



CITY COUNCIL MINUTES 21-003

9:30 a.m.

February 10, 2021

Council Chamber

Hamilton City Hall

71 Main Street West

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

Absent: Mayor F. Eisenberger – City Business
Councillor T. Whitehead - Personal

Deputy Mayor Wilson 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

4.3 Correspondence respecting the proposed development at 1400 Baseline Road in Stoney Creek:

- (t) Sushil Joshi
- (u) Uday Thapar
- (v) Gary Deziel
- (w) Cody Lee
- (x) Angela Macri

- (y) Karin & Ralph Van Dorsten
- (z) Ranjit Singh
- (aa) Ralph & Sherry Corning
- (ab) Jordan Sadler
- (ac) Jivitesh Chawla
- (ad) Bonny & Robert Cayen
- (ae) Sacha Poshni
- (af) Shujaat Siddiqui
- (ag) Steve Karo
- (ah) Sean Thomson
- (ai) James Macri
- (aj) Sonam Narang
- (ak) Errol Jamieson
- (al) Soha Vahid
- (am) Priscilla Martin
- (an) Heather Saltys
- (ao) Natalie Czerwinski
- (ap) Ray Van Der Beld
- (aq) Mohan Pabba
- (ar) Tammy Felts, President of Wentworth Common Element Condominium Corp. (WCECC)
- (as) Ashima Sharma
- (at) Mary Lou Tanner, NPG Planning Solutions

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

- 4.15 Correspondence from the Ministry of the Environment, Conservation and Parks, Conservation and Source Protection Branch respecting the Proclamation of Provisions of the *Conservation Authorities Act*.

- (a) Implications of Proclamation of Various Provisions: Frequently Asked Questions

Recommendation: Be received.

- 4.16 Correspondence from the Township of Terrace Bay requesting support for their resolution respecting the Tax Rate for Railway Rights-of-Way - Per Tonne-Mile Contract.

Recommendation: Be received.

- 4.17 Correspondence from the City of Vaughan requesting support for their resolution respecting the requirement for inclusionary zoning where the Minister has issued a Minister's Zoning Order.

Recommendation: Be received.

7. NOTICES OF MOTION

- 7.1 Resignations from the Chair of the Audit and Finance Committee, Vice-Chair of the Emergency and Community Services Committee and Chair of the Development Charge Stakeholders Sub-Committee
- 7.2 Reconsideration of Item 6 of Planning Committee Report 21-001 respecting Report PED20002, City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for lands located at 1400 Baseline Road, Stoney Creek
- 7.3 Ontario Transfer Payment Amending Agreement For COCHI/OPHI

(Pearson/Johnson)

That the agenda for the February 10, 2021 meeting of Council be approved, *as amended*.

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

YES - Deputy Mayor - 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 - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 NOT PRESENT - 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 B. Clark declared an interest in Item 5, Potential Donation to Hamilton Habitat for Humanity – 3 North Park Avenue, Hamilton, due to a former professional relationship with Habitat for Humanity Hamilton as they were a former client to whom he provided fund development services.

APPROVAL OF MINUTES OF PREVIOUS MEETING**3. January 20, 2021 (Item 3.1) and January 25, 2021 (Item 3.2)****(Ferguson/Johnson)**

That the Minutes of the January 20, 2021 and January 25, 2021 meetings of Council be approved, as presented.

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

YES - Deputy Mayor - 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 - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
NOT PRESENT - 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

(Clark/Pearson)

That Council Communications 4.1 to 4.17 be approved, as follows:

- 4.1 Correspondence from the City of Sarnia requesting support for their resolution respecting the Line 5 Pipeline.

Recommendation: Be received.

- 4.2 Correspondence from the Town of Bracebridge requesting support for their resolution respecting Infrastructure Funding.

Recommendation: Be received.

- 4.3 Correspondence respecting the proposed development at 1400 Baseline Road in Stoney Creek:

- (a) Tammy Felts, President of Wentworth Common Element Condominium Corp. (WCECC)
- (b) Steve Karo
- (c) Don Lindsay
- (d) Mark Falkinson
- (e) Peter Wiltshire
- (f) Karen Patterson
- (g) Mandy Halliday

- (h) Ross Crompton
- (i) Nada & Jonathan Barlow
- (j) Gwen Dale
- (k) Tammy Felts, President of Wentworth Common Element Condominium Corp. (WCECC)
- (l) Nick Velenosi
- (m) Ruth & Gerry Southwell
- (n) Dawn Simpson
- (o) Linda MacMillan
- (p) Tammy Felts, President of Wentworth Common Element Condominium Corp. (WCECC)
- (q) Sean Robertson
- (r) Dianna France
- (s) Tammy Felts, President of Wentworth Common Element Condominium Corp. (WCECC)
- (t) Sushil Joshi
- (u) Uday Thapar
- (v) Gary Deziel
- (w) Cody Lee
- (x) Angela Macri
- (y) Karin & Ralph Van Dorsten
- (z) Ranjit Singh
- (aa) Ralph & Sherry Corning
- (ab) Jordan Sadler
- (ac) Jivitesh Chawla
- (ad) Bonny & Robert Cayen
- (ae) Sacha Poshni
- (af) Shujaat Siddiqui
- (ag) Steve Karo
- (ah) Sean Thomson
- (ai) James Macri
- (aj) Sonam Narang
- (ak) Errol Jamieson
- (al) Soha Vahid
- (am) Priscilla Martin
- (an) Heather Saltys
- (ao) Natalie Czerwinski
- (ap) Ray Van Der Beld
- (aq) Mohan Pabba
- (ar) Tammy Felts, President of Wentworth Common Element Condominium Corp. (WCECC)
- (as) Ashima Sharma
- (at) Mary Lou Tanner, NPG Planning Solutions

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

4.4 Correspondence from the City of Burlington requesting support for their resolution

calling for the Provincial and Federal governments to extend and expand funding for the Digital Main Street program to support local business.

Recommendation: Be received.

- 4.5 Correspondence from the United Counties of Stormont, Dundas & Glengarry requesting support for their resolution requesting that the Province of Ontario allow for small businesses to immediately reopen with the required health guidelines and protocols in place.

Recommendation: Be received.

- 4.6 Correspondence from the Ministry of Municipal Affairs and Housing respecting Updates Related to the Revised Rules for Areas in Stage 1 under the Reopening Ontario Act, the Emergency Management and Civil Protection Act, including the Set Fine Amounts under the Provincial Offences Act, and Reporting Enforcement Data.

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

- 4.7 Correspondence from Chris Rickett, Director, Municipal Property Assessment Corporation respecting MPAC's 2020 Municipal Partnership Report which provides a high-level summary of MPAC's 2020 municipal-focused activities, including how they are responding to COVID-19 by shifting priorities, transforming how they share information, working differently, and by finding new ways to stay connected. Link to the report: <https://news.mpac.ca/2020-municipal-partnerships-report>

Recommendation: Be received.

- 4.8 Correspondence from Grant Bivol, Executive Co-ordinator to the CAO/Board, Niagara Peninsula Conservation Authority respecting a resolution of the Board of Directors of the Niagara Peninsula Conservation Authority and the deferral of their Annual General Meeting to June 2021, as well, as the extension of the appointments of the Board Chair and Vice Chair to June 2021.

Recommendation: Be received.

- 4.9 Correspondence from the Honourable David Lametti, Minister of Justice and Attorney General of Canada in response to the Mayor's correspondence respecting distracted driving.

Recommendation: Be received.

- 4.10 Correspondence from Louis Frapporti, Chair, Hamilton2026 Commonwealth Games Bid Corporation respecting the 2026 Hamilton Commonwealth Games.

Recommendation: Be received.

- 4.11 Correspondence from the Honourable Greg Rickford, Minister of Energy, Northern Development and Mines and the Honourable Bill Walker, Associate Minister of Energy soliciting feedback on Ontario's long-term energy planning framework through the Environmental Registry of Ontario (ERO), by April 27, 2021.

Recommendation: Be received and referred to the City Manager for appropriate action.

- 4.12 Correspondence from the Township of Asphodel-Norwood requesting support for their resolution requesting the Solicitor General review the imposed deadline for municipalities to complete and adopt a Community Safety & Well-Being (CSWB) plan in consultation with local governments to address the unique challenges facing individual regions.

Recommendation: Be received.

- 4.13 Correspondence from the Township of Lake of Bays requesting support for their resolution requesting that the Province of Ontario reverse their decision to close the Ontario Fire College.

Recommendation: Be received.

- 4.14 Correspondence from Perth County requesting support for their resolution to move forward with implementing reassessment based on current value assessment (CVA).

Recommendation: Be received.

- 4.15 Correspondence from the Ministry of the Environment, Conservation and Parks, Conservation and Source Protection Branch respecting the Proclamation of Provisions of the *Conservation Authorities Act*.

- (a) Implications of Proclamation of Various Provisions: Frequently Asked Questions

Recommendation: Be received.

- 4.16 Correspondence from the Township of Terrace Bay requesting support for their resolution respecting the Tax Rate for Railway Rights-of-Way - Per Tonne-Mile Contract.

Recommendation: Be received.

- 4.17 Correspondence from the City of Vaughan requesting support for their resolution respecting the requirement for inclusionary zoning where the Minister has issued a Minister's Zoning Order.

Recommendation: Be received.

Result: Motion on the Communication Items, CARRIED by a vote of 13 to 0, as follows:

YES - Deputy Mayor - 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 - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
NOT PRESENT - 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

(Clark/Pearson)

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 - Deputy Mayor - 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 - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
NOT PRESENT - 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

SELECTION COMMITTEE REPORT 21-001

(Johnson/Nann)

That the Selection Committee Report 21-001, being the meeting held on January 20, 2021, be received.

Result: Motion on the Selection Committee Report 21-001, CARRIED by a vote of 13 to 0, as follows:

- YES - Deputy Mayor - 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 - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- NOT PRESENT - 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

SOLE VOTING MEMBER OF THE HAMILTON FARMERS' MARKET REPORT 21-001

(Clark/Pearson)

That the Special Sole Voting Member of the Hamilton Farmers' Market Report 21-001, being the meeting held on January 25, 2021, be received and the recommendations contained therein be approved.

Result: Motion on the Special Sole Voting Member of the Hamilton Farmers' Market Report 21-001, CARRIED by a vote of 13 to 0, as follows:

YES - Deputy Mayor - 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 - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
NOT PRESENT - 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 21-002

(VanderBeek/Nann)

That Public Works Committee Report 21-002, being the meeting held on Monday, February 1, 2021, be received and the recommendations contained therein be approved.

Result: Motion on the Public Works Committee Report 21-002, CARRIED by a vote of 13 to 0, as follows:

YES - Deputy Mayor - 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 - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
NOT PRESENT - 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 21-002

(Danko/Johnson)

That Planning Committee Report 21-002, being the meeting held on Tuesday, February 2, 2021, be received and the recommendations contained therein be approved.

Due to a declared conflict, Item 5 was voted on separately as follows:

5. Potential Donation to Hamilton Habitat for Humanity – 3 North Park Avenue, Hamilton (Item 11.2)

Result: Motion on Item 5 CARRIED by a vote of 12 to 0, as follows:

YES - Deputy Mayor - 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 - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
NOT PRESENT - 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
CONFLICT - Ward 9 Councillor Brad Clark

Result: Motion on the balance of Planning Committee Report 21-002, CARRIED by a vote of 13 to 0, as follows:

YES - Deputy Mayor - 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 - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
NOT PRESENT - 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 21-003

(Clark/Pearson)

That General Issues Committee Report 21-003, being the meeting held on Wednesday, February 3, 2021, be received and the recommendations contained therein be approved.

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

5. Ombudsman's Inquiry (FCS21019/LS21004) (City Wide) (Item 13.2)

- (a) That the direction provided to staff in Closed Session, respecting Report FCS21019/LS21004 - Ombudsman's Inquiry, be approved; and,

Result: Motion on Item 5 (a) CARRIED by a vote of 10 to 4, as follows:

NO - Deputy Mayor - 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
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
NOT PRESENT - 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
NO - Ward 10 Councillor Maria Pearson
NO - Ward 9 Councillor Brad Clark

5. Ombudsman's Inquiry (FCS21019/LS21004) (City Wide) (Item 13.2)

- (b) That Report FCS21019/LS21004 - Ombudsman's Inquiry, remain confidential.

Result: Motion on Item 5 (b) CARRIED by a vote of 13 to 1, as follows:

YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
NOT PRESENT - Mayor Fred Eisenberger
NO - 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 General Issues Committee Report 21-003, CARRIED by a vote of 14 to 0, as follows:

YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
NOT PRESENT - 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 21-002
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(Clark/Pearson)

That Audit, Finance and Administration Committee Report 21-002, being the meeting held on Thursday, February 4, 2021, be received and the recommendations contained therein be approved.

(Clark/Wilson)

WHEREAS, an amendment to Section 8.4 (i) and (ii) was approved at the February 4, 2021, Audit, Finance and Administration Committee excluding the member of Council or Committee who has been ordered to vacate the place the meeting is being held, from voting; and

WHEREAS, Sections 6.2 (3); (5) and (10) of the Council Procedural By-law attached as Appendix 'C' to Audit, Finance & Administration Committee Report 21-002, states that "every Member of Council or Committee present and participating in a vote on a motion, shall vote";

THEREFORE BE IT RESOLVED:

That subsection (a) (c) of Item 4 to Audit, Finance and Administration Committee Report 21-002, be **amended** as follows:

4. Governance Review Sub-Committee Report 21-001 - January 25, 2021 (Item 9.4)

- (a) **2020 Review of the City's Procedural By-law Amendments (FCS21004 / LS21001) (Item 9.1)**
- (c) That the Council Procedural By-law attached as Appendix 'C' to Audit, Finance & Administration Committee Report 21-002, as **further amended**, be enacted by Council:

8.4 Should a Member of Council persist in conducting themselves in a manner contrary to the rules set forth in subsection 8.1 after having been called to order by the Mayor or the Chair of the Committee, the Mayor or the Chair may order them to vacate the place the meeting is being held:

- (i) If the Member of Council apologizes, they may, by two-thirds majority vote of the Council or Committee members (excluding the member of Council or Committee in question), be permitted to remain at the meeting; and
- (ii) Any Member of Council other than the member ordered to vacate the place the meeting is being held may appeal the Mayor's or Chair's ruling, and Council or Committee may overturn the Chair's ruling by two-thirds majority vote of the Council or Committee members (excluding the member of Council or Committee in question). An appeal is not in order once a vote under section 8.4 (i) has taken place.

(iii) exclusions from voting provided for in subsections 8.4(i) and (ii) shall apply notwithstanding any other provisions in the By-law that require a member of Council or Committee to vote.

Result: Motion on the Item 4 (c), as Amended CARRIED by a vote of 14 to 0, as follows:

YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES – Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 NOT PRESENT - 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 Audit, Finance and Administration Committee Report 21-002, As Amended, CARRIED by a vote of 13 to 0, as follows:

YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
NOT PRESENT - 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 & COMMUNITY SERVICES COMMITTEE REORT 21-001
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(Nann/Clark)

That Emergency and Community Services Committee Report 21-001, being the meeting held on Thursday, February 4, 2021, be received and the recommendations contained therein be approved.

Result: Motion on the Emergency and Community Services Committee Report 21-001, CARRIED by a vote of 14 to 0, as follows:

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

(Clark/Pearson)

That the Committee of the Whole Rise and Report.

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

YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES – Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 NOT PRESENT - 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 Amendments to Item 10 of the General Issues Committee Report 17-025, respecting Report PW15086(c) - Identified Tobogganing Locations on City Property

(VanderBeek/Merulla)

WHEREAS, at its meeting of December 8, 2017, Council formalized the designation of the tobogganing hills in the City of Hamilton, which were later amended to reflect a change from the Martin Course Hole #10 to the Beddoe Course Hole #1, on November 27, 2019 (General Issues Report 15-025) and December 11, 2019 (General Issues Report 17-025), as follows:

- (i) Garth Street Reservoir (Northeast corner and South side, east of parking lot);
- (ii) Chedoke Golf Course (Beddoe Course, Hole #1 - Tee);
- (iii) Kings Forest Golf Course (Hole #9 – in front of the green);
- (iv) Waterdown Memorial Park (Northeast corner, west of baseball diamond #3);

WHEREAS, at its meeting of December 8, 2017, Council also approved ‘that no further sites be added as designated tobogganing hills within the City’;

WHEREAS, as per the Section 27 (1) of the Parks By-Law No. 01-219: Skiing, Tobogganing and Sledding states that ‘No person shall downhill ski, toboggan, snowboard, skibob or sled in any area park unless otherwise posted to allow same’;

WHEREAS, at this time, residents are being encouraged to participate in outdoor winter activities while being asked to wear their masks or face coverings;

WHEREAS, the site description for the designated toboggan hill at Waterdown Memorial Park is ambiguous and is better described at the west facing hill at the east side of the Park facing baseball diamond #3;

WHEREAS, it also necessary to expand the tobogganing hill at Waterdown Memorial Park to include the north facing hill at the south side of the Park facing baseball diamond #3, as it is an appropriate location to enhance tobogganing opportunities at the Park;

WHEREAS, on-site reviews of an additional tobogganing location at Dundas Driving Park (Parkside Hill) and an expanded location at Waterdown Memorial Park was conducted by Recreation, Parks and Risk Management staff, which did not yield any concerns so long as minor modifications (tree removal at Dundas Driving Park (Parkside Hill)) are made; and

WHEREAS, established inspection plans and operational processes for the tobogganing program will not change with the addition of and the expansion of the designated toboggan hills in Parks District West at the Dundas Driving Park (Parkside Hill) and Waterdown Memorial Park based on staffing capacity for hill inspections.

THEREFORE, BE IT RESOLVED:

- (a) That sub-section (d) to Item 10 of the General Issues Committee Report 17-025, respecting Report PW15086(c) - Identified Tobogganing Locations on City Property, be deleted in its entirety, in order to introduce additional tobogganing locations within the City of Hamilton, following on-site reviews by Recreation, Parks and Risk Management staff and subject to the availability of operational funding to support additional tobogganing hills:

~~(d) ***that no further sites be added as designated tobogganing hills within the City.***~~

- (b) That sub-section (c) of Item 10 of the General Issues Committee Report 17-025, respecting Report PW15086(c) – Identified Tobogganing Locations on City Property, be **amended** to:
- (i) remove ‘- Tee’ on sub-section (c)(ii);
 - (ii) add Dundas Driving Park (Parkside Hill) to the current designated tobogganing hills;
 - (iii) better describe the designated tobogganing hill at Waterdown Memorial Park; and
 - (iv) expand the tobogganing hill at Waterdown Memorial Park, as follows:

- (c) That the formalization of the following **five (5)** current designated tobogganing hills be approved:
- (i) Garth Street Reservoir (Northeast corner and South side, east of parking lot);
 - (ii) Chedoke Golf Course (Beddoe Course Hole #1 - ~~Tee~~);
 - (iii) Kings Forest Golf Course (Hole #9 – in front of the green);
 - (iv) Waterdown Memorial Park (***West facing hill at the east side of the Park facing baseball diamond #3 and North facing hill at the south side of the Park facing baseball diamond #3***); and,
 - (v) ***Dundas Driving Park (Parkside Hill)***; and,
- (c) That \$2,500 for the annual cost of operations and maintenance of Dundas Driving Park (Parkside Hill) be included in the Parks and Cemeteries Section's 2021 annual base operating budget.

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

YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES – Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 NOT PRESENT - 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 Support for the Recommendations of the Mayor's Task Force on Economic Recovery

(Danko/Farr)

WHEREAS, the next meeting of the Mayor's Task Force on Economic Recovery is scheduled for February 12, 2021;

WHEREAS, the Arts Advisory Commission, at their January 26, 2021 meeting unanimously passed a motion asking Councillors Danko and Farr to share with Council and the Mayor's Task Force on Economic Recovery their support for the task force's work; and

WHEREAS, the Arts Advisory Commission will not be meeting again until March 23, 2021 and the January 26, 2021 meeting minutes will not be before Committee and Council until April 2021.

THEREFORE, BE IT RESOLVED:

- (a) That the Mayor's Task Force on Economic Recovery be advised:
 - (i) That the Arts Advisory Commission is in full support of the Mayor's Task Force on Economic Recovery recommendations on Arts and Culture;
 - (ii) That the Arts Advisory Commission encourages Council to address the immediate needs as quickly as possible; and
 - (iii) That the Arts Advisory Commission is available to the Mayor's Task Force on Economic Recovery for their expertise and assistance in order to action any of the Arts and Culture recommendations.

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

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

Deputy Mayor Wilson relinquished the Chair to Councillor Clark to introduce the following motion:

6.3 Appointment to the Advisory Committee for Persons with Disabilities

(Wilson/Nann)

That Mayor Fred Eisenberger be appointed to the Advisory Committee for Persons with Disabilities for the remainder of the 2018-2022 Term of Council.

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

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

Deputy Mayor Wilson assumed the Chair.

6.4 Amendments to Item 12 of the Planning Committee Report 20-015, respecting Report PED20195 – Applications for Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for lands located at 19 Dawson Avenue, Stoney Creek (Ward 5), which was approved by Council on December 16, 2020

(Danko/Collins)

- (a) That sub-section (a) of Item 12 of the Planning Committee Report 20-015, respecting Report PED20195 – Applications for Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for lands located at 19 Dawson Avenue, Stoney Creek, be **amended** as follows:
- (a) That Amended Official Plan Amendment Application UHOPA-20-007 by DeFilippis Design, on Behalf of Marco Centofanti, Owner, for a change in designation from “Institutional” to “Medium Density Residential 3” and to identify the subject lands as a Site Specific Policy Area in the Old Town Secondary Plan with respect to use, density and building height to permit the development of five, two and a half storey street townhouse dwellings, for lands located at 19 Dawson Avenue, as shown on Appendix “A” to Report PED20195, be **DENIED on the following basis:**

- (i) ~~That the draft Official Plan Amendment, attached as Appendix “B” to Report PED20195, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,~~
- (ii) ~~That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020).~~
- (b) That sub-section (b) of Item 12 of the Planning Committee Report 20-015, respecting Report PED20195 – Applications for Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for lands located at 19 Dawson Avenue, Stoney Creek, be **amended** as follows:
- (b) That Amended Zoning By-law Amendment Application ZAC-20-012 by DeFilippis Design, on Behalf of Marco Centofanti, Owner, for a change in zoning from the Small Scale Institutional “IS” Zone to the Multiple Residential “RM2-46” Zone, Modified to permit five, two and a half storey street townhouse dwellings on lands located at 19 Dawson Ave, Stoney Creek, as shown on Appendix “A” to Report PED20195, be **DENIED on the following basis:**
- (i) ~~That the draft By-law, attached as Appendix “C” to Report PED20195, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,~~
- (ii) ~~That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) and will comply with the Urban Hamilton Official Plan upon finalization of Official Plan Amendment No. XX.~~

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

12. **Applications for Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for lands located at 19 Dawson Avenue, Stoney Creek (PED20195) (Ward 5) (Item 10.4)**
- (a) That Amended Official Plan Amendment Application UHOPA-20-007 by DeFilippis Design, on Behalf of Marco Centofanti, Owner, for a change in designation from “Institutional” to “Medium Density Residential 3” and to identify the subject lands as a Site Specific Policy Area in the Old Town Secondary Plan with respect to use, density and building height to permit the development of five, two and a half storey street townhouse dwellings, for lands located at 19 Dawson Avenue, as shown on Appendix “A” to Report PED20195, be **DENIED**.

- (b) That Amended Zoning By-law Amendment Application ZAC-20-012 by DeFilippis Design, on Behalf of Marco Centofanti, Owner, for a change in zoning from the Small Scale Institutional “IS” Zone to the Multiple Residential “RM2-46” Zone, Modified to permit five, two and a half storey street townhouse dwellings on lands located at 19 Dawson Ave, Stoney Creek, as shown on Appendix “A” to Report PED20195, be ***DENIED***.
- (c) That the written comments submitted relating to PED20195, including the Public Meeting held November 3, 2020, in this agenda as Item 8.4, and read out by Councillor Collins, were received and considered by the Committee in denying the application.

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

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

6.5 Amendments to Item 7.1 of the January 20, 2021 Council Minutes, respecting the Physician Recruitment Program Contract Extensions – Program Coordinator and Practice Advisor and Physician Recruitment Coordinator

(VanderBeek/Partridge)

WHEREAS, on January 20, 2021, Council approved the Physician Recruitment Program Contract Extensions – Program Coordinator and Practice Advisor and Physician Recruitment Coordinator;

WHEREAS, City of Hamilton Human Resources staff have confirmed that the City of Hamilton has a responsibility to provide human resources support to Hamilton Physicians/the Physician Recruitment Program;

WHEREAS, City of Hamilton Human Resources staff have recommended that the contracts for the Physician Recruitment Program Coordinator and Practice Advisor, and Physician Recruitment Coordinator should be extended for a fixed term, rather than a month-to-month term; and

WHEREAS, the Physician Recruitment & Retention Steering Committee is currently considering the restructuring of the Physician Recruitment Program, and its review of the program is expected to be carried out over the next several months.

THEREFORE, BE IT RESOLVED:

That Item 7.1 of the January 20, 2021 Council Minutes, respecting the Physician Recruitment Program Contract Extensions – Program Coordinator and Practice Advisor and Physician Recruitment Coordinator, be **amended**, to read as follows:

- (a) That the current Physician Recruitment Program Coordinator and Practice Advisor's contract be extended from March 1, 2021 to provide a continuation of services to the Physician Recruitment program, with the following changes:
 - (i) That the Physician Recruitment Program Coordinator and Practice Advisor report to the Working Group of the Physician Recruitment & Retention Steering Committee;
 - (ii) That the contract continue ***until August 31, 2021; and***
 - (iii) ***That, in the event that employment ends earlier than expected, the Physician Recruitment Program Coordinator and Practice Advisor will be provided with three (3) weeks' written notice in advance of their last day of work.***

- (b) That the Physician Recruitment Coordinator's contract, which expired April 15, 2020, be renewed effective January 4, 2021 to provide a continuation of services to the Physician Recruitment program, with the following changes:
 - (i) That the Physician Recruitment Coordinator report to the Working Group of the Physician Recruitment & Retention Steering Committee;
 - (ii) That the contract continue ***until August 31, 2021; and***
 - (iii) ***That, in the event that employment ends earlier than expected, the Physician Recruitment Coordinator will be provided with three (3) weeks' written notice in advance of their last day of work.***

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

YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko

NOT PRESENT - 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

Deputy Mayor Wilson relinquished the Chair to Councillor Clark to move the following motion:

6.6 Resignations from the Chair of the Audit and Finance Committee, Vice-Chair of the Emergency and Community Services Committee and Chair of the Development Charge Stakeholders Sub-Committee

(Wilson/Pearson)

WHEREAS Councillor Brad Clark has advised the Mayor and City Clerk that he will be stepping down as the Chair of the Audit and Finance Committee, Vice-Chair of the Emergency and Community Services Committee and Chair of the Development Charge Stakeholders Sub-Committee effective immediately;

THEREFORE BE IT RESOLVED:

- (a) That Council accept Councillor Brad Clark resignations as the Chair of the Audit and Finance Committee, Vice-Chair of the Emergency and Community Services Committee and Chair of the Development Charge Stakeholders Sub-Committee effective immediately, and
- (b) That the Audit and Finance Committee, Emergency and Community Services Committee and Development Charge Stakeholders Sub-Committee make the necessary appointments at their next scheduled meetings.

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

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

Deputy Mayor Wilson assumed the Chair.

6.7 Reconsideration of Item 6 of Planning Committee Report 21-001 respecting Report PED20002, City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for lands located at 1400 Baseline Road, Stoney Creek

(Pearson/Clark)

That Item 6 of the January 12, 2021 Planning Committee Report (21-001), respecting Report PED20002, City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for lands located at 1400 Baseline Road, Stoney Creek, which was approved by Council on January 20, 2021 and reads as follows, be reconsidered:

6. City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for lands located at 1400 Baseline Road, Stoney Creek (PED20002) (Ward 10) (Item 8.2)

- (a) That City Initiative CI-20-A, to amend the Urban Hamilton Official Plan to change the designation from “Low Density Residential 2b” to “Medium Density Residential 3” designation, and identified as a Site Specific Policy Area in the Urban Lakeshore Area Secondary Plan for the lands located at 1400 Baseline Road, Stoney Creek, as shown on Appendix “A” to report PED20002, be APPROVED on the following basis:
 - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED20002, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,
 - (ii) That the draft Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).
- (b) That City Initiative CI-20-A, to rezone the subject lands from the Neighbourhood Development “ND” Zone to the Multiple Residential “RM3-69(H)” Zone, Modified, Holding, under Zoning By-law No. 3692-92 (Stoney Creek) on the lands known as 1400 Baseline Road, in order to permit Maisonettes, Townhouses, Apartment Dwellings, Dwelling Groups, a Home Occupation and Uses, buildings or structures accessory to a permitted use, for lands located at 1400 Baseline Road, Stoney Creek, as shown on Appendix “A” to Report PED20002, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix “C” to Report PED20002, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the amending By-law apply the Holding Provision of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject lands by introducing the Holding symbol ‘H’ as a suffix to the proposed zoning for the following:

The Holding Provision for the Multiple Residential “RM3-69(H)” Zone, Modified, Holding, shall be removed when the following conditions have been met:

- (1) That a Functional Servicing Report for water and sanitary servicing has been submitted and implemented to the satisfaction of the Senior Director of Growth Management, City of Hamilton. The report must assess the post-development peak sanitary flows for the City’s downstream sewers and sanitary pumping stations, as well as water flow and pressure availability, and identify any infrastructure upgrade needed to meet applicable design standards and policies;
- (2) That a Traffic Impact Study, submitted and implemented by the applicant, must be submitted to the satisfaction of the Manager of Transportation Planning, City of Hamilton; and,
- (3) That the owner/applicant enters into and registers an applicable development agreement(s), including an External Works Agreement, and posting of appropriate securities to ensure the implementation of any infrastructure upgrade needs identified in the Functional Servicing Report, the Traffic Impact Study, or both, recommendation(s) to the satisfaction of the Senior Director of Growth Management, City of Hamilton.

City Council may remove the ‘H’ symbol and, thereby give effect to the “RM3-69(H)” Zone, Modified, Holding, by enactment of an amending By-law once the above conditions have been fulfilled.

- (iii) That the proposed amendment is consistent with the Provincial Policy Statement (2020), conforms to the Growth Plan for the Greater Golden Horseshoe (2019, as amended); and

- (iv) That this By-law will comply with the Urban Hamilton Official Plan upon finalization of Urban Hamilton Official Plan Amendment No. XX.
- (c) That Item 19J be removed from the Planning Committee Outstanding Business List; and,
- (d) That the public submissions regarding this matter were received and considered by the Committee in approving the application.

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

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

That Item 6 of the January 12, 2021 Planning Committee Report (21-001), respecting Report PED20002, City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for lands located at 1400 Baseline Road, Stoney Creek, which was approved by Council on January 20, 2021 and reads as follows, be considered:

6. City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for lands located at 1400 Baseline Road, Stoney Creek (PED20002) (Ward 10) (Item 8.2)

- (a) That City Initiative CI-20-A, to amend the Urban Hamilton Official Plan to change the designation from “Low Density Residential 2b” to “Medium Density Residential 3” designation, and identified as a Site Specific Policy Area in the Urban Lakeshore Area Secondary Plan for the lands located at 1400 Baseline

Road, Stoney Creek, as shown on Appendix "A" to report PED20002, be APPROVED on the following basis:

- (i) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED20002, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,
 - (ii) That the draft Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).
- (b) That City Initiative CI-20-A, to rezone the subject lands from the Neighbourhood Development "ND" Zone to the Multiple Residential "RM3-69(H)" Zone, Modified, Holding, under Zoning By-law No. 3692-92 (Stoney Creek) on the lands known as 1400 Baseline Road, in order to permit Maisonettes, Townhouses, Apartment Dwellings, Dwelling Groups, a Home Occupation and Uses, buildings or structures accessory to a permitted use, for lands located at 1400 Baseline Road, Stoney Creek, as shown on Appendix "A" to Report PED20002, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix "C" to Report PED20002, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the amending By-law apply the Holding Provision of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject lands by introducing the Holding symbol 'H' as a suffix to the proposed zoning for the following:

The Holding Provision for the Multiple Residential "RM3-69(H)" Zone, Modified, Holding, shall be removed when the following conditions have been met:

- (1) That a Functional Servicing Report for water and sanitary servicing has been submitted and implemented to the satisfaction of the Senior Director of Growth Management, City of Hamilton. The report must assess the post-development peak sanitary flows for the City's downstream sewers and sanitary pumping stations, as well as water flow and pressure availability, and identify any infrastructure upgrade needed to meet applicable design standards and policies;
- (2) That a Traffic Impact Study, submitted and implemented by the applicant, must be submitted to the satisfaction of the Manager of Transportation Planning, City of Hamilton; and,
- (3) That the owner/applicant enters into and registers an applicable development agreement(s), including an External Works Agreement, and posting of appropriate securities to ensure the

implementation of any infrastructure upgrade needs identified in the Functional Servicing Report, the Traffic Impact Study, or both, recommendation(s) to the satisfaction of the Senior Director of Growth Management, City of Hamilton.

City Council may remove the 'H' symbol and, thereby give effect to the "RM3-69(H)" Zone, Modified, Holding, by enactment of an amending By-law once the above conditions have been fulfilled.

- (iii) That the proposed amendment is consistent with the Provincial Policy Statement (2020), conforms to the Growth Plan for the Greater Golden Horseshoe (2019, as amended); and
 - (iv) That this By-law will comply with the Urban Hamilton Official Plan upon finalization of Urban Hamilton Official Plan Amendment No. XX.
- (c) That Item 19J be removed from the Planning Committee Outstanding Business List; and,
 - (d) That the public submissions regarding this matter were received and considered by the Committee in approving the application.

(Pearson/Clark)

WHEREAS, Council has received numerous communications from the public regarding how notice was provided with respect to City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for lands located at 1400 Baseline Road, Stoney Creek;

WHEREAS, staff have confirmed that the legislated obligations as per the *Planning Act*, with respect to notice of a City Initiative was provided; and

WHEREAS, the public has the right to comment on planning matters and Council has an obligation to provide the public with an opportunity to comment on planning matters.

THEREFORE, BE IT RESOLVED:

- (a) That Item 6 of the January 12, 2021 Planning Committee Report (21-001), respecting Report PED20002, City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for lands located at 1400 Baseline Road, Stoney Creek, which was approved by Council on January 20, 2021, be referred back to the Planning Committee for further consideration;
- (b) That staff be directed to schedule a neighbourhood information meeting in conjunction with the Ward Councillor, and that notice of the meeting be made by way of mailout

and that the limits of the mailout be determined based on consultation with the Ward Councillor; and

- (c) That staff be directed to provide enhanced public notice of the statutory public meeting of the Planning Committee which will include posting a sign on the property, mailout and publishing in the newspaper.

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

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

6.8 Ontario Transfer Payment Amending Agreement For COCHI/OPHI

(Collins/Farr)

WHEREAS, on September 11, 2019, Council authorized and directed the General Manager of the Healthy and Safe Communities Department or his designate to deliver and administer the Canada Ontario Community Housing Initiative ("COCHI") and Ontario Priorities Housing Initiative ("OPHI") programs through (HSCI 19042(a));

WHEREAS, the City of Hamilton as Service Manager and the Minister of Municipal Affairs and Housing entered into an Ontario Transfer Payment Agreement for COCHI/OPHI effective as of September 23, 2019 (the "Agreement").

WHEREAS, the Minister of Municipal Affairs and Housing wishes to allocate COCHI funding to the Service Manager for fiscal year 2020-2021 for the development of a 24 unit modular construction affordable housing project; and

WHEREAS, accepting the additional COCHI funding requires that the Agreement be amended.

THEREFORE, BE IT RESOLVED:

- (a) That the General Manager of the Healthy and Safe Communities Department or his designate be authorized and directed to accept, deliver and administer the additional Canada-Ontario Community Housing Initiative (“COCHI”) funding as outlined in the amended Ontario Transfer Payment Agreement for COCHI/OPHI;
- (b) That the General Manager of the Healthy and Safe Communities Department (“GM”) be authorized and directed to execute on behalf of the City any necessary amendments to the Ontario Transfer Payment Agreement for COCHI/OPHI including all ancillary agreements and documents as may be required to deliver the additional Canada-Ontario Community Housing Initiative each with content satisfactory to the GM and each in a form satisfactory to the City Solicitor;
- (c) That the attached By-law authorizing the City to enter into the amended “Transfer Payment Agreement for COCHI/OPHI” and to authorize the General Manager of the Healthy and Safe Communities Department to execute this amended Agreement, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
- (d) That all Canada-Ontario Community Housing Initiative funds received from the Ministry of Municipal Affairs and Housing be deposited into Account #23195 and that the appropriate capital project IDs and operating dept IDs be created for the program and administrative components of Canada-Ontario Community Housing Initiative funds.

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

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

Deputy Mayor Wilson relinquished the Chair to Councillor Clark to move the following motion:

7.1 Resignations from the Chair of the Audit and Finance Committee, Vice-Chair of the Emergency and Community Services Committee and Chair of the Development Charge Stakeholders Sub-Committee

(Wilson/Pearson)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the resignations from the Chair of the Audit and Finance Committee, Vice-Chair of the Emergency and Community Services Committee and Chair of the Development Charge Stakeholders Sub-Committee.

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

- YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES – Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- NOT PRESENT - 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 6.6 for further disposition of this item.

7.2 Reconsideration of Item 6 of Planning Committee Report 21-001 respecting Report PED20002, City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for lands located at 1400 Baseline Road, Stoney Creek

(Pearson/Clark)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Reconsideration of Item 6 of the Planning Committee Report 21-001 respecting

Report PED20002, City Initiative CI-20-A to Amend the Urban Hamilton Official Plan and Zoning By-law for lands located at 1400 Baseline Road, Stoney Creek approved at the January 20, 2021 Council meeting.

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

YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
NOT PRESENT - 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 6.7 for further disposition of this item.

7.3 Ontario Transfer Payment Amending Agreement For COCHI/OPHI

(Farr/Merulla)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Ontario Transfer Payment Amendment Agreement for COCHI/OPHI.

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

YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
NOT PRESENT - 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 6.8 for further disposition of this item.

STATEMENTS BY MEMBERS

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

PRIVATE & CONFIDENTIAL

Council determined that discussion of Items 9.1 and 9.2 was not required in Closed Session; therefore, the matters were addressed in Open Session, as follows:

9.1 Closed Session Minutes – January 20, 2021

(Partridge/Danko)

That the Closed Session Minutes dated January 20, 2021 be approved, as presented, and remain confidential.

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

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

9.2 Appointment to the Advisory Committee for Persons with Disabilities for the 2018-2022 Term

(Johnson/Nann)

That the following citizen be appointed to the Advisory Committee for Persons with Disabilities for a term commencing February 10, 2021, and until a successor is chosen:

1. Robert Semkow

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

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

(Clark/Pearson)

That Bills No. 21-010 to No. 21-017 be passed and that the Corporate Seal be affixed thereto, and that the By-laws *as amended*, be renumbered, be signed by the Mayor and the City Clerk to read as follows:

- 010 To Amend By-law No. 01-215 Being a By-law To Regulate Traffic Schedule 5 (Stop Control)
Ward: 1, 8, 9, 13
- 011 To Establish City of Hamilton Land Described as Parts 1 and 2 on Plan 62R-20006, be established as a Public Highway to form part of Greenravine Drive.
Ward: 12
- 012 To Adopt: Official Plan Amendment No. 143 to the Urban Hamilton Official Plan respecting: 15 Church Street (Ancaster)
Ward:12
- 013 To Amend Zoning By-law No. 87-57 Respecting Lands Located at 15 Church Street
Ward: 12

- 014 To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking
Schedule 8 – No Parking
Schedule 12 – Permit
Schedule 13 – No Stopping
Schedule 14 – Wheelchair Loading Zone
Ward: 3, 4, 10, 12, 13
- 015 To Repeal and Replace By-Law 17-277 Emergency Management Program By-Law
Ward: City Wide
- 016 *To Authorize the Execution of the Ontario Transfer Payment Amending Agreement for the Canada-Ontario Community Housing Initiative and the Ontario Priorities Housing Initiative between the City of Hamilton and Her Majesty the Queen in right of Ontario as represented by the Minister of Municipal Affairs and Housing for the Province of Ontario to Receive Funding Under the Canada-Ontario Community Housing Initiative and the Ontario Priorities Housing Initiative***
Ward: City Wide
- 017 To Confirm proceedings of Council

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

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

That, there being no further business, City Council be adjourned at 12:04 p.m.

Result: Motion CARRIED by a vote of 13 to 1, as follows:

YES - Deputy Mayor - 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 - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
NOT PRESENT - 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,

Deputy Mayor M. Wilson

Andrea Holland
City Clerk