



CITY COUNCIL MINUTES 21-011

9:30 a.m.
June 23, 2021
Council Chamber
Hamilton City Hall
71 Main Street West

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

Absent: Councillor T. Whitehead – Leave of Absence

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

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

4. COMMUNICATIONS

- 4.10 Correspondence from Viv Saunders respecting the Barton St EA - 2 rural lanes widening to 5 urbanized vehicle lanes.

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

- 4.11 Correspondence from the Honourable Doug Downey, Attorney General respecting an update on modernization initiatives and court recovery in Ontario's Provincial Offence Act (POA) courts.

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

- 4.12 Correspondence from Rose Janson and Family respecting the Urban Indigenous Strategy - time for meaningful action.

Recommendation: Be received.

7. NOTICES OF MOTION

- 7.1 Support for the Issuance of a Manufacturer's Limited Liquor Sales Licence ("By the Glass") for Carlisle Cider Company

- 7.2 Peer Review of Land Needs Assessment Methodology

CHANGE TO THE ORDER OF ITEMS:

Item 6.3 the motion respecting an Amendment to Item 1 of the General Issues Committee Report 20-011, respecting Report PED20125 - Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03, which was approved by Council on August 21, 2020 has to be moved up to be dealt with prior to the General Issues Committee Report 21-013, as Item 14 within the report relates to this matter.

(Pauls/Ferguson)

That the agenda for the June 23, 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 – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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 Wilson declared a conflict with Item 7 of Planning Committee Report 21-010 respecting Applications for Approval of a Draft Plan of Subdivision and Draft Plan of Condominium (Common Element) for Lands Located at 15 Picardy Drive, Stoney Creek (PED21121) (Ward 9), as her spouse is employed by the Hamilton Community Foundation which has a business relationship with the applicant of this matter.

Councillor Farr declared a conflict with Item 5 of Emergency and Community Services Committee Report 21-007 respecting Macassa Lodge - Redevelopment Project Financing Plan (HSC20050(b)) (Ward 7), as a close family member was a resident of Macassa Lodge recently.

APPROVAL OF MINUTES OF PREVIOUS MEETING**3. June 9, 2021 (Item 3.1)**

(Farr/Johnson)

That the Minutes of the June 9, 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 – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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

(Farr/Jackson)

That Council Communications 4.1 to 4.12 be approved, as presented, as follows:

- 4.1. Correspondence from the Hamilton Police Services Board in response to the correspondence from the City of Hamilton with respect to Bill 148, *Doored But Not Ignored Act, 2019*.

Recommendation: Be received and referred to the Hamilton Cycling Committee for their information.

- 4.2. Correspondence from the Region of Peel respecting the Peel Agricultural Advisory Working Group Update 2019, 2020 and Related Initiatives.

Recommendation: Be received and referred to the Agricultural and Rural Affairs Advisory Committee for their information.

- 4.3. Correspondence from the Aboriginal Advisory Committee respecting the recent discovery made at Kamloops, B.C.

Recommendation: Be received.

- 4.4. Correspondence from Margaret Bennett respecting the Board of Health Governance Review.

Recommendation: Be received and referred to the consideration of Item 1 of Board of Health Report 21-006.

- 4.5. Correspondence from the City of St. Catharines requesting support for their resolution calling on the Ontario government to expand testing to all strains of Lyme Disease and improve the level of treatment and care for those diagnosed with this crippling disease.

Recommendation: Be endorsed.

- 4.6. Correspondence from the Ministry of Municipal Affairs and Housing respecting Entering Step One of the Roadmap to Reopen.

Recommendation: Be received.

- 4.7. Correspondence respecting Hamilton Light Rail Transit (LRT):

- (a) Graham McNally
- (b) Alex Weinberger
- (c) Tanya Ritchie
- (d) John Augstman

Recommendation: Be received and referred to the consideration of Item 15 of General Issues Committee Report 21-013.

- 4.8. Correspondence from Grand River Conservation Authority respecting *Conservation Authority Act* Changes - municipal appointments.

Recommendation: Be received.

- 4.9. Correspondence from Peter Julian, MP, seeking endorsement for Motion M-84 Anti-Hate Crimes and Incidents & Private Member's Bill C-313 *Banning Symbols of Hate Act*.

Recommendation: Be endorsed.

- 4.10 Correspondence from Viv Saunders respecting the Barton St EA - 2 rural lanes widening to 5 urbanized vehicle lanes.

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

- 4.11 Correspondence from the Honourable Doug Downey, Attorney General respecting an update on modernization initiatives and court recovery in Ontario's Provincial Offence Act (POA) courts.

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

- 4.12 Correspondence from Rose Janson and Family respecting the Urban Indigenous Strategy - time for meaningful action.

Recommendation: Be received.

Result: Motion on the Communication Items, CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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

(Farr/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 – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls

YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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

HAMILTON ENTERPRISES HOLDING CORPORATION SHAREHOLDER REPORT 21-001

(Farr/Jackson)

That Hamilton Enterprises Holding Corporation Shareholder Report 21-001, being the meeting held on Thursday, June 10, 2021, be received and the recommendations contained therein be approved.

Result: Motion on the Hamilton Enterprises Holding Corporation Shareholder Report 21-001, CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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

HAMILTON UTILITIES CORPORATION SHAREHOLDER REPORT 21-001

(Farr/Ferguson)

That Hamilton Utilities Corporation Shareholder Report 21-001, being the meeting held on Thursday, June 10, 2021, be received and the recommendations contained therein be approved.

Result: Motion on the Hamilton Utilities Corporation Shareholder Report 21-001, CARRIED by a vote of 15 to 0, as follows:

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

YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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 21-006

(Wilson/Pauls)

That Board of Health Report 21-006, being the meeting held on Monday, June 14, 2021, be received and the recommendations contained therein be approved.

Result: Motion on the Board of Health Report 21-006, CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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 21-009

(VanderBeek/Nann)

That Public Works Committee Report 21-009, being the meeting held on Monday, June 14, 2021, be received and the recommendations contained therein be approved.

Result: Motion on the Public Works Committee Report 21-009, CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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 21-010

(Danko/Johnson)

That Planning Committee Report 21-010, being the meeting held on Tuesday, June 15, 2021, be received and the recommendations contained therein be approved.

Due to a declared conflict, Item 7 was voted on separately, as follows:

7. Applications for Approval of a Draft Plan of Subdivision and Draft Plan of Condominium (Common Element) for Lands Located at 15 Picardy Drive, Stoney Creek (PED21121) (Ward 9)

Result: Motion on Item 7 of the Planning Committee Report 21-010, CARRIED by a vote of 14 to 0, as follows:

CONFLICT - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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 21-010, CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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

6.3 Amendment to Item 1 of the General Issues Committee Report 20-011, respecting Report PED20125 - Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03, which was approved by Council on August 21, 2020

(Johnson/Jackson)

WHEREAS, as part of the broader redevelopment of the property known as 3311 Homestead Drive, Mount Hope, a newly constructed office building consisting of approximately 7,000 square feet (approximately 650 square metres) is planned to occupy a portion of the property fronting on Airport Road West via a separate parcel (as outlined on Appendix “B” attached hereto), pending approval of a future consent application for a severance of 3311 Homestead Drive, to be submitted by 1804482 Ontario Limited (Michael Chiaravalle 50%, Rita Chiaravalle 50% - Sonoma Homes);

WHEREAS, upon successful completion of the severance of 3311 Homestead Drive, the severed parcel would become part of 8533 Airport Road West, Mount Hope;

WHEREAS, the new office building, and its future associated parcel is the only portion of the property and its planned development, which would be located within the boundary of the Mount Hope/Airport Gateway Community Improvement Project Area (CIPA) in which the Hamilton Tax Increment Grant Program (HTIGP) is permitted to apply;

WHEREAS, staff have put forward a report requesting approval of a Hamilton Tax Increment Grant Program Application, submitted by 1804482 Ontario Limited (Michael Chiaravalle 50%, Rita Chiaravalle 50%) for the portion of the property to be severed from 3311 Homestead Drive, Mount Hope, conditional upon approval of the severance application; and,

WHEREAS, the following amendments to Item 1 of the General Issues Committee Report 20-011, respecting Report PED20125 - Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03, are required to properly facilitate the HTIGP grant;

THEREFORE, BE IT RESOLVED:

- (a) That sub-section (a) to Report PED20125, respecting the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03, be amended by adding the words ***“as outlined in Appendix “A” attached to Report PED20125”***, to read as follows:
 - (a) That Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application - ERG18-03, submitted by 1804482 Ontario Ltd. (Sonoma Homes), owner of the property at 3311 Homestead Drive, Mount Hope, ***as outlined in Appendix “A” attached to Report PED20125***, for an ERASE Redevelopment Grant not to exceed \$91,681, the actual cost of the remediation over a maximum of one year, be authorized and approved; and,
- (b) That Appendix “A” to Report PED20125, respecting the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03, be amended to reflect only to the portion of property that will remain as 3311 Homestead Drive, Mount Hope, after the successful completion of a severance (as outlined in Appendix “A” attached hereto);
- (c) That sub-section (a) to Report PED20125, respecting the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03, be further amended by adding the words ***“as amended”***, to read as follows:
 - (a) That Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application - ERG18-03, submitted by 1804482 Ontario Ltd. (Sonoma Homes), owner of the property at 3311 Homestead Drive, Mount Hope, as outlined in Appendix “A” attached to Report PED20125, ***as amended***, for an ERASE Redevelopment Grant not to exceed \$91,681, the actual cost of the remediation over a maximum of one year, be authorized and approved; and,

- (d) That sub-section (a) to Report PED20125, respecting the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03, be further amended by adding the following conditions, to read as follows:
- (a) That Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application - ERG18-03, submitted by 1804482 Ontario Ltd. (Sonoma Homes), owner of the property at 3311 Homestead Drive, Mount Hope, as outlined in Appendix "A" attached to Report PED20125, as amended, for an ERASE Redevelopment Grant not to exceed \$91,681, the actual cost of the remediation over a maximum of one year, be authorized and approved, in accordance with the terms and conditions of the ERASE Redevelopment Agreement and the following additional conditions:
- (i) ***the approval of the Grant shall not prejudice or fetter City Council's discretion with respect to any current or future Planning Act application regarding 3311 Homestead Drive, Mount Hope, including, but not limited to, a future consent application for a severance on the Property; and,***
- (ii) ***Only the tax increment generated based on the apportioned pre-development municipal taxes and actual post development taxes applicable to the future parcel generally depicted in Appendix "B" will be used to determine future Grant payments; and,***
- (e) That sub-section (b) to Report PED20125, respecting the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03, be deleted in its entirety and replaced with the following in lieu thereof:
- ~~(b) — That the Mayor and City Clerk be authorized and directed to execute the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Agreement together with any ancillary documentation required, to effect Recommendation (a) of Report PED20125, in a form satisfactory to the City Solicitor;~~
- (b) ***That the Mayor and City Clerk be authorized and directed to execute a Grant Agreement together, with any ancillary documentation required, to give effect to the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant for 1804482 Ontario Limited, owner of the property at 3311 Homestead Drive, Mount Hope, at such time as the property has been severed, as generally depicted on Appendix "A", as amended, attached hereto, in a form satisfactory to the City Solicitor; and,***

- (f) That sub-section (c) to Report PED20125, respecting the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03, be amended by adding the words “**and all other conditions,**”, to read as follows:
 - (c) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any grant amending agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant, as approved by City Council, **and all other conditions,** are maintained.

Main Motion, As Amended, to read as follows:

- 1. **Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03 (PED20125) (Ward 11) (Item 6.1)**
 - (a) That the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application - ERG18-03, submitted by 1804482 Ontario Ltd. (Sonoma Homes), owner of the property at 3311 Homestead Drive, Mount Hope, **as outlined in Appendix “A” attached to Report PED20125, as amended,** for an ERASE Redevelopment Grant not to exceed \$91,681, the actual cost of the remediation over a maximum of one year, be authorized and approved, in accordance with the terms and conditions of the ERASE Redevelopment Agreement and the following additional conditions:
 - (i) ***the approval of the Grant shall not prejudice or fetter City Council’s discretion with respect to any current or future Planning Act application regarding 3311 Homestead Drive, Mount Hope, including, but not limited to, a future consent application for a severance on the Property;***
 - (ii) ***Only the tax increment generated based on the apportioned pre-development municipal taxes and actual post development taxes applicable to the future parcel generally depicted in Appendix “B” will be used to determine future Grant payments; and,***
 - (b) ***That the Mayor and City Clerk be authorized and directed to execute a Grant Agreement together, with any ancillary documentation required, to give effect to the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant for 1804482 Ontario Limited, owner of the property at 3311 Homestead Drive, Mount Hope, at such time as the property has been severed, as generally depicted on Appendix “A”, as amended, attached hereto, in a form satisfactory to the City Solicitor; and,***

- (c) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any grant amending agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant, as approved by City Council, **and all other conditions**, are maintained.

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

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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 21-013

(Farr/Jackson)

That General Issues Committee Report 21-013, being the meeting held on Wednesday, June 16, 2021, be received and the recommendations contained therein be approved.

At Council's request, Item 15 was voted on separately, as follows:

15. Hamilton Light Rail Transit (LRT) Project Memorandum of Understanding (Item 11.1)

- (a) That staff be directed to meet with Metrolinx, the Ministry of Transportation and other governmental entities, as required, to prepare a Memorandum of Understanding (MOU) for the Hamilton Light Rail Transit project, and report back to the General Issues Committee, as soon as possible, with a draft MOU;
- (b) That Scenario One, as outlined in Report CM21006 / PED21145 / PW21040 / FCS21068 (page 10), which anticipates a system-wide 8% ridership increase after the Hamilton Light Rail Transit (LRT) is operating and a reduction of 29 buses in the LRT area, which will result in a net operating and maintenance cost of \$6.4 million annually for the LRT, be approved;

- (c) That the downtown Hamilton CIPA development charge (DC) exemption of 40%, effective July 6, 2021, be considered through the September 2023 DC by-law review, which is estimated to result in an annual savings of \$8 million; and,
- (d) That the Hamilton Tax Increment Grant Program be eliminated in downtown Hamilton through the next incentive program review, which is estimated to result in additional estimated savings of \$0.917 million annually for the City.

Result: Motion on Item 15 of the General Issues Committee Report 21-013, CARRIED by a vote of 9 to 6, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NO - Ward 5 Councillor Chad Collins
NO – Ward 6 Councillor Tom Jackson
YES - 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
YES - Ward 12 Councillor Lloyd Ferguson
NO - Ward 11 Councillor Brenda Johnson
NO - Ward 10 Councillor Maria Pearson
NO - Ward 9 Councillor Brad Clark

At Council's request, Item 12 was voted on separately, as follows:

12. Potential for Major Event in 2024 (PED20071(c)) (City Wide) (Item 10.10)

- (a) That the City of Hamilton enter into the agreements necessary to facilitate the hosting of the June 10 to 16, 2024 RBC Canadian Open, under terms and conditions substantially similar to those previously approved by Council, for the hosting of the June 5 to 11, 2023 RBC Canadian Open; and,
- (b) That the General Manager of the Planning and Economic Development Department be authorized, on behalf of the City of Hamilton, to approve and execute any required agreements and associated documents, for the hosting of the June 10 to 16, 2024 RBC Canadian Open, each in a form satisfactory to the City Solicitor.

Result: Motion on Item 12 of the General Issues Committee Report 21-013, CARRIED by a vote of 11 to 4, as follows:

NO - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - 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
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
NO - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

At Council's request, Item 11 was voted on separately, as follows:

**11. Fair Payment of Musicians for City-Led Events Policy (PED21041(a)) (City Wide)
(Item 10.9)**

- (a) That the Fair Payment of Musicians for City-Led Events Policy (Policy) outlined in Appendix "A" to Report PED21041(a), be approved; and,
- (b) That the Outstanding Business List item, City Guidelines and/or Policy Establishing a Practice of Payment for Musicians, be identified as completed and removed from the list.

Result: Motion on Item 11 of the General Issues Committee Report 21-013, CARRIED by a vote of 14 to 1, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Result: Motion on the balance of the General Issues Committee Report 21-013, CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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 21-010
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(Ferguson/Pearson)

That Audit, Finance and Administration Committee Report 21-010, being the meeting held on Thursday, June 17, 2021, be received and the recommendations contained therein be approved.

Result: Motion on the Audit, Finance and Administration Committee Report 21-010, CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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 21-007**(Nann/Jackson)**

That Emergency and Community Services Committee Report 21-007, being the meeting held on Thursday, June 17, 2021, be received and the recommendations contained therein be approved.

At Council's request, Item 2 was voted on separately, as follows:

2. Hamilton's Community Safety and Well-Being Plan (HSC19032(b)) (City Wide) (Item 8.1)

- (a) That Appendix "A" attached to Emergency and Community Services Committee Report 21-007 respecting Hamilton's Community Safety and Well-Being Plan be approved;
- (b) That the General Manager of Healthy and Safe Communities Department be authorized to increase the complement of the General Manager's Office by one full time permanent position Senior Project Manager beginning immediately to support implementation and maintain ongoing oversight of Hamilton's Community Safety and Well-Being Plan and that the annual cost of \$125,000 be funded in 2021 through in year department savings and that the full cost be included in the 2022 Tax Operating Budget; and,
- (c) That any additional requests for funding to support implementation of Hamilton's Community Safety and Well-Being Plan be referred to future budget processes.

Result: Motion on Item 2 of the Emergency and Community Services Committee Report 21-007, CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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 4 was voted on separately, as follows:

4. Emergency Operating Funding for Hamilton Arena Partners (HSC21023) (Ward 6) (Item 10.1)

That the General Manager, Healthy and Safe Communities Department or his designate, be authorized to provide emergency financial support to Hamilton Arena Partners (HAP) for the operations of the Mohawk 4Ice Centre as a result of facility closures due to the COVID-19 pandemic to an upset limit of \$500,000 in 2021, be funded from any available source jointly deemed appropriate by the General Manager of the Healthy and Safe Communities Department and the General Manager of the Finance and Corporate Services Department including, but not limited to, one or more of the following sources: Safe Restart Agreement - Municipal, COVID-19 Recovery Funding for Municipalities Program, COVID-19 Emergency Reserve, any other available provincial or federal funding, or in year program and/or department/corporate surplus.

Result: Motion on Item 4 of the Emergency and Community Services Committee Report 21-007, CARRIED by a vote of 13 to 2, as follows:

NO - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - 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
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

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

5. Macassa Lodge - Redevelopment Project Financing Plan (HSC20050(b)) (Ward 7) (Item 10.2)

- (a) That funding for the Macassa Lodge Redevelopment Project, capital budget project # 6302141102, in the amount of \$27.8 M overall, be approved as follows:
 - (i) That the following funding from the Ministry of Long-Term Care (MLTC) be applied to project #6302141102:

- (1) One-time funding of \$250,000 from the Planning Grant receivable upon signing the Development Agreement;
 - (2) One-time funding of \$1.03 M Development Grant receivable upon substantial completion; and,
 - (3) Construction Funding Subsidy of approximately \$174,000 per annum funded over the term of the loan, 25 years for a total of \$4.4M which will be applied against the repayment of the internal loan required to fund this capital Project;
- (ii) That the following funding sources from the City of Hamilton be approved:
 - (1) \$7,270,000 from Development Charges; and,
 - (2) \$19,253,000 (including \$7.4 M interest from internal loan) from the Unallocated Capital Reserve #108020, to be repaid annually over 25-years;
- (b) That an annualized increase of \$896,300 to the Macassa Lodge 2023 Operating Budget be approved related to the annual repayments to the Unallocated Capital Reserve #108020 over a 25-year period;
- (c) That in addition to the signing authority granted in report HSC20050(a), the General Manager, Healthy and Safe Communities Department or his designate be authorized and directed to negotiate, enter into, execute and amend a Development Agreement and any ancillary documents and any service accountability agreement(s) required for funding on the project with Her Majesty the Queen in right of Ontario as represented by the Minister of Long-Term Care or such other party or agency as otherwise required, with such terms and conditions in a form satisfactory to the City Solicitor; and,
- (d) In accordance with By-Law 20-205, the City's Procurement Policy, staff be directed to proceed with the competitive procurement processes necessary for the completion of the Macassa Lodge Redevelopment Project and that the General Manager of Healthy and Safe Communities or his designate be authorized and directed to negotiate, enter into, execute and amend any agreements and documents necessary to award any resulting contracts with vendors, in a form satisfactory to the City Solicitor.

Result: Motion on Item 5 of the Emergency and Community Services Committee Report 21-007, CARRIED by a vote of 14 to 0, as follows:

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

YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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 Emergency and Community Services Committee Report 21-007, CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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

(Farr/Merulla)

That the Committee of the Whole Rise and Report.

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

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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 - Continued

6.1 Amendment to Item 6 of the Audit, Finance & Administration Committee Report 17-004, respecting Report FCS17037 – Winona Peach Festival Request for a Loan to Upgrade Electrical Service

(Pearson/Johnson)

WHEREAS, Council at its meeting of March 29, 2017, approved Item 6 of the Audit, Finance & Administration Committee Report 17-004, as amended, which authorized the City of Hamilton to provide an interest free loan to the Winona Peach Festival to fund electrical upgrades at the City-owned Winona Park, in an amount not to exceed \$100,000, to be repaid in full over a period of ten years from the date of the loan advance;

WHEREAS, this loan agreement requires annual payments of \$10,000 to be made to the City of Hamilton;

WHEREAS, restrictions designed to prevent the spread of the COVID-19 virus continue to be in place limiting the gathering of large groups in public spaces;

WHEREAS, the Winona Peach Festival has determined that these restrictions will prevent them from holding the annual Winona Peach Festival Event in 2021;

WHEREAS, the Winona Peach Festival relies on the proceeds from the annual Winona Peach Festival Event to make the annual loan payment;

WHEREAS, at its meeting of May 27/28, 2020 a motion was approved (Item 6.3) that authorized and directed the Mayor and City Clerk to execute an amendment to the Loan Agreement, between the City of Hamilton and the Winona Peach Festival, for the funding of electrical upgrades at the City-owned Winona Park, to suspend the 2020 annual payment and extend the term of the Agreement for one year beyond the original date, in a form satisfactory to the General Manager of Finance and Corporate Services and the City Solicitor; and,

WHEREAS, Item 6 of the Audit, Finance & Administration Committee Report 17-004, respecting Report FCS17037 – Winona Peach Festival Request for a Loan to Upgrade Electrical Service, needs to be amended to reflect both the 2020 approved resolution; and, the proposed amendment for 2021;

THEREFORE, BE IT RESOLVED:

- (a) That Sub-section (a) to Item 6 to the Audit, Finance & Administration Committee Report 17-004, respecting Report FCS17037 – Winona Peach Festival Request for a Loan to Upgrade Electrical Service, be amended by deleting the word “ten” and replacing it with the word “**twelve**”, to read as follows:

- (a) That the City of Hamilton provide an interest free loan to the Winona Peach Festival to fund electrical upgrades at the City-owned Winona Park in an amount not to exceed \$100,000 to be repaid in full over a period of ~~ten~~ **twelve** years from the date of the loan advance;
- (b) That Appendix “C” to Item 6 to the Audit, Finance & Administration Committee Report 17-004, respecting Report FCS17037 – Winona Peach Festival Request for a Loan to Upgrade Electrical Service, be further amended to reflect the 2020 approved loan agreement extension as well as the 2021 loan agreement extension, as shown in Appendix “A” attached hereto;
- (c) That Sub-section (b) to Item 6 to the Audit, Finance & Administration Committee Report 17-004, respecting Report FCS17037 – Winona Peach Festival Request for a Loan to Upgrade Electrical Service, be amended by adding the word “**further**”, to read as follows:
 - (b) That the loan to the Winona Peach Festival be repaid with annual principal payments on the anniversary dates of the loan advance as reflected in the Loan Repayment Schedule, attached as Appendix “C”, as **further amended**, to Audit, Finance and Administration Report 17-004;
- (d) That Sub-section (e) to Item 6 to the Audit, Finance & Administration Committee Report 17-004, respecting Report FCS17037 – Winona Peach Festival Request for a Loan to Upgrade Electrical Service, be amended by adding the words “**and any ancillary documents**”, to read as follows:
 - (e) That the Mayor and Clerk be authorized to execute the loan agreement **and any ancillary documents** between the City of Hamilton and Winona Peach Festival, in a form satisfactory to the General Manager of Finance and Corporate Services and the City Solicitor.

The Main Motion, as amended, to read as follows:

6. Winona Peach Festival Request for a Loan to Upgrade Electrical Service (FCS17037) (Ward 11) (Outstanding Business List) (Item 8.3)

- (a) That the City of Hamilton provide an interest free loan to the Winona Peach Festival to fund electrical upgrades at the City-owned Winona Park in an amount not to exceed \$100,000 to be repaid in full over a period of **twelve** years from the date of the loan advance;
- (b) That the loan to the Winona Peach Festival be repaid with annual principal payments on the anniversary dates of the loan advance as reflected in the Loan Repayment Schedule, attached as Appendix “C”, as **further amended**, to Audit, Finance and Administration Report 17-004;
- (c) That a Long-term Receivable account be established to record the Loan to Winona Peach Festival on the City’s books;

- (d) That any additional project expenses, such as Consulting, Project Management and Archaeological studies, if required, be borne by Winona Peach Festival;
- (e) That the Mayor and Clerk be authorized to execute the loan agreement ***and any ancillary documents*** between the City of Hamilton and Winona Peach Festival, in a form satisfactory to the General Manager of Finance and Corporate Services and the City Solicitor.

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

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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 Amendment to Item 2 of the General Issues Committee Report 19-023, respecting Report PED19108(b) – Commonwealth Games 2030

(Pauls/Eisenberger)

WHEREAS, the Hamilton100 Committee with respect to the 2030 Commonwealth Games, was put on hold while a 2026 bid option was explored;

WHEREAS, the 2030 Commonwealth Games bid is again active and the 2026 bid discarded;

WHEREAS, the Hamilton100 Committee is to be renamed to the Games Operating Committee;

WHEREAS, the existing members of the Hamilton100 Committee are to be appointed to the Games Operating Committee;

WHEREAS, Councillor Partridge has submitted a request to resign from the Hamilton100 Committee; and

WHEREAS, the Mayor has submitted a request to be appointed to the Games Operating Committee;

THEREFORE, BE IT RESOLVED:

That Item 2 of the General Issues Committee Report 19-023, respecting Report PED19108(b) – Commonwealth Games 2030, be **amended**, to read as follows:

2. Commonwealth Games 2030 (PED19108(b)) (City Wide) (Item 9.1)

- (a) That, as it is Council's unfettered right and discretion to designate up to four elected officials to serve as the City's representative(s) on the **Games Operating Committee**, as per the Memorandum of Understanding between the City of Hamilton and the Hamilton100 Commonwealth Games Bid Corporation, up to four members of Council be appointed to the Committee;
- (b) That the Memorandum of Understanding between the City of Hamilton and the Hamilton100 Commonwealth Games Bid Corporation, respecting the 2030 Commonwealth Games Bid, be amended to allow Hamilton100 to prepare, organize, facilitate, coordinate and finance, in its entirety, a Hosting Proposal (Part 2), and to include up to four members of Council to serve as Committee members, in a form satisfactory to the General Manager of Finance and Corporate Services and City the Solicitor;
- (c) That, subject to Commonwealth Games Canada inviting Hamilton100 to prepare and submit a Hosting Proposal (Part 2), staff be directed to report back to General Issues Committee to seek support for the Hamilton100 Commonwealth Games Bid Corporation to proceed with the Hosting Proposal (Part 2), with that report to include any internal resources required to support the development of a Multi-Party Agreement; and,
- (d) That the following Councillors be appointed to participate on the **Games Operating Committee** with respect to the 2030 Commonwealth Games:
 - (i) Terry Whitehead;
 - (ii) **Mayor Fred Eisenberger**, and,
 - (iii) Esther Pauls.
- (e) That, through the review of a potential 2030 Commonwealth Hosting Proposal 2, staff be directed to provide a financial assessment of the proposal against the City's Master Plans and approved ten-year capital plan, with the objective of preserving city funding capacity for state of good repair for existing facilities, as well as future identified capital priorities and report back to the General Issues Committee;

- (f) That, prior to executing a Multi-Party Agreement for the 2030 Commonwealth Games, staff be directed to report back to the General Issues Committee regarding Governance, including, what level of government or agency will be the responsible party for procurement, project management, project delivery, project administration, security, etc. and will be ultimately financially accountable for both capital and operational decisions for the 2030 Commonwealth Games;
- (g) That, through the review of a potential Hosting Proposal 2 for the 2030 Commonwealth Games, staff be directed to report back to the General Issues Committee on how the City of Hamilton can be indemnified against any risks such as capital and operating budget overruns, games deficit, deficiencies in third party funding, and deficiencies in legacy funding;
- (h) That, prior to executing a Multi-Party Agreement for the 2030 Commonwealth Games, an independent peer review be undertaken of the financial model contained in the potential Hosting Proposal 2 to include, but not limited to, the games operations, the capital investment strategies and facility construction budgets as provided by Hamilton100 and report back to the General Issues Committee;
- (i) That Hamilton100 be requested to consider incorporating a legacy trust in the 2030 Commonwealth Hosting Proposal 2, funded through non-municipal proceeds, to provide for both capital and operating funding for program delivery and facility operations for a minimum period of ten years, post Commonwealth Games 2030;
- (j) That staff be directed to report back to the General Issues Committee on the potential implications of the municipal share of the 2030 Commonwealth Games bid being between \$250-\$375 million on the city's projected tax supported debt, including alignment with the City's Municipal Debt Policy; and,
- (k) That, through the review of a potential 2030 Commonwealth Games Hosting Proposal 2, staff be directed to report back to the General Issues Committee on the inclusion of the entertainment district facilities in the Commonwealth Games bid and any impacts or conflicts on the approved review of the entertainment district that is currently under way.

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

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

YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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

6.4 Amendment to Item 3 of the Public Works Committee Report 19-014 respecting a Proposed Underground Tunnel under Concession Road 4 West, Flamborough (PW19082) (Ward 13)

(VanderBeek/Nann)

WHEREAS, on October 9, 2019, Council approved report PW19082, which authorized Lafarge Canada Inc. to construct an underground Tunnel under Concession 4 Road West, Flamborough in order to connect the Dundas North Quarry (ARA Licence # 5473) and Dundas South Quarry (ARA Licence #5473 and ARA Licence # 625711) during operations;

WHEREAS, on April 20, 2021, Lafarge Canada Inc. contacted the City of Hamilton to formally request an amendment to the location and size of the proposed underground tunnel under Concession Road 4 West, Flamborough, subject to the same conditions previously approved under report PW19082;

WHEREAS, based on production levels anticipated for the quarry, combined with extensive geotechnical work and design, it was determined that the final tunnel should be a twin single lane tunnel design to improve safety and productivity (as opposed to the initial conceptual design of a one-lane tunnel);

WHEREAS, the new design would include 2 single lane tunnels, approximately 8m in height and 9.4m wide with an estimated 11.6m pillar in between, ranging from 21m below grade for the roof to 29m below grade for the floor; and,

WHEREAS, staff are supportive of the revised design for the new underground tunnel design which increases the safety and productivity of the tunnel without additional impacts to residents or public utilities;

THEREFORE, BE IT RESOLVED:

That Sub-section (a) to Item 3 of the Public Works Committee Report 19-014, respecting a Proposed Underground Tunnel under Concession Road 4 West, Flamborough (PW19082) (Ward 13), be **amended** to revise Appendices "C", "D" and "E" (attached hereto) to alter the final tunnel to **a twin single lane tunnel design, approximately 8m in height and 9.4m wide with an estimated 11.6m pillar in between, ranging from 21m below grade for the roof to 29m below grade for the floor**, as follows:

3. **Proposed Underground Tunnel under Concession Road 4 West, Flamborough (PW19082) (Ward 13) (Item 10.1)**

- (a) That the proposal from Lafarge Canada Inc. to build an underground tunnel under Concession Road 4 West, Flamborough, ("Subject Lands"), as shown on Appendix ~~Revised~~ **Revised Appendices "C", "D" and "E", *altering the final tunnel to a twin single lane tunnel design, approximately 8m in height and 9.4m wide with an estimated 11.6m pillar in between, ranging from 21m below grade for the roof to 29m below grade for the floor,*** attached to Public Works Committee Report 19-014, be approved, subject to the following conditions:
- (i) That the applicant enters into an Easement Agreement with the City of Hamilton over the Subject Lands;
 - (ii) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to enter into an easement agreement over the Subject Lands on such terms and conditions deemed appropriate by the General Manager of Planning and Economic Development, and to the satisfaction of the General Manager of Public Works and the City Solicitor;
 - (iii) That the applicant submits all required structural engineering and design drawings prepared by a Professional Engineer and peer reviewed by a Professional Engineer to the satisfaction of the Director, Engineering Services;
 - (iv) That the applicant be fully responsible for the deposit of a stratified reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor, to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section;
 - (v) That the structure would remain under the ownership of the applicant, who is therefore responsible for renewal, rehabilitation and/or maintenance for all and/or any associated costs related to and including the structure at 100% owners expense;
 - (vi) That the applicant be compliant with the Ontario Structural Inspection Manual (OSIM) and provide a biannual inspection report to the satisfaction of the Manager, Asset Management Section;
 - (vii) That the applicant submit a Hydrogeological Brief conducted by a qualified Professional Engineer on the proposed tunnel project to the satisfaction of the Director, Hamilton Water;

- (viii) That the closure and sale of a portion of Moxley Road approved through report PW18082 be completed;
- (ix) That the Applicant apply for all required permits through the Building Division;
- (x) That the City Solicitor be authorized to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as considered reasonable;
- (xi) That the applicant enters into an Encroachment Agreement through the City's Corridor Management Section for the existing Conveyor Belt tunnel encroaching under Concession Road 4 West, Flamborough; and,
- (xii) That the Applicant fully reimburse the City for any out-of-pocket costs related to the underground tunnel project.

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

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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 Support for the Issuance of a Manufacturer's Limited Liquor Sales Licence ("By the Glass") for Carlisle Cider Company

(Partridge/Ferguson)

WHEREAS Carlisle Cider Company is operating at 1453 Millborough Line, Carlisle, Ontario.

WHEREAS the Carlisle apple farm has been operating since 1904 and in 2020 opened the cider facility.

WHEREAS in addition to brewing apple cider, the business model has a retail, tourism and education component; and

WHEREAS the Alcohol and Gaming Commission of Ontario (AGCO) requires written notice from the Council of the Municipality within which the applicant's site is located confirming that it has passed a resolution in support of the issuance of a Manufacturer's Limited Liquor Sales Licence ("By the Glass"), for tastings.

THEREFORE, BE IT RESOLVED:

That the Council of the City of Hamilton confirms their support for the issuance of a Manufacturer's Limited Liquor Sales Licence ("By the Glass") for Carlisle Cider Company located at 1453 Millborough Line, Carlisle, Ontario.

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

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

6.6 Peer Review of Land Needs Assessment Methodology

(Clark/Eisenberger)

WHEREAS the City commissioned land economist Antony Lorus Consulting to undertake the technical analysis for the land needs assessment for the City's GRIDS2 initiative;

WHEREAS the results of that analysis were presented to Council on March 31, 2021 in the report "City of Hamilton Land Needs Assessment to 2051 – Technical Working Paper" and "Residential Intensification Market Demand Study" as part of Report PED17010(i); and

WHEREAS Council will be considering the land needs assessment and recommended GRIDS2 growth scenario at a Special GIC meeting on October 25, 2021

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to retain a consultant with the appropriate expertise in land economics and planning to undertake a review of the approach and methodology utilized for the “City of Hamilton Land Needs Assessment to 2051 – Technical Working Paper” and “Residential Intensification Market Demand Study” to confirm that the approach and methodology meets the requirements of all applicable provincial policies and is an appropriate application of all applicable provincial policies with respect to determining the city’s land needs to 2051
- (b) That the consultant prepare a memorandum summarizing their findings and that staff include this memorandum as part of the GRIDS2 report back at the Special GIC meeting on October 25, 2021
- (c) That the cost for completing the review be charged to the Economic Development Investment Fund Reserve 112221

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

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

NOTICES OF MOTION

7.1 Support for the Issuance of a Manufacturer’s Limited Liquor Sales Licence (“By the Glass”) for Carlisle Cider Company

(Partridge/Ferguson)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Support for the Issuance of a Manufacturer’s Limited Liquor Sales Licence (“By the Glass”) for Carlisle Cider Company.

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

YES - Ward 1 Councillor Maureen Wilson
YES – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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 6.5 for further disposition of this item.

7.2 Peer Review of Land Needs Assessment Methodology

(Clark/Eisenberger)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Peer Review of Land Needs Assessment Methodology.

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

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

STATEMENTS BY MEMBERS

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

COUNCIL COMMUNICATION UPDATES**(Jackson/Danko)**

That the listing of Council Communication Updates from June 4, 2021 to June 17, 2021, be received.

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

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

BY-LAWS AND CONFIRMING BY-LAW**(Farr/Ferguson)**

That Bills No. 21-107 to No. 21-114 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:

- 107 To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking
Schedule 2 – Through Highways
Schedule 3 – Through Highways, NPA
Schedule 5 – Parking Meters
Schedule 8 – No Parking Zones
Schedule 13 – No Stopping Zones
Schedule 14 – Wheelchair Loading Zones
Ward: 2, 4, 5, 7, 10
- 108 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 2 – Speed Limits
Schedule 10 – No Left Turn
Schedule 13 – Designated Traffic Lanes

Schedule 18 – Bicycle Lanes

Ward: 1, 4, 10, 12, 13, 14

- 109 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 5 – Stop Control
Ward: 6, 9, 11, 13
- 110 To Establish City of Hamilton Land Described as Blocks 12 and 13 on Plan
62M1256 as Part of Utter Place
Ward: 9
- 111 To Rename a Portion of Mountain Brow Road to King Road from Granite Ridge
Trail to King Road (Flamborough)
Ward: 15
- 112 To Amend Zoning By-law No. 3851-86, Respecting Lands Located at 321 Hatt
Street in the former Town of Dundas
ZAR-20-036
Ward: 13
- 113 To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-
Street Parking
Schedule 6 – Tim Limit Parking
Schedule 8 – No Parking Zones
Schedule 10 – Alternate Side Parking (April-November)
Schedule 12 – Permit Parking Zones
Schedule 13 – No Stopping Zones
Ward: 2, 3, 4, 7, 9, 13, 14, 15
- 114 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 – Deputy Mayor - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Pearson/Ferguson)

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

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

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