



CITY COUNCIL MINUTES 22-015

9:30 a.m.
June 22, 2022
Council Chamber
Hamilton City Hall
71 Main Street West

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

Absent: Councillor S. Merulla - Personal

Mayor F. 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

- 4.6 Correspondence from Alex Bishop on behalf of Harlo Capital and DCR Holdings Inc. requesting a deferral of Item 8 of Audit, Finance and Administration Report 22-012, respecting Development Charge Demolition Credit Extension Request for Hamilton Central Business Park (Studebaker Place and Ferrie Street, formerly 440 Victoria Avenue North) (FCS17067(a)) (City Wide) to the July 8, 2022 Council meeting, so that they can have an opportunity to provide Council with information that they believe is necessary and important to allow Council to properly assess this in order to make its decision.

Recommendation: Be received and referred to the consideration of Item 8 of Audit, Finance and Administration Committee Report 22-012.

- 4.7 Correspondence from David Bronskill, Goodmans LLP respecting Community Benefits Charge Strategy, 41-61 Wilson Street and 97, 99 and 117 John Street North.

Recommendation: Be received and referred to the consideration of Item 6 of Audit, Finance and Administration Committee Report 22-012.

- 4.8 Correspondence from Dawn Danko, Chair of the Board of Trustees, HWDSB respecting the HWDSB Board of Trustees' opposition to the proposed Cultural Heritage Landscape designation of the Ancaster High School lands.

Recommendation: Be received and referred to the Item 3(a) of Planning Committee Report 22-010.

7. NOTICES OF MOTION

- 7.1 Naming of the Great Hall of First Ontario Concert Hall after Boris Brott
- 7.2 Donation from The Patrick J. McNally Charitable Foundation for St Mark's Capital Project

11. BY-LAWS AND CONFIRMING BY-LAW

- 152 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 5 (Stop Sign Locations)
 Schedule 9 (No Right Turn on Red)
 Schedule 20 (Combined Foot & Bicycle Path)
 Schedule 29 (Weight Restrictions on Bridges)
 Schedule 31 (Designated Area – Reduced Speed – 40km/h Neighbourhoods)
 Schedule 34 (Community Safety Zones)
 Ward: 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15 – **WITHDRAWN**
- 158 Respecting Removal of Part Lot Control, Lot 4, Registered Plan No. 62M-1229, municipally known as 73 Aeropark Boulevard, Hamilton
 Ward: 11
 PLC-22-009 – **WITHDRAWN**

With the remaining Bills being renumbered accordingly.

(Clark/Pauls)

That the agenda for the June 22, 2022 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 Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Russ Powers
 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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
 NOT PRESENT - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

DECLARATIONS OF INTEREST

Councillor B. Clark declared a disqualifying interest with respect to Item 4 of Public Works Committee Report 22-010, Roxborough Park Redevelopment, as his son has a retail business interest with the principal of the planning consultant.

Councillor J.P. Danko declared a non-disqualifying interest with respect to Item 3(a) of Planning Committee Report 22-010, Hamilton Municipal Heritage Committee Report 22-006, Cultural Heritage Assessment for 374 Jerseyville Road West, Ancaster (Ancaster High School) PED22113 (Ward 12), as his spouse is employed by the Hamilton-Wentworth District School Board and a member of the HWDSB Board of Trustees.

APPROVAL OF MINUTES OF PREVIOUS MEETING

3. June 8, 2022 (Item 3.1) and June 16, 2022 (Item 3.2)

(Ferguson/Danko)

That the Minutes of the June 8, 2022 and June 16, 2022 meetings of Council be approved, as presented.

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 Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Russ Powers
 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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson

NOT PRESENT - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

COMMUNICATIONS

(Johnson/Wilson)

That Council Communications 4.1 to 4.8 be approved, as presented, as follows:

- 4.1 Correspondence from the Municipal of Chatham-Kent requesting support for their resolution respecting Retirement Home Funding.

Recommendation: Be received.

- 4.2 Correspondence from the Town of Blue Mountains requesting support for their resolution respecting support for the inclusion of the mailing addresses of voters on the voter's lists provided to candidates.

Recommendation: Be received.

- 4.3 Correspondence from the Town of Aurora requesting support for their resolution calling on the House of Commons to support Member of Parliament Anji Dhillon's Private Member's Bill C-233, that will raise the level of education on domestic violence and coercive control for federally appointed Judges.

Recommendation: Be received.

- 4.4 Correspondence from the Municipal Engineers Association stressing the importance of the role municipal engineers play in the successful operation of cities, counties, towns and townships across Ontario.

Recommendation: Be received.

- 4.5 Notice of Proposed Amendment to Education Development Charges By-law Hamilton-Wentworth Catholic District School Board.

Recommendation: Be received.

- 4.6 Correspondence from Alex Bishop on behalf of Harlo Capital and DCR Holdings Inc. requesting a deferral of Item 8 of Audit, Finance and Administration Report 22-012, respecting Development Charge Demolition Credit Extension Request for Hamilton Central Business Park (Studebaker Place and Ferrie Street, formerly 440 Victoria Avenue North) (FCS17067(a)) (City Wide) to the July 8, 2022 Council meeting, so that they can have an opportunity to provide Council with information that they believe is necessary and important to allow Council to properly assess this in order to make its decision.

Recommendation: Be received and referred to the consideration of Item 8 of Audit, Finance and Administration Committee Report 22-012.

- 4.7 Correspondence from David Bronskill, Goodmans LLP respecting Community Benefits Charge Strategy, 41-61 Wilson Street and 97, 99 and 117 John Street North.

Recommendation: Be received and referred to the consideration of Item 6 of Audit, Finance and Administration Committee Report 22-012.

- 4.8 Correspondence from Dawn Danko, Chair of the Board of Trustees, HWDSB respecting the HWDSB Board of Trustees' opposition to the proposed Cultural Heritage Landscape designation of the Ancaster High School lands.

Recommendation: Be received and referred to the Item 3(a) of Planning Committee Report 22-010.

Result: Motion on the Communication Items, as presented, 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 Russ Powers
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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Johnson/Partridge)

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

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 Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Russ Powers
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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
 NOT PRESENT - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

INTEGRITY COMMISSIONER'S REPORT – JUNE 10, 2022
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(Powers/Clark)

- (a) That the City of Hamilton Integrity Commissioner's Report Regarding Complaints Against Councillor Terry Whitehead, June 10, 2022 , be received; and
- (b) That the actions contained within the City of Hamilton Integrity Commissioner's Report Regarding Complaints Against Councillor Terry Whitehead, June 10, 2022, be supported.

(Wilson/Nann)

That the motion respecting the City of Hamilton Integrity Commissioner's Report Regarding Complaints Against Councillor Terry Whitehead, June 10, 2022 be **amended**, by adding the following sub-sections:

- (c) ***That staff be directed to develop a plan of action to the fulfill our obligations under occupational health and safety act of Ontario, as it relates to the work environment of City Hall with respect to the issues raised in this Integrity Commissioners Report; and***
- (d) ***That Councillor Whitehead inform staff and members of council when he plans to attend City Hall, until a report back from staff in recommendation (c) is presented to Council.***

As per Section 2.1, 1. of the *Municipal Conflict of Interest Act*, Councillor T. Whitehead was prohibited from voting on the motions respecting to the City of Hamilton Integrity Commissioner's Report Regarding Complaints Against Councillor Terry Whitehead, June 10, 2022.

Result: Amendment to the Motion respecting the Integrity Commissioner's Report of June 10, 2022, 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 Russ Powers
 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
 PROHIBITED - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Deputy Mayor - Ward 11 Councillor Brenda Johnson

YES - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

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

- (a) That the City of Hamilton Integrity Commissioner's Report Regarding Complaints Against Councillor Terry Whitehead, June 10, 2022 , be received;
- (b) That the actions contained within the City of Hamilton Integrity Commissioner's Report Regarding Complaints Against Councillor Terry Whitehead, June 10, 2022, be supported;
- (c) ***That staff be directed to develop a plan of action to the fulfill our obligations under occupational health and safety act of Ontario, as it relates to the work environment of City Hall with respect to the issues raised in this Integrity Commissioners Report; and***
- (d) ***That Councillor Whitehead inform staff and members of council when he plans to attend City Hall, until a report back from staff in recommendation (c) is presented to Council.***

Result: Main Motion, as Amended respecting the Integrity Commissioner's Report of June 10, 2022, 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 Russ Powers

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

PROHIBITED - Ward 14 Councillor Terry Whitehead

YES - Ward 13 Councillor Arlene VanderBeek

YES - Ward 12 Councillor Lloyd Ferguson

YES - Deputy Mayor - Ward 11 Councillor Brenda Johnson

YES - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

BOARD OF HEALTH REPORT 22-006

(Wilson/Partridge)

That Board of Health Report 22-006, being the meeting held on Monday, June 13, 2022, be received and the recommendations contained therein be approved.

Result: Motion on the Board of Health Report 22-006, 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 Russ Powers
 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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

PUBLIC WORKS COMMITTEE REPORT 22-010

(Nann/Powers)

That Public Works Committee Report 22-010, being the meeting held on Monday, June 13, 2022, be received and the recommendations contained therein be approved.

Due to a declared conflict, Item 4 was voted on separately, as follows:

4. Roxborough Park Redevelopment (Item 9.1)

That staff be directed to continue to work with the Developers, Nick Carnicelli, Sergio Manchia and David Horwood, Roxborough Park Inc., in attempt to resolve their concerns respecting the Roxborough Park Redevelopment and to work with their staff and the Ministry of Environment, Conservation and Parks and report back the appropriate Committee.

Result: Motion on Item 4 of the Public Works Committee Report 22-010, CARRIED by a vote of 12 to 1, as follows:

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

Result: Motion on the balance of the Public Works Committee Report 22-010, 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 Russ Powers
 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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

PLANNING COMMITTEE REPORT 22-010

(Johnson/Ferguson)

That Planning Committee Report 22-010, being the meeting held on Tuesday, June 14, 2022, be received and the recommendations contained therein be approved.

Upon Council's request, Item 3(a) was voted on separately, as follows:

3. Hamilton Municipal Heritage Committee Report 22-006 (Added Item 7.3)

(a) Cultural Heritage Assessment for 374 Jerseyville Road West, Ancaster (Ancaster High School) PED22113 (Ward 12) (Item 8.1)

That 374 Jerseyville Road West Ancaster and the properties in the broader area surrounding it as identified in Archaeological Services Inc.'s (ASI) Cultural Heritage Assessment, be added to the City's Cultural Heritage Landscape Inventory and mapping as part of the Official Plan review exercise.

Result: Motion on Item 3(a) of the Planning Committee Report 22-010, CARRIED by a vote of 11 to 3, as follows:

NO - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 NO - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Russ Powers
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 NO - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge

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

(Farr/Eisenberger)**3. Hamilton Municipal Heritage Committee Report 22-006 (Added Item 7.3)****(b) Beasley Neighbourhood Inventory (PED22135) (Ward 2) (Item 8.2)**

That Appendix "A" to the Planning Committee Report 22-010, **be further amended**, by adding **240-242 James Street North** to the list of properties to be removed from the Beasley Neighbourhood Inventory, as follows:

- 210 Catharine Street North
- 286 Hughson Street North
- 203-213 James Street North
- 229, 235, 241, 245 and 274 James Street North
- 217 John Street North
- 164 Mary Street
- 198 Mary Street
- 197 Wellington Street North
- **240-242 James Street North**

Result: Amendment to Item 3(b) of the Planning Committee Report 22-010, 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 Russ Powers
 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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

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

3. Hamilton Municipal Heritage Committee Report 22-006 (Added Item 7.3)

(b) Beasley Neighbourhood Inventory (PED22135) (Ward 2) (Item 8.2)

That staff be directed to list the properties identified in Appendix "A" to Report PED22135, as **further** amended **by including 240-242 James Street North**, and attached to Planning Committee Report 22-010 as Appendix "A", on the Municipal Heritage Register as non-designated properties that Council believes to be of cultural heritage value or interest in accordance with Section 27 of the *Ontario Heritage Act*.

Result: Main Motion, as Amended (Item 3(b)) of the Planning Committee Report 22-010, 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 Russ Powers
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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Result: Motion on the balance of the Planning Committee Report 22-010, 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 Russ Powers
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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

(Wilson/Pearson)

That Council recess until 12:40 p.m.

CARRIED

GENERAL ISSUES COMMITTEE REPORT 22-012

(Johnson/Nann)

That General Issues Committee Report 22-012, being the meeting held on Wednesday, June 15, 2022, be received and the recommendations contained therein be approved.

(Johnson/VanderBeek)

WHEREAS, the correspondence to the General Issues Committee, respecting Homeless Encampments, shown in sub-section (g) to the Advisory Committee for Persons with Disabilities Report 22-006, was to still be under review by the Advisory Committee for Persons with Disabilities and not yet ready for the consideration; and,

WHEREAS, that correspondence was inadvertently included in the Advisory Committee for Persons with Disabilities Report 22-006 for the consideration of the General Issues Committee;

THEREFORE, BE IT RESOLVED:

That sub-section (g) to Item 10 of the General Issues Committee Report 22-012, respecting the Advisory Committee for Persons with Disabilities Report 22-006, regarding correspondence to the General Issues Committee, respecting Homeless Encampments, be deleted in its entirety, with the balance of the recommendations to be re-lettered accordingly, to read as follows:

10. Advisory Committee for Persons with Disabilities Report 22-006, May 24, 2022 (Item 10.6)

(a) Resignation of Paula Kilburn from the Outreach Working Group of the Advisory Committee for Persons with Disabilities (Item 7.3)

That the resignation of Paula Kilburn from the Outreach Working Group of the Advisory Committee for Persons with Disabilities, be received.

(b) Resignation of Kim Nolan from the Transportation Working Group of the Advisory Committee for Persons with Disabilities (Item 7.4)

That the resignation of Kim Nolan from the Transportation Working Group of the Advisory Committee for Persons with Disabilities, be received.

(c) Resignation of Paula Kilburn from the Strategic Planning Working Group of the Advisory Committee for Persons with Disabilities (Item 7.5)

That the resignation of Paula Kilburn from the Strategic Planning Working Group of the Advisory Committee for Persons with Disabilities, be received.

(d) Reimbursement for the Purchase of Plants as Get-Well Gifts (Item 11.1)

- (i) That reimbursement to Aznive Mallett, in the amount of \$37.26, including HST, for the purchase of plants from House of Flowers in Ancaster as get-well gifts for two members of the Advisory Committee for Persons with Disabilities, be approved; and,
- (ii) That a plant be purchased for Patty Cameron on behalf of the Advisory Committee for Persons with Disabilities to express the Committee's condolences on her loss.

(e) Policies and Procedures to Rescue and Safely Transport Stranded Pedestrians and their Mobility Devices (Item 11.2)

That the following resolution be referred to staff for a report back to the General Issues Committee:

WHEREAS, there have been an alarming increase in encounters between pedestrians and vehicles in recent months;

WHEREAS, persons with disabilities, especially those who use mobility devices, are particularly vulnerable as pedestrians;

WHEREAS, persons who use mobility devices are susceptible to having their devices malfunction, stranding them in precarious traffic situations; and,

WHEREAS, the Advisory Committee for Persons with Disabilities (ACPD), have advised stakeholders including the Police Service, Fire Department, Paramedic Service, Hamilton Street Railway (HSR), Disabled and Aged Regional Transportation Service (DARTS), Taxicab Companies and Mobility Device Repair Contractors of the need for a coordinated rescue plan in the City of Hamilton for persons who experience an incapacitated mobility device.

THEREFORE, BE IT RESOLVED:

That staff be directed to investigate developing policies and procedures to rescue and safely transport stranded pedestrians and their mobility devices to an appropriate secure location.

(f) Advisory Committee for Persons with Disabilities Guidance to Hamilton BIA Communities on How to Make Outdoor Dining Locations Fully Accessible (Item 11.3)

WHEREAS, Council approved the Permanent Program for Temporary (seasonal) Outdoor dining Patios in the City of Hamilton, effective in 2022;

WHEREAS, the Temporary Outdoor dining Patios Program was made permanent by City Council in spite of the concern of the Advisory Committee for Persons with Disabilities (ACPD) that there were no specific provisions or obligations for outdoor dining facilities to be accessible and no prohibition to occupying pedestrian pathways; and

WHEREAS, there are opportunities to help make outdoor dining facilities accessible through consultation with the ACPD and its Accessible Outdoor Spaces and Parklands Working Group.

THEREFORE, BE IT RESOLVED:

- (a) That the Advisory Committee for Persons with Disabilities (ACPD), in collaboration with the ACPD Outreach Working Group, work with staff to develop print materials, to come back to ACPD for approval, for dissemination to Hamilton BIA communities to provide guidance on how to ensure outdoor dining is fully accessible including space, facilities, amenities and services; and,
- (b) That the Hamilton BIA communities be advised that the ACPD and its Accessible Outdoor Spaces and Parklands Working Group are available to establishments that have outdoor dining facilities should they require advice or guidance on how to make their outdoor dining locations fully accessible including their space, facilities, amenities and services.

~~(g) **Correspondence to the General Issues Committee Respecting Homeless Encampments (Item 11.4)**~~

~~***That the correspondence to the General Issues Committee from the Advisory Committee for Persons with Disabilities respecting Homeless Encampments attached as Appendix "A", be approved.***~~

(g) Invitation to Dr. Lovaye Kajiura, McMaster IMPACT Initiative, to Attend a Future Meeting of the Advisory Committee for Persons with Disabilities (Item 11.5)

WHEREAS, the McMaster IMPACT Initiative is an interdisciplinary collaboration that engages students and volunteer clients in a learning process whereby students come together to understand, appreciate and address challenges experienced by our aging population and people living with disabilities; and,

WHEREAS, Dr. Lovaye Kajiura is one of the co-leaders of the McMaster IMPACT Initiative;

THEREFORE, BE IT RESOLVED:

That Dr. Lovaye Kajiura be invited to attend a future meeting of the Advisory Committee for Persons with Disabilities to present respecting the McMaster IMPACT Initiative.

(h) Invitation to the Director of Transit, City of Hamilton, to Attend a Future Meeting of the Advisory Committee for Persons with Disabilities (Item 11.6)

WHEREAS, the Advisory Committee for Persons with Disabilities will benefit from meeting with the City of Hamilton's Director of Transit to discuss topics of interest to the Advisory Committee for Persons with Disabilities related to Transit Services;

THEREFORE, BE IT RESOLVED:

That the City of Hamilton's Director of Transit be invited to attend a future regular or special meeting of the Advisory Committee for Persons with Disabilities to discuss topics of interest to the Committee related to Transit Services.

Result: Amendment to Item 10 of the General Issues Committee Report 22-012, 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 Russ Powers
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Deputy Mayor - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Result: Motion on the General Issues Committee Report 22-012, As Amended, 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 Russ Powers
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek

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

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 22-012
(Pearson/VanderBeek)

That Audit, Finance and Administration Committee Report 22-012, being the meeting held on Thursday, June 16, 2022, be received and the recommendations contained therein be approved.

Upon Council's request, Item 8 was voted on separately, as follows:

8. Development Charge Demolition Credit Extension Request for Hamilton Central Business Park (Studebaker Place and Ferrie Street, formerly 440 Victoria Avenue North) (FCS17067(a)) (City Wide) (Item 10.3)

- (a) That the request for the City Development Charges (DC) demolition credits (623,140 square feet in total) for Hamilton Central Business Park (Studebaker Place and Ferrie Street, formerly 440 Victoria Avenue North) to be extended for three years until July 26, 2025 (310,631.39 square feet) and September 6, 2025 (312,508.61 square feet), be denied; and,
- (b) That the subject matter regarding the "Correspondence from Paul Paradis, Ross & McBride LLP, respecting a request for extension of Development Charge Demolition Credits, Hamilton Central Business Park – formerly 440 Victoria Avenue North now Studebaker Place and Ferris Street – DCR Holdings Inc.", be identified as complete and removed from the Audit, Finance and Administration Committee Outstanding Business List.

Result: Motion on Item 8 of the Audit, Finance and Administration Committee Report 22-012, CARRIED by a vote of 13 to 1, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- NOT PRESENT - Ward 4 Councillor Sam Merulla
- NO - Ward 5 Councillor Russ Powers
- 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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

Upon Council's request, Item 6 (a) was voted on separately, as follows:

6. Community Benefits Charge Strategy (FCS22015(b)) (City Wide) (Item 8.1)

- (a) That the 2022 City of Hamilton Community Benefits Charge Strategy, attached as Appendix "B" to Audit, Finance and Administration Committee Report 22-012 dated June 2, 2022, be approved;

Result: Motion on Item 6 (a) the Audit, Finance and Administration Committee Report 22-012, CARRIED by a vote of 12 to 2, 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 Russ Powers
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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Result: Motion on the balance of the Audit, Finance and Administration Committee Report 22-012, 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 Russ Powers
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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 22-010**(Clark/Pauls)**

That Emergency and Community Services Committee Report 22-010, being the meeting held on Thursday, June 16, 2022, be received and the recommendations contained therein be approved.

Result: Motion on the Emergency and Community Services Committee Report 22-010, 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 Russ Powers
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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

**HAMILTON ENTERPRISES HOLDING CORPORATION SHAREHOLDER
ANNUAL GENERAL MEETING REPORT 22-001****(Johnson/Pauls)**

That Hamilton Enterprises Holding Corporation Shareholder Annual General Meeting Report 22-001, being the meeting held on Friday, June 17, 2022, be received and the recommendations contained therein be approved.

Result: Motion on the Hamilton Enterprises Holding Corporation Shareholder Annual General Meeting Report 22-001, 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 Russ Powers
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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson

YES - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

HAMILTON UTILITIES CORPORATION SHAREHOLDER ANNUAL GENERAL MEETING REPORT 22-002
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(Johnson/Powers)

That Hamilton Utilities Corporation Shareholder Annual General Meeting Report 22-002, being the meeting held on Friday, June 17, 2022, be received and the recommendations contained therein be approved.

Result: Motion on the Hamilton Utilities Corporation Shareholder Annual General Meeting Report 22-002, 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 Russ Powers

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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson

YES - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

STAFF REPORTS

Mayor Eisenberger relinquished the Chair to Deputy Mayor Johnson, in order to move the following motion:

5.10(a) Sub-Sections (a) and (c) of Report HSC22029(a) - Ukrainian Response Update and Request for Assistance (City Wide)

(Eisenberger/Clark)

- (a) That staff be authorized to respond to supporting the Ukraine Crisis, including but not limited to short-term and temporary accommodations and wrap around supports with an estimated cost **up to** \$670,000 per month **for 2 months**, to be charged to the Corporate Financials – Expenditures/Non-Program Dept Id; and
- (c) That the Mayor and City Clerk be authorized and directed to execute all documentation necessary to support the City's response to the Ukraine Crisis, with content acceptable to the General Manager, City Managers Office, and in a form satisfactory to the City Solicitor.

Result: Motion on Sub-Sections (a) and (c), 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 Russ Powers
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
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Deputy Mayor - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Mayor Eisenberger assumed the Chair.

(Johnson/Danko)

That Council rise from 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 Russ Powers
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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

MOTIONS

Mayor Eisenberger relinquished the Chair to Deputy Mayor Johnson, in order to move the following motions:

6.1 Amendment to Item 7 of General Issues Committee Report 21-009, respecting Motion - Disposition of the Biindigen Well Being Centre (Former St. Helen Catholic Elementary School Property at 785 Britannia) (Ward 4) (Item 14.2)

(Eisenberger/Farr)

WHEREAS, Council on April 28, 2021 approved Item 7 of the General Issues Committee Report 21-009, being a motion respecting the Disposition of the Biindigen Well Being Centre (Former St. Helen Catholic Elementary School Property at 785 Britannia) (Ward 4); and

WHEREAS, staff have been pursuing the disposition of the Biindigen Well Being Centre (Former St. Helen Catholic Elementary School Property at 785 Britannia) (Ward 4).

THEREFORE, BE IT RESOLVED:

- (i) That Sub-section (a) to Item 7 to the General Issues Committee Report 21-009, respecting the Motion - Disposition of the Biindigen Well Being Centre (Former St. Helen Catholic Elementary School Property at 785 Britannia) (Ward 4), be **amended** by the amendment in the Confidential Appendix 'A' (attached), to read as follows:
 - (a) That the direction provided to staff in Closed Session, **as amended** in Confidential Appendix 'A' to this motion, respecting the Motion regarding the amendment to the Motion on Disposition of the Biindigen Well Being Center (Former St. Helen Catholic Elementary School Property at 785 Britannia) in Ward 4, be approved; and,
- (ii) That pending the approval of the amendment to sub-section (a) to Item 7 to the General Issues Committee Report 21-009, respecting the Motion - Disposition of the Biindigen Well Being Centre (Former St. Helen Catholic Elementary School Property at 785 Britannia) (Ward 4), Item 7 (b), be **amended** by deleting (b) in its entirety and replacing (b) with the following:
 - (b) ~~That the Motion respecting the Disposition of the Biindigen Well Being Centre (Former St. Helen Catholic Elementary School Property at 785 Britannia, Hamilton in Ward 4 remain confidential until completion of the real estate transaction, with the following exception:~~
 - ~~(i) That staff be authorized to share any information that may be necessary to give effect to the sale of the property, located at 785 Britannia Avenue, Hamilton.~~

- (b) ***That the amended Closed Session Motion in Confidential Appendix 'B' (attached), respecting the Disposition of the Biindigen Well Being Centre (Former St. Helen Catholic Elementary School Property at 785 Britannia, Hamilton in Ward 4, be released publicly following Council approval, as follows:***

THEREFORE, BE IT RESOLVED:

- (a) That, subject to De Dwa Da Dehs Nye>s Aboriginal Health Centre obtaining the necessary approvals and funding to create and operate a viable community hub to the satisfaction of the General Manager of Healthy and Safe Communities, the Corporate Real Estate Office be authorized and directed to negotiate the requisite agreements to affect the sale (and secure any requisite conditions) of the Property, located at 785 Britannia Avenue, Hamilton, to the De Dwa Da Dehs Nye>s Aboriginal Health Centre (or organization ultimately responsible for the Biindigen Community Hub) on the following conditions, and such other terms and conditions deemed appropriate to the General Manager of Planning and Economic Development:
- (i) The Property be transferred for nominal consideration, plus applicable real estate and legal fees and related transaction costs;
 - (ii) The City's contribution to the furtherance of the community hub be limited to the land, and the City not have any on-going costs or liabilities (operating or capital) associated with the initiative; and,
 - (iii) Should the Biindigen Community Hub, as contemplated herein, fail to materialize, the contributed lands be returned to the City at nominal consideration, and that a commitment be made by the purchasers of the Property that the contributed lands shall be used to support the social determinants of health of the urban indigenous population of Hamilton by a Not-For-Profit organization with preference given to an Indigenous organization, on such terms deemed appropriate to the General Manager, Planning and Economic Development in consultation with General Manager, Healthy and Safe Communities;
- (b) That the General Manager, Planning and Economic Development Department or designate, acting on behalf of the City as property owner, be authorized to provide any consents, approvals, and notices related to the proposed community hub initiative, prior to the transfer of the Property;

- (c) That the City Solicitor be authorized and directed to complete any agreements for the creation of the Biindigen Community Hub and transfer of property, and amend and waive terms and conditions on such terms as considered reasonable for the purposes of the sale of the property, located at 785 Britannia Avenue, Hamilton, to the De Dwa Da Dehs Nye>s Aboriginal Health Centre (or organization ultimately responsible for the Biindigen Community Hub); and,
- (d) That the Mayor and Clerk be authorized and directed to execute any necessary documents, for the purposes of the sale of the property, located at 785 Britannia Avenue, Hamilton, to the De Dwa Da Dehs Nye>s Aboriginal Health Centre (or organization ultimately responsible for the Biindigen Community Hub), in a form satisfactory to the City Solicitor.

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

6.2 Naming of the Great Hall of First Ontario Concert Hall after Boris Brott

(Eisenberger/Nann)

WHEREAS, Boris Brott was artistic director and conductor of the Hamilton Philharmonic Orchestra from 1969-1990, taking it from an amateur ensemble to a professional one with a popular subscription season and global recognition;

WHEREAS, Boris Brott led the launch of the orchestra's music education programs, paving the way to performing in classrooms and school auditoriums across the region. Many Hamiltonians will cite one of his concerts as their first experience with orchestral music. He taught and conducted many of our current HPO musicians and audience members through HPO education programs as well as through the Brott Music Festival and National Academy Orchestra;

WHEREAS, Boris Brott has a direct connection to the Great Hall as a collaborator on the design of the Hall itself;

WHEREAS, First Ontario Credit Union, current holder of naming rights for the facility are not only very much in support of this initiative, but have been instrumental in working with all parties involved to bring this to fruition;

WHEREAS, Boris Brott was later founder and artistic director of the National Academy Orchestra of Canada and Brott Music Festival, both based in Hamilton, where he lived for many years. He was the former principal conductor for youth and family programs at the National Arts Centre in Ottawa, and the New West Symphony Orchestra in Los Angeles in the mid-1990s;

WHEREAS, Boris Brott brought high quality classical music to as wide a public as possible was Brott's goal, never more so than since he became conductor and artistic director of the Orchestre Classique de Montréal, previously the McGill Chamber Orchestra, which his parents Alexander and Lotte Brott, both acclaimed musicians, founded in 1939;

WHEREAS, Boris Brott was not only a giant of the classical music world, he was also a giant for promoting and building Hamilton and his efforts over the decades helped lift our community to new heights; and

WHEREAS, the City of Hamilton recognizes individuals who have made significant contributions to the public life and well-being of the City of Hamilton through the naming of municipal facilities and properties;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to facilitate and execute the naming of the Great Hall of First Ontario Concert Hall in honour and recognition of Boris Brott for his contribution to the Hall itself and the enormous contribution Boris made to the greater Hamilton community arts and culture legacy that has been recognized on a global scale;
- (b) That an interior commemorative plaque be installed and an exterior sign be added to the existing exterior First Ontario Concert Hall sign with the wording "The Great Hall – Boris Brott"; and
- (c) That costs of the installations be funded by First Ontario Credit Union and Oak View Group (OVG) / Hamilton Urban Precinct Entertainment Group LP (HUPEG).

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 Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger

NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Deputy Mayor - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Mayor Eisenberger assumed the Chair for the remainder of the meeting.

6.3 Donation from The Patrick J. McNally Charitable Foundation for St Mark's Capital Project

(Farr/Pearson)

WHEREAS, the City of Hamilton is the owner and steward of the heritage building known as St Mark's Church located at the corner of Bay St. S. and Hunter St. W. in Hamilton;

WHEREAS the City intends to convert St. Mark's Church into a new downtown cultural space and community venue; and

WHEREAS The Patrick J. McNally Charitable Foundation wishes to make a monetary donation of Two Hundred and Fifty Thousand Dollars (\$250,000.00) towards the cost of the project to enhance the experience of visiting and using the site;

THEREFORE, BE IT RESOLVED:

- (a) That the General Manager, Planning and Economic Development, be authorized to negotiate and execute on behalf of the City all agreements and documents necessary to receive funding in the amount of \$250,000 from The Patrick J. McNally Charitable Foundation, all in a form satisfactory to the City Solicitor;
- (b) That the donation amount of \$250,000 from The Patrick J. McNally Charitable Foundation be placed into capital budget account number 7201841803 to be used for the St Mark's Project; and
- (c) That the Mayor send a letter of thanks, on behalf of the City, to the Patrick J. McNally Charitable Foundation for its generous donation.

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

NOTICES OF MOTION

7.1 Naming of the Great Hall of First Ontario Concert Hall after Boris Brott

(Eisenberger/Farr)

That the rules of order be waived to allow for the introduction of a Motion respecting Naming of the Great Hall of First Ontario Concert Hall after Boris Brott.

Result: Motion CARRIED by a 2/3rds 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 Russ Powers
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Deputy Mayor - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

For further disposition of this matter, refer to Item 6.2

7.2 Donation from The Patrick J. McNally Charitable Foundation for St Mark's Capital Project

(Farr/Pearson)

That the rules of order be waived to allow for the introduction of a Motion respecting a Donation from The Patrick J. McNally Charitable Foundation for St Mark's Capital Project.

Result: Motion CARRIED by a 2/3rds 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 Russ Powers
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Deputy Mayor - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

For further disposition of this matter, refer to Item 6.3

STATEMENTS BY MEMBERS

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

COUNCIL COMMUNICATION UPDATES

(Johnson/Pearson)

That the listing of Council Communication Updates from June 3, 2022 to June 16, 2022, be received.

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

PRIVATE AND CONFIDENTIAL

Council determined that discussion of Item 10.1 and 10.2 was not required in Closed Session, therefore, the matters were addressed in Open Session, as follows:

10. Closed Session Minutes – June 8, 2022 (Item 10.1) and June 16, 2022 (Item 10.2)

(Partridge/Powers)

That the Closed Session Minutes dated June 8, 2022 and June 16, 2022 be approved, as presented, and remain confidential.

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

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Russ Powers
 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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

BY-LAWS AND CONFIRMING BY-LAW

(Johnson/Clark)

That Bills No. 22-150 to No. 22-164, 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:

- 150 To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking
 Schedule 8 (No Parking Zones)
 Schedule 12 (Permit Parking Zones)
 Schedule 13 (No Stopping Zones)
 Ward: 2, 3, 11, 13, 14
- 151 To Establish City of Hamilton Land Described as Part of Lot 14, Concession 8 in the Geographic Township of Barton, designated as Part 4 on Plan 62R-12821, and Part 12 on Plan 62R-9741 Save and Except Part 18 on Plan 62R-15778 as Part of Dicenzo Drive
 Ward: 8

- 152 To Consolidate and Update Delegated Site Plan Control By-laws in the City of Hamilton
Ward: City Wide
- 153 To Amend Zoning By-law No. 3692-92, Respecting Lands Located at 541 and 545 Fifty Road (Stoney Creek)
ZAC-21-045/25CDM-202120
Ward: 10
- 154 To Amend Zoning By-law No. 6593 Respecting Lands Located at 16 Steven Street and Part of 436 King William Street, Hamilton
ZAC-22-019
Ward: 3
- 155 To Amend Zoning By-law No. 6593 (former City of Hamilton), Respecting Housekeeping Amendments to Various Definitions and Certain Day Nursery Regulations
Ward: City Wide
CI-22-F
- 156 To Amend Zoning By-law No. 464 (Glanbrook), Respecting Lands Located at 3140-3150 Binbrook Road
Ward: 11
CI-22-F
- 157 A By-law to Delegate Authority During any Restricted Period following Nomination Day
Ward: City Wide
- 158 Being a By-law Respecting Community Benefits Charges on Lands within the City of Hamilton
Ward: City Wide
- 159 To Repeal and Replace By-law No. 22-065, To Impose a Sanitary Sewer Charge Upon Owners of Land Abutting Springbrook Ave from Approximately 24.5 metres South of Lockman Drive to Approximately 17 metres South of Regan Drive, in the City of Hamilton
Ward: 12
- 160 Respecting Removal of Part Lot Control, Part of Lots 1 to 6, 9 to 51, 55, 56, 59 to 63, 65 to 84, and Part of Blocks 86 and 95 Registered Plan No. 62M-1280, for lands municipally known as 103, 104, 107, 108, 111, 112, 115, 119, 123, 127, 131, 135, 139, 143, 147, 150, 151, 154, 155, 159, 163, 167, 171, 175, 179, 183, 187, 191, 195, 199, 203, 207, 211, 215, 219, 223, 227, 231, 235, 239, 243, 247, 251, 255, 259, 271, 275, 279, 282, 283, 286, 287, 290, 291 Rockledge Drive and 128, 132, 133, 136, 137, 140, 141, 144, 148, 152, 156, 160, 164, 168, 172, 176, 180, 184, 188, 192, 196, 200, 204, Cittadella Boulevard, Glanbrook
PLC-22-002
Ward: 9
- 161 Respecting Removal of Part Lot Control, Part of Lots 385 - 389, 408 – 475, 515 –

529 and Blocks 627 - 630, Registered Plan No. 62M-1266
PLC-22-010
Ward: 15

162 To Adopt Official Plan Amendment No. 168 to the Urban Hamilton Official Plan
Respecting 1107 Main Street West (Hamilton)

Ward: 1

163 To Amend Zoning By-law No. 05-200, Respecting Lands Located at 1107 Main
Street West

Ward: 1

164 To Confirm the Proceedings of City Council

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

(Clark/Partridge)

That, there being no further business, City Council be adjourned at 2:21 p.m.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Russ Powers
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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Respectfully submitted,

Mayor Fred Eisenberger

Andrea Holland
City Clerk