



CITY COUNCIL MINUTES 21-006

9:30 a.m.
April 14, 2021
Council Chamber
Hamilton City Hall
71 Main Street West

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

Absent: Councillor T. Whitehead – Leave of Absence

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

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

4. COMMUNICATIONS

4.7 Correspondence respecting the designation of the former St. Giles Church, located at 679 Main Street East and 85 Holton Street South, Hamilton as a heritage building:

- (i) Jie Chen
- (j) Helen Bradley
- (k) Tim Blair, CEO, United Property Resource Corporation
- (l) Daniel G. Peace
- (m) Josephine Ruiz

- (n) Dr. Joda Kuk
- (o) Cater Sloan
- (p) Angelica Stavnitzky
- (q) Bernie Lee Thompson
- (r) Linda Waugh
- (s) Rev. Diane Blanchard
- (t) Angela Parkin
- (u) Susannah Peace
- (v) Karen Mathewson

Recommendation: Be received and referred to the consideration of Item 2(c) of Planning Committee Report 21-005.

7. NOTICES OF MOTION

- 7.1 Enforcement of Offences and Regulations Under the Conservation Authorities Act, and the Trespass to Property Act, at Hamilton Waterfall Areas Under the Jurisdiction of the Hamilton Conservation Authority

(Pearson/Partridge)

That the agenda for the April 14, 2021 meeting of Council be approved, ***as amended***.

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
NOT PRESENT - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Deputy Mayor - 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
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

DECLARATIONS OF INTEREST

There were no declarations of interest.

APPROVAL OF MINUTES OF PREVIOUS MEETING
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3. March 31, 2021 (Item 3.1)

(Jackson/Wilson)

That the Minutes of the March 31, 2021 meeting 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 Nrinde Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Deputy Mayor - 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
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark

COMMUNICATIONS

(Pauls/Jackson)

That Council Communications 4.1 to 4.11 be approved, as presented, as follows:

- 4.1 Correspondence from Lakewood Beach Community Council respecting Cherry Beach Waterfront Park.

Recommendation: Be received and referred to the Senior Leadership Team for appropriate action.

- 4.2 Correspondence from the City of Toronto requesting support for their resolution Supporting Canadian News Media.

Recommendation: Be received.

- 4.3 Correspondence from the Town of Cochrane requesting support for their resolution respecting the MeeQuam Youth Residence Closure.

Recommendation: Be received.

- 4.4 Correspondence from the City of Kitchener requesting support for their resolution respecting *Planning Act* Timelines.

Recommendation: Be received.

4.5 Correspondence from Lauren Stephen respecting the wearing of masks:

- (a) April 1, 2021
- (b) April 2, 2021

Recommendation: Be received.

4.6 Correspondence from Rebecca Steckle respecting COVID-19 Vaccine Distribution - Solidarity and Support in the Lower City.

Recommendation: Be received.

4.7 Correspondence respecting the designation of the former St. Giles Church, located at 679 Main Street East and 85 Holton Street South, Hamilton as a heritage building:

- (a) Janet Long
- (b) Jackie Stagen
- (c) Save St. Giles Church Hamilton Petition
- (d) Devyn Thomson
- (e) Janet Long
- (f) Dr. Sarah Sheehan
- (g) Rev. Douglas C. Moore, Laidlaw Memorial United Church
- (h) Janice Jackson and Christopher Pannell
- (i) Jie Chen
- (j) Helen Bradley
- (k) Tim Blair, CEO, United Property Resource Corporation
- (l) Daniel G. Peace
- (m) Josephine Ruiz
- (n) Dr. Joda Kuk
- (o) Cater Sloan
- (p) Angelica Stavnitzky
- (q) Bernie Lee Thompson
- (r) Linda Waugh
- (s) Rev. Diane Blanchard
- (t) Angela Parkin
- (u) Susannah Peace
- (v) Karen Mathewson

Recommendation: Be received and referred to the consideration of Item 2(c) of Planning Committee Report 21-005.

4.8 Correspondence from the Town of Caledon requesting support for 988, as a 3-Digit Suicide and Crisis Prevention Hotline.

Recommendation: Be received.

- 4.9 Correspondence from the Honourable Christine Elliott, Deputy Premier and Minister of Health advising the City of Hamilton that the Ministry of Health will be providing funding up to \$483,557 in additional one-time funding for the 2020 calendar year and up to \$1,317,574 in one-time funding for the 2021 calendar year to support paramedic services and dispatch centres as part of the Coronavirus Disease(COVID-19) response in the emergency health services sector.

Recommendation: Be received.

- 4.10 Correspondence from Peter Ivey respecting LRT plans.

Recommendation: Be received.

- 4.11 Correspondence from Tammy Felts, President, Wentworth Common Element Condominium Corp. (WCECC) respecting a Non-Confidence Vote - Councillor Maria Pearson.

Recommendation: Be received.

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
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Deputy Mayor - 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
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark

(Pauls/Jackson)

That Council move into Committee of the Whole to consider 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
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins

YES – Ward 6 Councillor Tom Jackson
YES - Deputy Mayor - 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
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark

PLANNING COMMITTEE REPORT 21-005

(Danko/Farr)

That Planning Committee Report 21-005, being the meeting held on Tuesday, April 6, 2021, be received and the recommendations contained therein be approved.

(Nann/Eisenberger)

That the recommendation of Item 2 (c) of Planning Committee Report 21-005, respecting Hamilton Municipal Heritage Committee Report 21-002, Former St. Giles Church, located at 679 Main Street East, and 85 Holton Avenue South, Hamilton, be deleted in its entirety and the following be inserted therein:

2. Hamilton Municipal Heritage Committee Report 21-002 (Item 7.2)**(c) Former St. Giles Church, located at 679 Main Street East, and 85 Holton Avenue South, Hamilton (Added Item 11.1)**

~~That staff be directed to take appropriate action to designate 679 Main St E and 85 Holton St South under Part IV of the *Ontario Heritage Act*, including preparation and giving the required public notice of the Notice of Intention to Designate and a Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes.~~

- (a) *That the designation of the former St. Giles Church, located at 679 Main Street East, and 85 Holton Avenue South, Hamilton, be referred back to Planning Committee to allow the Ward Councillor time to meet with the applicant and the community with respect to the proposed future development of the site; and***
- (b) *That the owner of 85 Holton Avenue be invited to attend a future Planning Committee to present their proposed approach and concept for the development of 85 Holton Avenue, prior to making a formal application for planning approval.***

(Danko/Partridge)

That the amended recommendations, above, respecting Item 2 (c) of Planning Committee Report 21-005, respecting Hamilton Municipal Heritage Committee Report 21-002, Former

St. Giles Church, located at 679 Main Street East, and 85 Holton Avenue South, Hamilton, be **amended** by adding the following sub-section (c):

- (c) ***That the property known as the Former St. Giles Church, located at 679 Main Street East, and 85 Holton Avenue South, Hamilton be added to the Municipal Heritage Register as a property of Cultural Heritage Significance.***

Result: Motion on the Amendment to the Amendment to Item 2 (c), DEFEATED by a vote of 5 to 9, as follows:

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

Result: Motion on the Amendment to Item 2 (c), 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
NO - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Deputy Mayor - 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
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Result: Motion on the Planning Committee Report 21-005, as Amended, CARRIED by a vote of 14 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Deputy Mayor - 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
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

GENERAL ISSUES COMMITTEE REPORT 21-008

(Pauls/Danko)

That General Issues Committee Report 21-008, being the meeting held on Wednesday, April 7, 2021, be received and the recommendations contained therein be approved.

(Pauls/Ferguson)

That the recommendations of Item 3 of General Issues Committee Report 21-008, respecting Report LS21013/PED21091, *Building Transit Faster Act*, 2020, be **amended** to add '**newly proposed regulation under the**', in order to clarify that the actions are in response to the new regulation that makes the Hamilton LRT a priority project under the *Building Transit Faster Act*, which received Royal Assent in 2020, therefore, in full force and effect; and is open for comment until April 23, 2021, as follows:

3. *Building Transit Faster Act*, 2020 (LS21013/PED21091) (City Wide) (Item 10.2)

- (a) That the City's response to the **newly proposed regulation under the *Building Transit Faster Act***, be delayed until such time as the City has heard from the delegation by Metrolinx and the Ministry of Transportation with respect to the *Building Transit Faster Act*; and,
- (b) That the Province be requested to extend the April 23, 2021 deadline for comments respecting the **newly proposed regulation under the *Building Transit Faster Act*** to provide the requested delegation of Metrolinx and the Ministry of Transportation time to attend an upcoming General Issues Committee meeting.

Result: Motion on the *Amendment* to Item 3, 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
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Deputy Mayor - 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
NO - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Upon Council's request the sub-sections of Item 3, ***as Amended***, were voted on separately:

3. *Building Transit Faster Act, 2020 (LS21013/PED21091) (City Wide) (Item 10.2)*

- (a) That the City's response to the ***newly proposed regulation under the Building Transit Faster Act***, be delayed until such time as the City has heard from the delegation by Metrolinx and the Ministry of Transportation with respect to the *Building Transit Faster Act*, and,

Result: Motion on the Item 3 (a), as *Amended* 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
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Deputy Mayor - 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
NOT PRESENT - Ward 11 Councillor Brenda Johnson

YES - Ward 10 Councillor Maria Pearson

NO - Ward 9 Councillor Brad Clark

3. *Building Transit Faster Act, 2020 (LS21013/PED21091) (City Wide) (Item 10.2)*

- (b) That the Province be requested to extend the April 23, 2021 deadline for comments respecting the ***newly proposed regulation under the Building Transit Faster Act*** to provide the requested delegation of Metrolinx and the Ministry of Transportation time to attend an upcoming General Issues Committee meeting.

Result: Motion on the Item 3 (b), as Amended, CARRIED by a vote of 14 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson

YES - Ward 2 Councillor Jason Farr

YES - Ward 3 Councillor Nrinder Nann

YES - Ward 4 Councillor Sam Merulla

YES - Ward 5 Councillor Chad Collins

YES – Ward 6 Councillor Tom Jackson

YES - Deputy Mayor - 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

NOT PRESENT - Ward 11 Councillor Brenda Johnson

YES - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

Result: Motion on the balance of the General Issues Committee Report 21-008, CARRIED by a vote of 14 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson

YES - Ward 2 Councillor Jason Farr

YES - Ward 3 Councillor Nrinder Nann

YES - Ward 4 Councillor Sam Merulla

YES - Ward 5 Councillor Chad Collins

YES – Ward 6 Councillor Tom Jackson

YES - Deputy Mayor - 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

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

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 21-005
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(Ferguson/Pearson)

That Audit, Finance and Administration Committee Report 21-005, being the meeting held on Thursday, April 8, 2021, be received and the recommendations contained therein be approved.

Result: Motion on the Audit, Finance and Administration Committee Report 21-005, CARRIED by a vote of 14 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Deputy Mayor - 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
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 21-003

(Nann/Jackson)

That Emergency and Community Services Committee Report 21-003, being the meeting held on Thursday, April 8, 2021, be received and the recommendations contained therein be approved.

Upon Council's request Item 2, was voted on separately:

2. Age Friendly Plan 2021-2026 (CES14053(d)) (City Wide) (Item 8.1)

Result: Motion on Item 2, CARRIED by a vote of 14 to 0, as follows:

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

YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Deputy Mayor - 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
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Result: Motion on the balance of the Emergency and Community Services Committee Report 21-003, CARRIED by a vote of 14 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Deputy Mayor - 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
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Pauls/Nann)

That the Committee of the Whole Rise and Report.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Deputy Mayor - 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
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

MOTIONS

6.1 Enforcement of Offences and Regulations Under the Conservation Authorities Act, and the Trespass to Property Act, at Hamilton Waterfall Areas Under the Jurisdiction of the Hamilton Conservation Authority

(VanderBeek/Ferguson)

WHEREAS, requests for by-law enforcement at Hamilton Waterfall areas continue to increase and City Council, at its 2021 Budget meeting, approved the hiring of additional enforcement staff to establish a pilot project for the enforcement of Waterfall areas where challenges have been identified;

WHEREAS despite many City Council approved regulations and increased fines, regular enforcement, and other improvement measures being enacted/conducted, as well as a reservation system being tested by the Hamilton Conservation Authority, increased visitors to the waterfall areas, the Dundas Peak and Conservation Areas within the City continue to have negative impacts on area residents; and,

WHEREAS additional measures are required to enforce offences and Regulations under the *Conservation Authorities Act* and the *Trespass to Property Act* at Waterfall areas under the jurisdiction of the Hamilton Conservation Authority;

THEREFORE, BE IT RESOLVED:

- (a) That staff from Licensing and By-law Services work with the City's Legal Department and with the Hamilton Conservation Authority to formalize the appointment of City staff as Provincial Offences Officers to enforce offences and Regulations under the *Conservation Authorities Act*, in addition to the *Trespass to Property Act* when carrying out their duties on property under the jurisdiction of the Hamilton Conservation Authority; and,
- (b) That the Director of Licensing and By-law Services be authorized to sign any agreements between the City of Hamilton and the Hamilton Conservation Authority or other documentation as required to facilitate City enforcement staff's enforcement of offences and Regulations under the *Conservation Authorities Act* and the *Trespass to Property Act* on property under the jurisdiction of the Hamilton Conservation Authority provided such agreements are satisfactory to the City Solicitor.

Result: Motion CARRIED by a vote of 12 to 1, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES – Ward 6 Councillor Tom Jackson
 YES - Deputy Mayor - 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
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

NOTICES OF MOTION

7.1 Enforcement of Offences and Regulations Under the Conservation Authorities Act, and the Trespass to Property Act, at Hamilton Waterfall Areas Under the Jurisdiction of the Hamilton Conservation Authority

(VanderBeek/Ferguson)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Enforcement of Offences and Regulations Under the *Conservation Authorities Act*, and the *Trespass to Property Act*, at Hamilton Waterfall Areas Under the Jurisdiction of the Hamilton Conservation Authority.

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

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES – Ward 6 Councillor Tom Jackson
 YES - Deputy Mayor - 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
 NOT PRESENT - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

Refer to Item 6.1 for further disposition of this item.

STATEMENTS BY MEMBERS

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

COUNCIL COMMUNICATION UPDATES**(Pauls/Johnson)**

That the listing of Council Communication Updates from March 26, 2021 to April 8, 2021, be received.

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

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

PRIVATE AND CONFIDENTIAL

Council determined that discussion of Item 10.1 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

10.1 Closed Session Minutes – March 31, 2021**(Pearson/Partridge)**

That the Closed Session Minutes dated March 31, 2021 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
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

BY-LAWS

(Pauls/Jackson)

That Bills No. 21-046 to No. 21-051 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:

- 046 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 29 (Weight Restrictions on Bridges)
Schedule 31 (Designated Area – Reduced Speed – 40 km/h Neighbourhoods)
Schedule 34 (Designated Community Safety Zones)
Ward: 2, 3, 6, 8, 9, 11, 12, 14, 15
- 047 To Adopt Official Plan Amendment No. 146 to the Urban Hamilton Official Plan, respecting 804-816 King Street West (Hamilton)
Ward: 1
- 048 To Amend Zoning By-law No. 05-200, respecting Lands Located at 804-816 King Street West
ZAC-19-009
Ward: 1
- 049 To Amend Hamilton Zoning By-law No. 05-200, respecting Lands Located at 70 Garner Road East, Ancaster
ZAH-20-039
Ward: 12
- 050 To Amend Zoning By-law No. 87-57 (Ancaster), respecting Lands Located at 527 Shaver Road and 629 Garner Road West, in the former Town of Ancaster
ZAH-21-012
Ward: 12

051 To Confirm the Proceedings of City Council

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

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

(Pearson/Ferguson)

That, there being no further business, City Council be adjourned at 12:17 p.m.

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

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

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland
City Clerk