



## CITY COUNCIL MINUTES 20-020

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

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

Mayor Eisenberger called the meeting to order and recognized that Council is meeting on the traditional territories of the Erie, Neutral, HuronWendat, Haudenosaunee and Mississaugas. This land is covered by the Dish with One Spoon Wampum Belt Covenant, which was an agreement between the Haudenosaunee and Anishinaabek to share and care for the resources around the Great Lakes. It was further acknowledged that this land is covered by the Between the Lakes Purchase, 1792, between the Crown and the Mississaugas of the Credit First Nation. The City of Hamilton is home to many Indigenous people from across Turtle Island (North America) and it was recognized that we must do more to learn about the rich history of this land so that we can better understand our roles as residents, neighbours, partners and caretakers.

<b>APPROVAL OF THE AGENDA</b>
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The Clerk advised of the following changes to the agenda:

#### 4. COMMUNICATIONS

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

- (bf) Dr. Haider Saeed
- (bg) Christine McLeod
- (bh) Christi Hodgson
- (bi) Lynda Narducci
- (bj) Samantha Fuller
- (bk) Susie Folco
- (bl) Brenda Berketo

- (bm) Roy Leggat
- (bn) Cathy Swenson
- (bo) Alex Beer
- (bp) Chris Ritsma
- (bq) Erik Dickenson
- (br) Durand Neighbourhood Association
- (bs) Steven McKay
- (bt) Peter Quaglia

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

4.17 Correspondence respecting Temporary Emergency Shelter:

- (a) Carmen Orlandis
- (b) Michelle Cho
- (c) Dr. Jeffrey Weatherby
- (d) Pam Summers
- (e) Damon Joo
- (f) Stephen Butson & Kazue Suzuki

Recommendation: Be received.

4.18 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting the federal-provincial Safe Restart Agreement.

Recommendation: Be received.

4.19 Correspondence from Bridget Marsdin respecting Encampments in Hamilton.

Recommendation: Be received.

**7. NOTICES OF MOTION**

- 7.1 Demolition Permit for 832 Barton Street, Stoney Creek – *WITHDRAWN, to be considered at the September 22<sup>nd</sup> Planning Committee Meeting.*
- 7.2 Federation of Canadian Municipalities – Election to the Board of Directors
- 7.3 Proactive Community Information and Solutions Regarding Metrolinx Demolitions on King St East, Ward 3

**10. BY-LAWS AND CONFIRMING BY-LAW**

- 20-197 Being a By-law to Permanently Close a Portion of a Unassumed Alley Abutting 11 Avalon Place, Hamilton, established by Registered Plan 165, in the City of Hamilton, designated as Part 2 on Reference Plan 62R-21364, being Part of PIN 17201-0157 (LT), City of Hamilton

- 20-198 Being a By-law to Permanently Close a Portion of a Unassumed Alley Abutting 13 Avalon Place, Hamilton, established by Registered Plan 165, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-21364, being Part of PIN 17201-0157 (LT), City of Hamilton
- 20-199 Being a By-law to Permanently Close a Portion of Road Allowance Abutting 600 5th Concession Road West, Flamborough, established by Part of the Road Allowance between Lots 12 and 13, Concession 4, in the Geographic Township of West Flamborough, in the City of Hamilton, designated as Part 2 on Reference Plan 62R21259, being Part of PIN 17545-0099 (LT), City of Hamilton

**(Pearson/Pauls)**

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

**Result: Motion CARRIED by a vote of 16 to 0, as follows:**

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

**DECLARATIONS OF INTEREST**

Councillor Pearson declared an interest to Item 4.3 respecting Correspondence from the City of St. Catharines requesting support for their resolution for Support to the City of Toronto in their Legal Challenge of the Amendments made under Bill 184, Section 83, as she is a landlord.

Councillor Merulla declared an interest to Item 4.3 respecting Correspondence from the City of St. Catharines requesting support for their resolution for Support to the City of Toronto in their Legal Challenge of the Amendments made under Bill 184, Section 83, as he is a landlord.

Councillor VanderBeek declared an interest to Item 4.3 respecting Correspondence from the City of St. Catharines requesting support for their resolution for Support to the City of Toronto in their Legal Challenge of the Amendments made under Bill 184, Section 83, as she is a landlord.

**APPROVAL OF MINUTES OF PREVIOUS MEETING**

**3. August 21, 2020 (Item 3.1) and September 10, 2020 (Item 3.2)****(Ferguson/Pearson)**

That the Minutes of the August 21, 2020 and September 10, 2020 meetings of Council be approved, as presented.

**Result: Motion CARRIED by a vote of 16 to 0, as follows:**

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

**COMMUNICATIONS**
**(Johnson/Merulla)**

That Council Communications 4.1 to 4.19 be approved, ***as amended***, as follows:

4.1 Correspondence from Viv Saunders requesting Council's consideration of Potential Tax Levy Reduction:

(a) A note respecting a further advantage of this Fiscal Policy Change.

Recommendation: Be received.

4.2 Correspondence from the City of Elliot Lake requesting support for their resolution respecting the Private Member Bill put forward by Majid Jowhari: M-36, Emancipation Day.

Recommendation: Be ***endorsed***.

4.3 Correspondence from the City of St. Catharines requesting support for their resolution for Support to the City of Toronto in their Legal Challenge of the Amendments made under Bill 184, Section 83.

Recommendation: Be ***endorsed***.

4.4 Correspondence from the Ministry of Natural Resources and Forestry respecting

Resuming aggregate application timelines and public consultation under the Aggregate Resources Act (ARA).

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

- 4.5 Correspondence from the Honourable Caroline Mulroney, Minister of Transportation advising the City of Hamilton of funding in the amount of \$17,211,723 to support the City's COVID-19 municipal transit pressures for Phase 1, incurred from April 1, 2020 to September 30, 2020.

Recommendation: Be received.

- 4.6 Correspondence respecting the Commonwealth Games:

- (a) Danielle Hitchcock-Welsh
- (b) Louis Frapporti, Chair, Hamilton 2026
- (c) Kevin Gonci

Recommendation: Be received.

- 4.7 Correspondence from the Niagara Region requesting support for their resolution respecting Child Care.

Recommendation: Be **endorsed**.

- 4.8 Correspondence from the Ministry of Long Term Care in response to the Mayor's email respecting the technical issues that resulted in some test results from the Hamilton lab not appearing in the provincial portal/viewer.

Recommendation: Be received.

- 4.9 Correspondence from the Ministry of Natural Resources and Forestry respecting Amendment to Ontario Regulation 244/97 and the Aggregates of Ontario Provincial Standards under the Aggregate Resources Act.

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

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

- (a) Brandon Schofield
- (b) Patrick and Sylvia Henderson
- (c) John Waddell
- (d) JoAnne Barresi
- (e) Mark Clem
- (f) Peter Cook
- (g) Mark Cook

- (h) Leslie Malloy
- (i) Susan and David Stothart
- (j) Sarah Robson
- (k) Patty Leggat
- (l) Anne and Gordon Howarth
- (m) Ashleigh Leggat
- (n) Ashley Leggat
- (o) Michael Janjic
- (p) Maria Mungo
- (q) Keith Mann
- (r) Barbara Mann
- (s) D. John Henderson; Donna Syms and Patrick Henderson
- (t) Ryan Bradleigh Chin
- (u) Lauren Fehlings
- (v) Tanya Irwin, Brett Snider and Foxy
- (w) Juliana Webster
- (x) Krista Christink
- (y) Catherine Clase
- (z) Madeleine Verhovsek
- (aa) John Coates
- (ab) Diane Arrell
- (ac) Tara McAuley
- (ad) Ian Woodlock
- (ae) Joyce Dain
- (af) David Borsellino
- (ag) Suzanne and Frank Kovacs
- (ah) Emily Andrews
- (ai) Casey Bruyn
- (aj) Shane Lynn
- (ak) Andrew Wojtow
- (al) Michael Clase
- (am) Wendell MacDonald
- (an) Alana and Bruce Dickenson
- (ao) Steve Johnson
- (ap) Lea Ravensbergen
- (aq) Dan Panagakos
- (ar) Emily Ching
- (as) Josh and Marsh Melfi
- (at) Emily Reilly McKay
- (au) Kirkendall Neighbourhood Association
- (av) Madeleine Verhovsek
- (aw) Hamish Campbell
- (ax) Graeme and Kara Langdon
- (ay) Dr. Haider Saeed
- (az) Ann McKay
- (ba) Michelle Hawrylyshyn
- (bb) Sandra Witelson
- (bc) Graham Crawford
- (bd) Mark Caruana

- (be) Ryan McGreal
- (bf) Dr. Haider Saeed
- (bg) Christine McLeod
- (bh) Christi Hodgson
- (bi) Lynda Narducci
- (bj) Samantha Fuller
- (bk) Susie Folco
- (bl) Brenda Berketo
- (bm) Roy Leggat
- (bn) Cathy Swenson
- (bo) Alex Beer
- (bp) Chris Ritsma
- (bq) Erik Dickenson
- (br) Durand Neighbourhood Association
- (bs) Steven McKay
- (bt) Peter Quaglia

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

- 4.11 Correspondence from Principles Integrity respecting their Periodic Report covering the period in July, 2018 up to the end of August, 2020.

Recommendation: Be received.

- 4.12 Correspondence from the Ministry of Natural Resources and Forestry respecting the Extension to File your 2020 Compliance Assessment Report under the Aggregate Resources Act.

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

- 4.13 Correspondence from the Township of Puslinch requesting support for their resolution respecting COVID-19 Funding.

Recommendation: Be received.

- 4.14 Correspondence Applications for Amendments to the Urban Hamilton Official Plan and Zoning By-law 3692-92 (Stoney Creek) for Lands Located at 325 Highway No. 8 (Stoney Creek) (PED20140) (Ward 10):

- (a) John Giangregorio
- (b) Ray Magill

Recommendation: Be received and referred to Item 4 of Planning Committee Report 20-009.

- 4.15 Correspondence from Monica Nikopoulos respecting the possible legal implications and liability issues 5G could have on the City and its representatives, as well as

citizens and environmental harms.

Recommendation: Be received.

- 4.16 Correspondence from Debbie France requesting that municipalities join together and place this at the top of our Provincial and Federal Governments "must urgently fix" list.

Recommendation: Be received.

- 4.17 Correspondence respecting Temporary Emergency Shelter:

- (a) Carmen Orlandis
- (b) Michelle Cho
- (c) Dr. Jeffrey Weatherby
- (d) Pam Summers
- (e) Damon Joo
- (f) Stephen Butson & Kazue Suzuki

Recommendation: Be received.

- 4.18 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting the federal-provincial Safe Restart Agreement.

Recommendation: Be received.

- 4.19 Correspondence from Bridget Marsdin respecting Encampments in Hamilton.

Recommendation: Be received.

Due to declared conflicts Item 4.3 was voted on separately as follows:

**Result: Item 4.3 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
- CONFLICT - 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
- NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Deputy Mayor - Ward 11 Councillor Brenda Johnson
- CONFLICT - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark



**Result: Motion on the balance of the Communication Items CARRIED by a vote of 16 to 0, as follows:**

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

**(Johnson/Pearson)**

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

**Result: Motion CARRIED by a vote of 16 to 0, as follows:**

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

<b>MAYOR’S TASK FORCE ON ECONOMIC RECOVERY REPORT 20-004</b>
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**(Nann/Danko)**

That the Mayor’s Task Force on Economic Recovery Report 20-004, being the meeting held on Tuesday, August 25, 2020, be received and the recommendations contained therein be approved.

**Result: Motion on the Mayor’s Task Force on Economic Recovery Report 20-004, CARRIED by a vote of 15 to 0, as follows:**

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES – Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- NOT PRESENT - 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 20-009**

**(Farr/Pearson)**

That Planning Committee Report 20-009, being the meeting held on Tuesday, September 8, 2020, be received and the recommendations contained therein be approved.

**Result: Motion on the Planning Committee Report 20-009, CARRIED by a vote of 15 to 0, as follows:**

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

**GENERAL ISSUES COMMITTEE REPORT 20-012**

**(Johnson/Whitehead)**

That General Issues Committee Report 20-012, being the meeting held on Wednesday, September 9, 2020, be received and the recommendations contained therein be approved.

**Result: Motion on the General Issues Committee Report 20-012, CARRIED by a vote of 16 to 0, as follows:**

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

<b>EMERGENCY AND COMMUNITY SERVICES REPORT 20-006</b>
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**(Pauls/Jackson)**

That Emergency and Community Services Committee Report 20-006, being the meeting held on Thursday, September 10, 2020, be received and the recommendations contained therein be approved.

**Result: Motion on Emergency & Community Services Committee Report 20-006 CARRIED by a vote of 16 to 0, as follows:**

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

YES - Ward 9 Councillor Brad Clark

**(Johnson/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 Standing Committee Report is presented to Council, be waived in order to consider the Public Works Committee Report 20-007.

**Result: Motion CARRIED by a 2/3's majority vote of 16 to 0, as follows:**

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

<b>PUBLIC WORKS COMMITTEE REPORT 20-007</b>
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**(Danko/Merulla)**

That Public Works Committee Report 20-007, being the meeting held on Friday, September 11, 2020, be received and the recommendations contained therein be approved.

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

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

YES - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

**(Johnson/Farr)**

That the Committee of the Whole Rise and Report.

**Result: Motion CARRIED by a vote of 16 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson

YES - Ward 2 Councillor Jason Farr

YES - Ward 3 Councillor Nrinder Nann

YES - Ward 4 Councillor Sam Merulla

YES - Ward 5 Councillor Chad Collins

YES – Ward 6 Councillor Tom Jackson

YES - Ward 7 Councillor Esther Pauls

YES - Ward 8 Councillor John-Paul Danko

YES - Mayor Fred Eisenberger

YES - Ward 15 Councillor Judi Partridge

YES - Ward 14 Councillor Terry Whitehead

YES - Ward 13 Councillor Arlene VanderBeek

YES - Ward 12 Councillor Lloyd Ferguson

YES - Deputy Mayor - Ward 11 Councillor Brenda Johnson

YES - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

<b>MOTIONS</b>
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**6.1 Municipal By-Law to Prohibit Off-Road Vehicles on Highways Within the City of Hamilton**

**(Clark/Johnson)**

WHEREAS there has been an increase of off-road vehicles, specifically ATVs on municipal highways creating safety issues for the community;

WHEREAS there has been an increase of off-road vehicles driving on private property resulting in property damage;

WHEREAS Bill 107, Getting Ontario Moving Act (Transportation Statue Law Amendment), 2019 made amendments to the *Highway Traffic Act*, respecting road safety and other matters;

WHEREAS one the of amendments to the *Highway Traffic Act* through, Bill 107 allows for municipalities to pass a by-law to prohibiting the operation of off-road vehicles on highways within the municipality.

THEREFORE BE IT RESOLVED:

That Licensing and Bylaw Services and Legal staff be directed to draft a municipal by-law to prohibit off-road vehicles on highways **and on public lands** within the City of

Hamilton, *including the exemption for husbandry use for normal farming operations* and have staff explore the option of a prohibition of off-road vehicles driving on private property without permission.

**Result: Motion CARRIED by a vote of 16 to 0, as follows:**

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

## **6.2 Federation of Canadian Municipalities – Election to the Board of Directors**

### **(Jackson/Farr)**

WHEREAS the Federation of Canadian Municipalities (FCM) represents the interests of municipalities on policy and program matters that fall within federal jurisdiction; and

WHEREAS FCM's Board of Directors is comprised of elected municipal officials from all regions and sizes of communities to form a broad base of support and provide FCM with the prestige required to carry the municipal message to the federal government;

THEREFORE BE IT RESOLVED:

- (a) That Council of the City of Hamilton endorse Councillor Judi Partridge to stand for election on FCM's Board of Directors for the remainder of the 2018 – 2022 Term of Council; and
- (b) That Council assumes all costs associated with Councillor Judi Partridge attending FCM's Conferences and Board of Directors meetings be charged to the General Legislative 300100 account.

**Result: Motion CARRIED by a vote of 16 to 0, as follows:**

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

YES - Ward 5 Councillor Chad Collins  
YES – Ward 6 Councillor Tom Jackson  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 8 Councillor John-Paul Danko  
YES - Mayor Fred Eisenberger  
YES - Ward 15 Councillor Judi Partridge  
YES - Ward 14 Councillor Terry Whitehead  
YES - Ward 13 Councillor Arlene VanderBeek  
YES - Ward 12 Councillor Lloyd Ferguson  
YES - Deputy Mayor - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark

### **6.3 Proactive Community Information and Solutions Regarding Metrolinx Demolitions on King St East, Ward 3**

#### **(Nann/Pauls)**

WHEREAS Metrolinx has announced their intention to demolish 21 vacant properties in Ward 3 for expressed safety concerns.

WHEREAS the duration of boarded up and vacant buildings have had a negative impact on the sense of community safety, pride and belonging.

WHEREAS residents have indicated they would prefer to see the vacant properties considered for proactive community enhancing solutions such as placemaking and art.

WHEREAS the COVID-19 pandemic has made more urgent and pressing the housing crisis Hamilton faces increasing the need for safe and deeply affordable housing.

THEREFORE BE IT RESOLVED:

- (a) That the City Manager and Chief Building Official request of Metrolinx to prepare a community information plan that includes proactive communication from Metrolinx with adjacent neighbours to mitigate concerns of but not limited to noise, dust, structural impacts, pest management and to explore interim placemaking solutions for any properties slated for demolition.
- (b) That the City Manager and Chief Building Official request Metrolinx to provide a dedicated contact, including phone and email, for residents to connect with directly in regards to demolition related and safety concerns on the Metrolinx properties; and

- (c) That the City Manager and Director of Housing be directed to connect with Metrolinx to discuss the potential of using the Metrolinx owned properties for affordable housing.

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

<b>NOTICES OF MOTION</b>
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## **7.2 Federation of Canadian Municipalities – Election to the Board of Directors**

### **(Jackson/Farr)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Federation of Canadian Municipalities – Election to the Board of Directors.

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

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



Refer to Item 6.2 for further disposition of this item.

**7.3 Proactive Community Information and Solutions Regarding Metrolinx Demolitions on King St East, Ward 3**

**(Nann/Merulla)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Proactive Community Information and Solutions Regarding Metrolinx Demolitions on King St East, Ward 3.

**Result: Motion CARRIED by a 2/3’s majority 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
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES – Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- NOT PRESENT - Deputy Mayor - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

Refer to Item 6.3 for further disposition of this item.

**STATEMENTS BY MEMBERS**

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

**PRIVATE & CONFIDENTIAL**

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

**9.1 Closed Session Minutes – August 21, 2020**

**(Pearson/Partridge)**

That the Closed Session Minutes dated August 21, 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  
YES - Ward 4 Councillor Sam Merulla  
NOT PRESENT - Ward 5 Councillor Chad Collins  
YES – Ward 6 Councillor Tom Jackson  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 8 Councillor John-Paul Danko  
YES - Mayor Fred Eisenberger  
YES - Ward 15 Councillor Judi Partridge  
YES - Ward 14 Councillor Terry Whitehead  
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/VanderBeek)**

That Council recess at 12:43 p.m.

**CARRIED**

Council reconvened at 1:15 p.m.

**(Clark/Jackson)**

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

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

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

**9.2 Encampment Litigation Update (LS20023(b)) (City Wide)**

**(Ferguson/Clark)**

- (a) That the direction provided to staff in Closed Session respecting Report LS20023(b), the Encampment Litigation Update, be approved; and,
- (b) That Report LS20023(b), Appendix ‘A’ and the supplemental confidential information, respecting the Encampment Litigation Update, remain confidential.

**Result: Motion CARRIED by a vote of 9 to 5, as follows:**

- YES - Ward 1 Councillor Maureen Wilson
- NO - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- NOT PRESENT - Ward 4 Councillor Sam Merulla
- NO - Ward 5 Councillor Chad Collins
- NO – Ward 6 Councillor Tom Jackson
- NOT PRESENT - 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
- 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**

**(Johnson/Collins)**

That Bills No. 20-188 to No. 20-200 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:

- 20-188 To Impose a Sanitary Sewer Charge Upon Owners of Lands Known as Hopkins Court, from York Road to Ernest Street, in the City of Hamilton  
Ward: 13
- 20-189 To Establish City of Hamilton Land Described as Part 1 and 2 on Plan 62R-18324, Parts 2, 3, 4, and 6 on Plan 62R-18588 and Parts 1, 2 and 3 on Plan 62R-20075 as Part of Cormorant Road  
Ward: 12
- 20-190 To Amend Zoning By-law No. 05-200, as amended by By-law No. 18-261, respecting lands located at 5 Hamilton Street North, Flamborough  
ZAH-19-018

Ward: 15

- 20-191 To Adopt Official Plan Amendment No. 137 to the Urban Hamilton Official Plan Respecting 1477 Upper James Street and 221 Genoa Drive (Hamilton)  
Ward: 8
- 20-192 To Amend Zoning By-law No. 6593 Respecting Lands Known as 1477 & 1443 Upper James Street and 221 Genoa Drive, Hamilton  
ZAC-18-025  
UHOPA-18-010  
Ward: 8
- 20-193 To Amend Zoning By-law No. 6593 (Hamilton), as amended by By-law No. 00-097, respecting lands located at 90 Carling Street, Hamilton  
ZAH-20-030  
Ward: 1
- 20-194 To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking  
Schedule 6 (Time Limited Parking)  
Schedule 8 (No Parking Zones)  
Schedule 12 (Permit Parking Zones)  
Schedule 13 (No Stopping Zones)  
Schedule 14 (Wheelchair Loading Zones)  
Schedule 15 (Commercial Vehicle Loading Zones)  
Ward: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 15
- 20-195 To Amend Zoning By-law No. 05-200, as amended by By-law No. 15-173, respecting lands located at 3081 Tisdale Road, Glanbrook  
ZAH-19-048  
Ward: 11
- 20-196 To Amend Zoning By-law No. 05-200, as amended by By-law No. 18-114, respecting lands located at 62 and 64 King Street East, Hamilton  
ZAH-20-031  
Ward: 2
- 20-197 Being a By-law to Permanently Close a Portion of a Unassumed Alley Abutting 11 Avalon Place, Hamilton, established by Registered Plan 165, in the City of Hamilton, designated as Part 2 on Reference Plan 62R-21364, being Part of PIN 17201-0157 (LT), City of Hamilton
- 20-198 Being a By-law to Permanently Close a Portion of a Unassumed Alley Abutting 13 Avalon Place, Hamilton, established by Registered Plan 165, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-21364, being Part of PIN 17201-0157 (LT), City of Hamilton
- 20-199 Being a By-law to Permanently Close a Portion of Road Allowance Abutting 600 5th Concession Road West, Flamborough, established by Part of the Road

Allowance between Lots 12 and 13, Concession 4, in the Geographic Township of West Flamborough, in the City of Hamilton, designated as Part 2 on Reference Plan 62R21259, being Part of PIN 17545-0099 (LT), City of Hamilton

20-200 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 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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

**(Pearson/Wilson)**

That, there being no further business, City Council be adjourned at 4:44 p.m.

**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
- NOT PRESENT - 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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland  
City Clerk