



CITY COUNCIL MINUTES 21-007

12:00 p.m.
April 28, 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.

Due to technical difficulties, the meeting was recessed until 12:40 p.m.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

4. COMMUNICATIONS

- 4.12 Correspondence from Daniella Mikanovsky respecting Sidewalk Snow Removal and Report PW19022(c).

Recommendation: Be received and referred to the consideration of Item 2 of Public Works Committee Report 21-005.

- 4.13 Correspondence from Donna Bacher, 2021 President, Realtors Association of Hamilton-Burlington respecting the Proposed Second Dwelling Units (SDUs) By-law.

Recommendation: Be received and referred to the consideration of Item 9 of Planning Committee Report 21-006.

- 4.14 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting a two hour-long telephone townhall session with municipal representatives from Central Ontario's municipalities on May 18, 2021 at 12:30 p.m. on how to strengthen accountability for municipal council members and to ensure that councillors and heads of council maintain a safe and respectful workplace and carry out their duties as elected officials ethically and responsibly.

Recommendation: Be received, with the appointment of one member of Council as the City of Hamilton's Council representative to participate in the Ministry's Town Hall on May 18, 2021.

11. BY-LAWS AND CONFIRMING BY-LAW

- 063 To Amend Zoning By-law No. 05-200, as amended by By-law No. 17-240, respecting Lands Located at 267, 275-283 and 293 Upper Centennial Parkway, Stoney Creek
ZAH-20-025
Ward: 9
- 064 Respecting Removal of Part Lot Control, Block 246, Registered Plan No. 62M-1257, municipally known as 185 Bedrock Drive, Stoney Creek
PLC-21-003
Ward: 9

(Pearson/Nann)

That the agenda for the April 28, 2021 meeting of Council be approved, ***as amended***.

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

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

DECLARATIONS OF INTEREST

Councillor Danko declared an interest to Item 1 of the Mayor's Task Force on Economic Recovery Report 21-002, respecting Support for Emergency Funds for Post-Secondary Education Institutions and Stable Public Funding for Ontario's Universities and Colleges, as his wife is the Chair of the Hamilton-Wentworth District School Board.

Councillor Danko declared an interest to Item 4 of the General Issues Committee Report 21-009, respecting the School Board Properties Sub-Committee Report 21-001, April 12, 2021, as his wife is the Chair of the Hamilton-Wentworth District School Board.

Councillor Merulla declared a conflict of Interest to Item 4.13 Correspondence from Donna Bacher, 2021 President, Realtors Association of Hamilton-Burlington respecting the Proposed Second Dwelling Units (SDUs) By-law, as he is a landlord.

Councillor Merulla declared a conflict of interest to Item 9 of the Planning Committee Report 21-006, respecting the Secondary Dwelling Units in the Urban and Rural Areas - Zoning By-law and associated implementation amendments to the Parkland Dedication By-law and Tariff of Fees By-law for Minor Variance Applications (Committee of Adjustment Application Fee) (CI 20-E and CI 21-A) (PED20093(a)), as he is a landlord.

Councillor Merulla declared a conflict of Interest for Item 2 of the Emergency and Community Services Committee Report 21-004, respecting the Tenant Defence Fund (HSC19011(a)), as he is a landlord.

Councillor Pearson declared a conflict of Interest to Item 4.13 Correspondence from Donna Bacher, 2021 President, Realtors Association of Hamilton-Burlington respecting the Proposed Second Dwelling Units (SDUs) By-law, as she is a landlord.

Councillor Pearson declared a conflict of Interest for Item 2 of the Emergency and Community Services Committee Report 21-004, respecting the Tenant Defence Fund (HSC19011(a)), as she is a landlord.

Councillor VanderBeek declared a conflict of Interest to Item 4.13 Correspondence from Donna Bacher, 2021 President, Realtors Association of Hamilton-Burlington respecting the Proposed Second Dwelling Units (SDUs) By-law, as she is a landlord.

Councillor VanderBeek declared a conflict of Interest for Item 2 of the Emergency and Community Services Committee Report 21-004, respecting the Tenant Defence Fund (HSC19011(a)), as she is a landlord.

APPROVAL OF MINUTES OF PREVIOUS MEETING**3. April 14, 2021 (Item 3.1)****(Partridge/Pauls)**

That the Minutes of the April 14, 2021 meeting of Council be approved, as presented.

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

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

COMMUNICATIONS

(Pauls/Johnson)

That Council Communications 4.1 to 4.14 be approved, *as amended*, as follows:

- 4.1 Correspondence from Emily Kulpaka respecting ticketing unhoused and shelter space.

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

- 4.2 Correspondence from the Ministry of Municipal Affairs and Housing respecting the Declaration of Provincial Emergency under the Emergency Management and Civil Protection Act and Amendments to the Reopening Ontario Act.

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

- 4.3 Correspondence from the Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee expressing their concerns with sidewalk snow clearing in the City of Hamilton and to offer their support to City Council to reverse the decision made by the Public Works Committee at its meeting on April 19, 2021.

Recommendation: Be received and referred to the consideration of Item 2 of Public Works Committee Report 21-005.

- 4.4 Correspondence from the Ministry of Municipal Affairs and Housing respecting Enhanced Enforcement and New Order under the Emergency Management and Civil Protection Act (EMCPA).

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

- 4.5 Correspondence from Principles Integrity respecting the Code of Conduct Complaint Against Councillor Clark, Final Report, April 21, 2021.

Recommendation: Be received.

- 4.6 Correspondence from the Paul Dube, Ombudsman of Ontario respecting a investigation into a complaint about a meeting held by the Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee for the City of Hamilton on October 20, 2020.

Recommendation: Be received.

- 4.7 Correspondence from Angelo Italiano respecting 1288 Baseline Rd Stoney Creek.

Recommendation: Be received and referred to the consideration of Item 7 of Planning Committee Report 21-006.

- 4.8 Correspondence from Lori-Anne Marini and Ron McMurray respecting the City of Hamilton Residential Zone Project.

Recommendation: Be received and referred to the consideration of Item 9 of Planning Committee Report 21-006.

- 4.9 Correspondence from the Niagara Peninsula Conservation Authority respecting their resolution encouraging the NPCA municipalities to adopt, through official plan updates, expanded trail networks using publicly owned corridors, abandoned rail lines, and other opportunities.

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

- 4.10 Correspondence from the City of Cambridge respecting their resolution regarding a request for paid sick leave.

Recommendation: Be received.

- 4.11 Correspondence from PJ Mercanti, President, Hamilton100 respecting the 2030 Commonwealth Games.

Recommendation: Be received.

- 4.12 Correspondence from Daniella Mikanovsky respecting Sidewalk Snow Removal and Report PW19022(c).

Recommendation: Be received and referred to the consideration of Item 2 of Public Works Committee Report 21-005.

- 4.13 Correspondence from Donna Bacher, 2021 President, Realtors Association of Hamilton-Burlington respecting the Proposed Second Dwelling Units (SDUs) By-law.

Recommendation: Be received and referred to the consideration of Item 9 of Planning Committee Report 21-006.

- 4.14 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting a two hour-long telephone townhall session with municipal representatives from Central Ontario's municipalities on May 18, 2021 at 12:30 p.m. on how to strengthen accountability for municipal council members and to ensure that councillors and heads of council maintain a safe and respectful workplace and carry out their duties as elected officials ethically and responsibly.

Recommendation: Be received, with the appointment of **Mayor Eisenberger** as the City of Hamilton's Council representative to participate in the Ministry's Town Hall on May 18, 2021.

Due to declared conflicts, Item 4.13 was voted on separately, as follows:

Result: Motion on Item 4.13, 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
CONFLICT - 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
CONFLICT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - 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, as Amended, CARRIED by a vote of 15 to 0, as follows:

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

(Pauls/Jackson)

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

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

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

MAYOR’S TASK FORCE ON ECONOMIC RECOVERY REPORT 21-002

(Nann/Danko)

That the Mayor’s Task Force on Economic Report 21-002, being the meeting held on Friday, April 16, 2021, be received and the recommendations contained therein be approved.

Due to a declared conflict, Item 1 was voted on separately, as follows:

- 1. Support for Emergency Funds for Post-Secondary Education Institutions and Stable Public Funding for Ontario’s Universities and Colleges (Added Item 8.1)**

Result: Motion on Item 1 of the Mayor’s Task Force on Economic Recovery Report 21-002, 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
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
CONFLICT - 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

Result: Motion on the balance of the Mayor’s Task Force on Economic Recovery Report 21-002, 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

BOARD OF HEALTH REPORT 21-004

(Wilson/VanderBeek)

That Board of Health Report 21-004, being the meeting held on Monday, April 19, 2021, be received and the recommendations contained therein be approved.

Result: Motion on the Board of Health Report 21-004, 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 - 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

PUBLIC WORKS COMMITTEE REPORT 21-005

(VanderBeek/Nann)

That Public Works Committee Report 21-005, being the meeting held on Monday, April 19, 2021, be received and the recommendations contained therein be approved.

(Wilson/Nann)

That Item (d)(i) respecting Sidewalk Snow Clearing Update (PW19022(c)), be lifted from the Information Section and added as Item 14 of the Public Works Committee Report 21-005.

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

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

14. Sidewalk Snow Clearing Update (PW19022(c)) (City Wide) (Item 8.1)

(Wilson/Nann)

(a) That the level of service for winter sidewalk snow removal be enhanced as defined as Scenario 2 – Priority 1 and 2A Roadways – Maintaining sidewalks in the existing level of service plus the addition of an estimated 783 km of sidewalk along transit routes, at an estimated cost of \$4.44 million, to be approved from the 2022 Public Works Operating Budget, as follows:

- (i) Service Level 2A
 Activate when snow accumulation is 5 cm or greater
 Snow packed condition with de-icing material application

- (b) That staff prepare to report back with an implementation plan to proceed with Service Level Scenario 2A as outlined in this report.

(Clark/Johnson)

That Item 14 of Public Works Committee Report 21-005 respecting Sidewalk Snow Clearing Update (PW19022(c)), be referred back to staff for a report back to the Public Works Committee by June 30, 2021 with additional information respecting the costs as a result of area rating and the sidewalks currently being cleared on transit routes.

Result: Motion DEFEATED by a vote of 7 to 8, as follows:

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

Result: Motion on Item 14 of the Public Works Committee Report 21-005, CARRIED by a vote of 9 to 6, as follows:

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

Result: Motion on the balance of the Public Works Committee Report 21-005, 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

PLANNING COMMITTEE REPORT 21-006

(Danko/Johnson)

That Planning Committee Report 21-006, being the meeting held on Tuesday, April 20, 2021, be received and the recommendations contained therein be approved.

(Farr/Wilson)

That sub-section (g) 2. of Item 9 of the Planning Committee Report 21-006, respecting Report PED20093(a) - Secondary Dwelling Units in the Urban and Rural Areas - Zoning By-law and associated implementation amendments to the Parkland Dedication By-law and Tariff of Fees By-law for Minor Variance Applications (Committee of Adjustment Application Fee) (CI 20-E and CI 21-A), be deleted in its entirety with the remaining sub-sections being renumbering, to read as follows:

9. Secondary Dwelling Units in the Urban and Rural Areas - Zoning By-law and associated implementation amendments to the Parkland Dedication By-law and Tariff of Fees By-law for Minor Variance Applications (Committee of Adjustment Application Fee) (CI 20-E and CI 21-A) (PED20093(a)) (City Wide) (Item 10.1) (Item 10.1)

- (g) That staff be directed to amend the draft Zoning By-law regulations for Secondary Dwelling Units to add Schedules that were inadvertently omitted and to amend certain regulations in response to public input, on the following basis:
1. Add regulations and special figures to identify Carlisle, Lynden, Freulton, Greensville and lands south of Highway 8 within the Niagara Escarpment Plan Area to implement the Rural Hamilton Official Plan policy that prohibits secondary dwelling units in principle dwellings. (Zoning By-law No. 05-200)

- ~~2. Add a site specific exception for the through lot properties located at Nos. 12 to 26 Bruce Street (even side only) to establish Bruce Street as the front lot line so these properties would be permitted to have a detached Secondary dwelling unit. (Hamilton Zoning By-law No. 6593)~~
2. Add definition of 'laneway' and ensure lots abutting a laneway are not considered as through lots. (Hamilton Zoning By-law No. 6593 and 3581-86 (Dundas))
 3. Permit SDUs fronting a laneway to have reduced rear yard setback of 0.3 m to maintain interface with laneway and to permit permeable pavers within this setback. (Hamilton Zoning By-law No. 6593 and 3581-86 (Dundas)))
 4. Delete the maximum height of the visual barrier that screens the amenity area of the detached SDU. (all Zoning By-laws)
 5. Delete the regulation that requires a maximum 40 m linear distance between from the front lot line to entrances of the detached SDU. (all Zoning By-laws)

Result: Motion on the *Amendment* to Item 9 of the Planning Committee Report 21-006, 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

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

9. **Secondary Dwelling Units in the Urban and Rural Areas - Zoning By-law and associated implementation amendments to the Parkland Dedication By-law and Tariff of Fees By-law for Minor Variance Applications (Committee of Adjustment Application Fee) (CI 20-E and CI 21-A) (PED20093(a)) (City Wide) (Item 10.1) (Item 10.1)**

- (a) That City Initiative 21-A respecting amendments to Zoning By-law No. 05-200 to add new regulations respecting interpretations of the Zoning By-law and to delete and replace the accessory building and structures regulations that have been identified to require revisions as a result of introducing Secondary Dwelling Unit Regulations and gaps within the regulations, be approved on the following basis:
- (i) That the draft By-law to amend Zoning By-law No. 05-200, attached as Appendix "A1" to Report PED20093(a), which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020), conform with A Place to Grow Plan, as amended (2019) and comply with the Rural and Urban Hamilton Official Plans.
- (b) That City Initiative 20-E respecting amendments to Zoning By-law No. 05-200 and the Zoning By-laws applicable to the Town of Ancaster, Town of Dundas, Town of Flamborough, Township of Glanbrook, City of Hamilton, and City of Stoney Creek Zoning By-laws, to amend the zoning by-law regulations for single detached dwellings, semi-detached dwellings and townhouse dwellings, to permit secondary dwelling units, either as an accessory unit within the dwelling, within a detached structure accessory to the principle dwelling unit, or both, be approved on the following basis:
- (i) That the draft By-law to amend Zoning By-law No. 05-200, attached as Appendix "A2" to Report PED20093(a), which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the draft By-law to amend the Town of Ancaster Zoning By-law No. 87-57, attached as Appendix "B", as amended as follows, to Report PED20093(a), which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

Section 9.14.1 (b)
 - (ii) A minimum 1.5 m Side Yard shall be provided which shall unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod.
 - (iii) A minimum 1.5 m Rear Yard shall be provided which shall unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod.
 - (iii) That the draft By-law to amend the Town of Dundas Zoning By-law No. 3581-86, attached as Appendix "C" to Report PED20093(a), which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (iv) That the draft By-law to amend Town of Flamborough Zoning By-law No. 90-145-Z, attached as Appendix "D" to Report PED20093(a), which

- has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (v) That the draft By-law to amend Township of Glanbrook Zoning By-law No. 464, attached as Appendix “E” to Report PED20093(a), which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (vi) That the draft By-law to amend City of Hamilton Zoning By-law No. 6593, attached as Appendix “F” to Report PED20093(a), which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (vii) That the draft By-law to amend City of Stoney Creek Zoning By-law No. 3692-92, attached as Appendix “G” to Report PED20093(a), which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (viii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020), conform with A Place to Grow Plan, as amended (2019) and comply with the Rural and Urban Hamilton Official Plans.
- (c) That the following By-laws respecting amendments to Zoning By-law No. 6593 be repealed in their entirety once the proposed By-law, attached as Appendix “F” to Report PED20093(a), are final and binding:
- (i) By-law No.19-307, the Temporary Use By-law respecting second Dwelling Units for Certain Lands Bounded by Queen Street, Hamilton Harbour, the former Hamilton/Dundas Municipal boundary, Niagara Escarpment, Upper Wellington Street, the former Ancaster/Hamilton Municipal boundary, and the former Hamilton/Glanbrook Municipal boundary;
 - (ii) By-law No. 18-299 respecting Second Dwelling Units (Laneway Houses) for Certain Lands Bounded by Highway 403, Burlington Street, Red Hill Valley and the Escarpment.
- (d) That the draft By-law to amend the Parkland Dedication By-law No. 18-126, attached as Appendix “H1” to Report PED20093(a), be enacted by City Council.
- (e) That the draft By-law to amend the Tariff of Fees By-law No. 12-282, as amended by By-law No. 19-108, to introduce a reduced fee for Committee of Adjustment applications for secondary dwelling units, attached as Appendix “H2” to Report PED20093(a), be enacted by City Council.
- (f) That the matter respecting Second Dwelling Units – Options to Increase Housing Supply in Hamilton’s Low Density Existing Housing Stock be

considered complete and removed from the Planning Committee's Outstanding Business List; and,

- (g) That staff be directed to amend the draft Zoning By-law regulations for Secondary Dwelling Units to add Schedules that were inadvertently omitted and to amend certain regulations in response to public input, on the following basis:
1. Add regulations and special figures to identify Carlisle, Lynden, Freelon, Greensville and lands south of Highway 8 within the Niagara Escarpment Plan Area to implement the Rural Hamilton Official Plan policy that prohibits secondary dwelling units in principle dwellings. (Zoning By-law No. 05-200)
 2. Add definition of 'laneway' and ensure lots abutting a laneway are not considered as through lots. (Hamilton Zoning By-law No. 6593 and 3581-86 (Dundas))
 3. Permit SDUs fronting a laneway to have reduced rear yard setback of 0.3 m to maintain interface with laneway and to permit permeable pavers within this setback. (Hamilton Zoning By-law No. 6593 and 3581-86 (Dundas))
 4. Delete the maximum height of the visual barrier that screens the amenity area of the detached SDU. (all Zoning By-laws)
 5. Delete the regulation that requires a maximum 40 m linear distance between from the front lot line to entrances of the detached SDU. (all Zoning By-laws)
- (h) That under the proposed changes to Zoning By-Law Number 6593, that the size of Secondary Dwelling Units either in the dwelling or the detached secondary dwelling unit, or both, be limited to a maximum of two bedrooms as defined by the Building Code.
- (i) That Zoning By-law No. 6593 be further amended to deem the front entrance of the principle dwelling as the front lot line for the purposes of through lots which would allow for detached secondary dwelling units.
- (j) That Section 19.1.(1) (ii) (6) of Zoning By-law Number 6593 be amended to exclude additional floor area that is required for accessibility requirements.
- (k) That the public submissions were received and considered by the Committee in approving the City Initiative.

Result: Main Motion on Item 9 as Amended of the Planning Committee Report 21-006, CARRIED by a vote of 11 to 3, 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
NO - 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
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

Result: Motion on the balance of the Planning Committee Report 21-006, 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

GENERAL ISSUES COMMITTEE REPORT 21-009

(Pauls/Jackson)

That General Issues Committee Report 21-009, being the meeting held on Wednesday, April 21, 2021, be received and the recommendations contained therein be approved.

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

- 5. West Harbour Development Sub-Committee Report 21-001, April 13, 2021 (Item 10.3)**
 - (a) Pier 8 Animation Program and Hamilton Waterfront Trust (HWT) (Discovery) Centre - Status Update (PED21090) (Ward 2) (Item 10.1)**

- (i) That staff be directed to prepare a long-term strategy including an assessment of the existing conditions of the Hamilton Waterfront Trust (former Discovery) Centre building, the cost of existing operations, future capital requirements, planning approvals, parking requirements, real estate evaluations, market soundings, and other relevant due diligence, and report back to the West Harbour Development Sub-Committee identifying options for future uses of the property, as well as various ownership and/or operating models; and,
- (ii) That staff be directed to promote the availability of the Hamilton Waterfront Trust (former Discovery) Centre property for lease, on the following conditions, and report back to the West Harbour Development Sub-Committee:
 - (1) Any currently unoccupied and available space within and outside of the building;
 - (2) Suitable uses being restricted to permitted zoning/land use regulations, with a preference for outdoor year-round programming/animation, and a desire for variety, including some food and beverage;
 - (3) Minimum Term of 1-year and a Maximum Term of 5 years, with potential for options;
 - (4) Structured on a Fully Net and Carefree basis; and,
 - (5) A portion of the space be available for some public meetings or events.

Result: Motion on Item 5 (a) of the General Issues Committee Report 21-009, 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 - 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

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

- 5. West Harbour Development Sub-Committee Report 21-001, April 13, 2021 (Item 10.3)**
- (b) Amendment to the Project Management Agreement Between the City of Hamilton and the Hamilton Waterfront Trust (PW19090(a)) (Ward 2)**
- (i) That staff be authorized and directed to amend the Project Management Agreement between the City of Hamilton and the Hamilton Waterfront Trust to deliver the Piers 5 to 7 works to reflect the new total project cost of \$23.5M; and,
 - (ii) That the General Manager of Public Works be delegated the authority to sign any necessary amendments and ancillary agreements or documents to the Project Management Agreement between the City of Hamilton and the Hamilton Waterfront Trust, as it relates to the works at Piers 5 to 7, in a form satisfactory to the City Solicitor.

Result: Motion on Item 5 (b) of the General Issues Committee Report 21-009, 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 - 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

(Pauls/Danko)

That the resolution for Item 8 of the General Issues Committee Report 21-009, respecting Report LS20014(a) - Red Hill Valley Parkway Class Action Update, be deleted in its entirety and replaced with the following in lieu thereof, to read as follows:

- 8. Red Hill Valley Parkway Class Action Update (LS20014(a)) (City Wide) (Item 14.3)**

~~That Report LS20014(a), respecting the Red Hill Valley Parkway Class Action Update, remain confidential.~~

That Report LS20014(a), respecting the Red Hill Valley Parkway Class Action Update, and a redacted copy of Appendix "A" to Report LS20014(a), be released to the public.

Result: Motion on Item 8, as Amended of the General Issues Committee Report 21-009, 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 - 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

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

4. School Board Properties Sub-Committee Report 21-001, April 12, 2021 (Item 10.2)

Result: Motion on Item 4 of the General Issues Committee Report 21-009, 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
CONFLICT - 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

At Council's request, Item 6, was voted on separately, as follows:

6. Red Hill Valley Parkway Inquiry Update (LS19036(d)) City Wide) (Item 10.4)

- (a) That Report LS19036(d), respecting the Red Hill Valley Parkway Inquiry Update, be received.
- (b) That Acting City Solicitor and external legal counsel be directed to explore options for financial support from the Province and apply for any such funding, as the Province is also a party to the Red Hill Valley Parkway Inquiry.

Result: Motion on Item 6 of the General Issues Committee Report 21-009, CARRIED by a vote of 13 to 2, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- 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
- NO- Ward 12 Councillor Lloyd Ferguson
- NO - 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 21-009, 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 - 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

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 21-006**(Ferguson/Pearson)**

That Audit, Finance and Administration Committee Report 21-006, being the meeting held on Thursday, April 22, 2021, be received and the recommendations contained therein be approved.

Result: Motion on the Audit, Finance and Administration Committee Report 21-006, 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

EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 21-004**(Nann/Jackson)**

That Emergency and Community Services Committee Report 21-004, being the meeting held on Thursday, April 22, 2021, be received and the recommendations contained therein be approved.

(Clark/Nann)

That sub-section (b) of Item 2 of the Emergency and Community Services Committee Report 21-004, respecting Report HSC19011(a) - Tenant Defence Fund, be **amended** to read as follows:

2. Tenant Defence Fund (HSC19011(a)) (City Wide) (Item 10.1)

- (b) That staff draft a letter to the **Minister of Municipal Affairs**, copied **for information purposes only to the Landlord Tenancy Board**, outlining the City of Hamilton's experiences and concerns with the **process and** proliferation of **evictions currently occurring**, and the loss of affordable housing stock and increase in homelessness as a result.

Result: Motion on the Amendment to Item 2 (b) of the Emergency and Community Services Committee Report 21-004, 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
 CONFLICT - 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
 CONFLICT - Ward 13 Councillor Arlene VanderBeeck
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 CONFLICT - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

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

2. Tenant Defence Fund (HSC19011(a)) (City Wide) (Item 10.1)

- (a) (i) That the Tenant Defence Fund Program be expanded and amended to include tenants being displaced due to evictions as a result of renovations;
 - (ii) That the Tenant Defense Fund grant cap be removed, as the costs can be much more than \$2500, and allocation of funds be at the discretion of Housing Services based on the eligibility criteria for the Fund;
 - (iii) That the Outstanding Business List item identified as Mitigation Effects of Renovations, be removed from the Outstanding Business List and considered complete; and
 - (iv) That staff report back to the Emergency and Community Services Committee within six months regarding the use of the Tenant Defence Fund.
- (b) That staff draft a letter to the ***Minister of Municipal Affairs***, copied ***for information purposes only to the Landlord Tenancy Board***, outlining the City of Hamilton's experiences and concerns with the ***process and proliferation of evictions currently occurring***, and the loss of affordable housing stock and increase in homelessness as a result.

Result: Main Motion on Item 2 as Amended of the Emergency and Community Services Committee Report 21-004, 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
 CONFLICT - 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
CONFLICT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
CONFLICT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Result: Motion on the balance of the Emergency and Community Services Committee Report 21-004, 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 - 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

(Pauls/Wilson)

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
NOT PRESENT – 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

MOTIONS

6.1 Demolition Control By-Law Exemption For Rapid Housing Initiative Modular Affordable Housing Project

(Wilson/Nann)

WHEREAS, on November 4, 2020 through Report HSC20056, Council authorized and directed the General Manager of the Healthy and Safe Communities Department or his designate to enter into the Rapid Housing Initiative Contribution Agreement with the Canada Mortgage and Housing Corporation (CMHC) to accept Hamilton's Rapid Housing Initiative Major Cities Stream allocation of \$10,760,585 for the creation of new affordable housing units;

WHEREAS on November 6, 2020 the General Manager of the Healthy and Safe Communities Department entered into the Rapid Housing Initiative Agreement with CMHC to create a rapid supply of affordable housing, and which requires that all projects be completed by December 4, 2021;

WHEREAS the City of Hamilton recommended and approved the Options for Independent Living and Development 137 George Street modular affordable housing project for funding under the RHI Major Cities Stream as set out in the City's Investment Plan; and,

WHEREAS, the Rapid Housing Initiative will deliver much needed affordable supportive housing units within Hamilton;

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized and directed to exempt the 137 George Street affordable housing development project from Demolition Control By-law 09-208 sections 6(a), (b), and (c), in accordance with By-law 09-208, as amended by By-law 13-185, pursuant to Section 33 of the *Planning Act* as amended to permit the issuance of a demolition permit in a timely manner.

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

6.2 Reconsideration of Item 3 of Audit, Finance & Administration Committee Report 20-002 respecting a Compassionate Grant for Development Charges to Agricultural Societies Without a Farm Business Registration

(Ferguson/Johnson)

That Item 3 of the February 6, 2020 Audit, Finance & Administration Committee Report 20-002, respecting a Compassionate Grant for Development Charges to Agricultural Societies Without a Farm Business Registration, which was approved by Council on February 12, 2020 and reads as follows, be reconsidered:

3. Compassionate Grant for Development Charges to Agricultural Societies Without a Farm Business Registration (Item 11.1)

WHEREAS the City of Hamilton Development Charges By-law 19-142 was effective on June 13, 2019;

WHEREAS Development Charges By-law 19-142 approved development charge exemptions for development of properties with Agricultural Use with a farm business registration number;

WHEREAS the City of Hamilton's three agricultural societies, owners of property used for agricultural purposes but not eligible for a farm business registration number, are as follows:

Ancaster Agricultural Society, 630 Trinity Road South, Jerseyville, Ontario, L0R 1R0;

Binbrook Agricultural Society, 2600 Regional Road #56, Binbrook, Ontario, L0R 1C0; and,

Rockton Agricultural Society, 812 Old Highway 8, Rockton, ON L0R 1X0;

WHEREAS the Agriculture & Rural Affairs Advisory Committee at its meeting of November 25, 2019 approved minutes in support of all Agricultural Societies in Hamilton (Rockton, Binbrook and Ancaster) being exempted from Development Charges;

THEREFORE BE IT RESOLVED:

- (a) That the General Manager of Finance and Corporate Services be authorized to develop a compassionate grant agreement for agricultural societies for development charges in a form satisfactory to the City Solicitor with any Development Charges exemptions being funded from unallocated capital levy reserve (#108020); and,
- (b) That the City's Agricultural Development Charges compassionate grant agreement contain terms and conditions that:
 - (i) Require the applicant to register the compassionate grant against the property and repay the City of Hamilton should the applicant sell or transfer any portion of the property; and,
 - (ii) Provide the General Manager of Finance and Corporate Services with the authority to sign the Agreement.

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

NO - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 NOT PRESENT - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES – Ward 6 Councillor Tom Jackson
 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
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

(Ferguson/Johnson)

That Item 3 of the February 6, 2020 Audit, Finance & Administration Committee Report 20-002, respecting a Compassionate Grant for Development Charges to Agricultural Societies Without a Farm Business Registration, which was approved by Council on February 12, 2020 and reads as follows, be considered:

3. Compassionate Grant for Development Charges to Agricultural Societies Without a Farm Business Registration (Item 11.1)

WHEREAS the City of Hamilton Development Charges By-law 19-142 was effective on June 13, 2019;

WHEREAS Development Charges By-law 19-142 approved development charge exemptions for development of properties with Agricultural Use with a farm business registration number;

WHEREAS the City of Hamilton's three agricultural societies, owners of property used for agricultural purposes but not eligible for a farm business registration number, are as follows:

Ancaster Agricultural Society, 630 Trinity Road South, Jerseyville, Ontario, L0R 1R0;

Binbrook Agricultural Society, 2600 Regional Road #56, Binbrook, Ontario, L0R 1C0; and,

Rockton Agricultural Society, 812 Old Highway 8, Rockton, ON L0R 1X0;

WHEREAS the Agriculture & Rural Affairs Advisory Committee at its meeting of November 25, 2019 approved minutes in support of all Agricultural Societies in Hamilton (Rockton, Binbrook and Ancaster) being exempted from Development Charges;

THEREFORE BE IT RESOLVED:

- (a) That the General Manager of Finance and Corporate Services be authorized to develop a compassionate grant agreement for agricultural societies for development charges in a form satisfactory to the City Solicitor with any Development Charges exemptions being funded from unallocated capital levy reserve (#108020); and,
- (b) That the City's Agricultural Development Charges compassionate grant agreement contain terms and conditions that:
 - (i) Require the applicant to register the compassionate grant against the property and repay the City of Hamilton should the applicant sell or transfer any portion of the property; and,
 - (ii) Provide the General Manager of Finance and Corporate Services with the authority to sign the Agreement.

(Ferguson/Johnson)

WHEREAS, Council has previously approved Item 3, of the February 6, 2020 Audit, Finance & Administration Committee Report 20-002, respecting a Compassionate Grant for Development Charges to Agricultural Societies Without a Farm Business Registration at their meeting of February 12, 2020;

WHEREAS, there are limited options for registering that agreement on title and having a collateral mortgage registered on title has, in effect, limited one of the Society's financial standing and will put others in the same position without modifications to the terms of the Compassionate Grant; and

WHEREAS, Audit, Finance & Administration Committee, at its meeting of April 22, 2021 discussed the risks of not requiring registration of said Compassionate Grants on title.

THEREFORE BE IT RESOLVED:

That sub-sections (a) and (b) of Item 3 of the February 6, 2020 Audit, Finance & Administration Committee Report 20-002, respecting a Compassionate Grant for Development Charges to Agricultural Societies Without a Farm Business Registration be deleted in their entirety, and replaced by the following:

~~(a) That the General Manager of Finance and Corporate Services be authorized to develop a compassionate grant agreement for agricultural societies for development charges in a form satisfactory to the City Solicitor with any Development Charges exemptions being funded from unallocated capital levy reserve (#108020); and,~~

~~(b) That the City's Agricultural Development Charges compassionate grant agreement contain terms and conditions that:~~

~~(i) Require the applicant to register the compassionate grant against the property and repay the City of Hamilton should the applicant sell or transfer any portion of the property; and,~~

~~(ii) Provide the General Manager of Finance and Corporate Services with the authority to sign the Agreement.~~

(a) That the City enter into compassionate grant agreements with agricultural societies for development charges payable by an agricultural society with content satisfactory to the General Manger of Finance and Corporate Services and in a form satisfactory to the City Solicitor with any Development Charges exemptions being funded from unallocated capital levy reserve (#108020) and that the General Manger of Finance and Corporates Services be authorized to sign the agreements; and,

(b) That in respect of the grant provided to the Ancaster Agricultural Society pursuant to the grant agreement dated April 14, 2021 (the "Agreement"), staff be directed to:

(i) amend the Agreement so as to delete the following conditions:

(1) the requirement for a mortgage to be registered on title securing the conditions of the grant; and

(2) requiring the grant to be repaid if the property is sold; and

(3) discharge the mortgage with registered charge number WE1505750.

Result: Main Motion as Amended CARRIED by a vote of 12 to 2, as follows:

NO - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
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
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

NOTICES OF MOTION

7.1 Reconsideration of Item 3 of Audit, Finance & Administration Committee Report 20-002 respecting a Compassionate Grant for Development Charges to Agricultural Societies Without a Farm Business Registration

(Ferguson/Johnson)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Reconsideration of Item 3 of Audit, Finance & Administration Committee Report 20-002 respecting a Compassionate Grant for Development Charges to Agricultural Societies Without a Farm Business Registration approved by Council on February 12, 2020.

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

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

Refer to Item 6.2 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/Clark)

That the listing of Council Communication Updates from April 9, 2021 to April 22, 2021, be received.

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
- NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
- NOT PRESENT - 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 AND CONFIRMING BY-LAW

(Pauls/Jackson)

That Bills No. 21-054 to No. 21-065 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:

- 054 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 13 (Designated Traffic Lanes)
Ward: 3, 5, 6, 9, 10, 11
- 055 To Amend By-law No. 11-040, to Establish Retention Periods to Records of the City of Hamilton
Ward: City Wide
- 056 To Adopt Official Plan Amendment No. 147 to the Urban Hamilton Official Plan, respecting 196 George Street (former City of Hamilton)
Ward: 1

- 057 To Amend Zoning By-law No. 6593 Respecting Lands Located at 196 George Street, Hamilton ZAC-19-023 UHOPA-19-006
Ward: 1
- 058 To Adopt Official Plan Amendment No. 148 to the Urban Hamilton Official Plan, respecting 555 Sanatorium Road (former City of Hamilton)
Ward: 14
- 059 To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 555 Sanatorium Road, Hamilton ZAC-20-009 UHOPA-20-04
Ward: 14
- 060 To Amend Zoning By-law No. 6593, Respecting Lands Located at 18 Miles Road, Hamilton ZAR-19-026
Ward: 7
- 061 To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking Schedule 6 (Time Limit Parking)
Schedule 8 (No Parking Zones)
Schedule 12 (Permit Parking Zones)
Schedule 13 (No Stopping Zones)
Schedule 23 (Special Enforcement Area)
Ward: 1, 2, 5, 10, 11, 12, 13
- 062 To Amend Zoning By-law No. 05-200, Respecting Lands located at 3253, 3263, 3269, 3275, 3287, 3307, 3311, 3313 and 3323 Homestead Drive, Glanbrook ZAH-21-015
Ward: 11
- 063 To Amend Zoning By-law No. 05-200, as amended by By-law No. 17-240, respecting Lands Located at 267, 275-283 and 293 Upper Centennial Parkway, Stoney Creek ZAH-20-025
Ward: 9
- 064 Respecting Removal of Part Lot Control, Block 246, Registered Plan No. 62M-1257, municipally known as 185 Bedrock Drive, Stoney Creek PLC-21-003
Ward: 9
- 065 To Confirm the Proceedings of City Council

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

(Partridge/Johnson)

That, there being no further business, City Council be adjourned at 4:54 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
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
NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - 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