-law to Amend By-law No. 01-219, to Manage and Regulate Municipal Parks and to Amend By-law No. 17-225, Being a By-law to Establish a System of Administrative Penalties

Table 12 – By-law No. 01-219 To Manage and Regulate Municipal Parks
Ward: City Wide

- 272 To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking
Schedule 2 (Through Highways)
Schedule 8 (No Parking Zones)
Schedule 12 (Permit Parking Zones)
Schedule 13 (No Stopping Zones)
Schedule 14 (Wheelchair Loading Zones)
Schedule 20 (School Bus Loading Zones)
Ward: 1, 2, 3, 4, 5, 6
- 273 Hamilton 60 Caledon Avenue Municipal Housing Project Facilities By-law
Ward: 8
- 274 To Confirm the Proceedings of City Council

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

(Jackson/Pauls)

That, there being no further business, City Council be adjourned at 6:10 p.m.

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

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland
City Clerk