



CITY COUNCIL MINUTES 21-012

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

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

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

Added:

4.7 Correspondence respecting the restructuring of Hamilton's Board of Health:

- (c) Natasha Johnson, MD, FAAP, FRCPC; Kassia Johnson, MD, FRCPC; Ruth Rodney, RN, PhD; Claire Bodkin, MD and co-signed by 203 individuals.

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

- 4.11 Correspondence from the Municipality of Chatham-Kent requesting support for their resolution respecting the Induction of Coloured All-Stars into the Canadian Baseball Hall of Fame.

Recommendation: Be received.

- 4.12 Correspondence from York Region requesting support for their resolution advocating for immediate regulatory and legislative amendments to provide municipal Provincial Offences Courts with the flexibility to respond to the critical pressures described in York Region's Court Services Annual Report 2020.

Recommendation: Be received.

- 4.13 Correspondence respecting the Regulating of Off-Road Vehicles:

- (a) N. Christine Morley and Ben Tagarelli
- (b) Jeff Hazzard

Recommendation: Be received and referred to the consideration of Item 10 of Planning Committee Report 21-011.

- 4.14 Correspondence respecting the removal of the Sir John A. MacDonald Statue from Gore Park, Hamilton:

- (a) Sarah Sheehan
- (b) Katelyne Clark
- (c) Randy Kay
- (d) Mouna Bile on behalf of Together We Rise Together We Rise S'Elever Ensemble

Recommendation: Be received and referred to the consideration of Item (f) of the Emergency and Community Services Committee Report 21-008

- 4.15 Correspondence respecting Report PW21034 recommending the sale of part of the Sunset Cultural Garden at the corner of Bay Street North and Strachan Street West:

- (a) Cameron Kroetsch
- (b) Tanya Ritchie
- (c) James Honey
- (d) Jessica Glegg

Recommendation: Be received and referred to the consideration of Item 5.7 (a) Report PW21034, Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 38 Strachan Street West, Hamilton.

Amended:

- 4.5 Correspondence from Gary Carr, Regional Chair, Halton Region requesting support for their resolution respecting the protection of Glen Abbey Lands.

Recommendation: Be ***supported***.

5. COMMITTEE REPORTS

5.7 STAFF REPORTS

- 5.7 (a) Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 38 Strachan Street West, Hamilton (PW21034) (Ward 2)
(Referred to Council by the Public Works Committee at its meeting July 7, 2021)

11. BY-LAWS AND CONFIRMING BY-LAW

- 117 Respecting Removal of Part Lot Control, Blocks 609 to 621 within Registered Plan of Subdivision 62M-1266 "Waterdown Bay, Phase 3", 65-71 Westfield Crescent, 37-74 Great Falls Boulevard, 58-68 Skinner Road, 39-50 Kenesky Drive, 31-58 Westfield Crescent, and 4-30 Granite Ridge Trail
PLC-21-004
Ward: 15
- 118 Respecting Removal of Part Lot Control, Lots 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 59, 60, 61, 62, 63, 64, 65, 66, 76, 77, 106, 107, 108, 109, 110 and 111, Registered Plan of Subdivision 62M-1266, Municipally Known as 3, 5, 9, 11, 14-17, 20-23, 26-29, 33, 35, 39, 41, 45, 47 Mountain Heights Place, 4, 6, 10, 12, 15-18, 21-25, 27, 28, 30, 31, 33, 34, 36 Great Falls Boulevard, 143, 145, 149, 151, 155, 157, 166, 168, 172, 174, 178, 180, 184, 186, 190, 192, 196, 198 Agro Street, 6-9, 12-15, 18-21, 24-27, 75, 77, 80-83, 86-89, 92-95, 98-101 Westfield Crescent, 28, 30, 34, 36 Kenesky Drive
PLC-21-001
Ward: 15
- 119 A By-law to Establish Certain 2021 User Fees and Charges for Services, Activities, or the Use of Property, and to Repeal By-law No. 20-168
Ward: City Wide
- 120 To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands Located at 3140 and 3150 Binbrook Road (Glanbrook)
ZAC-19-039
25CDM-202002
Ward: 11
- 121 Being a By-law to Regulate Off-Road Vehicles
Ward: City Wide

- 122 To Amend By-law No. 17-225, being a By-law to Establish a System of Administrative Penalties
Table 27: By-law No. 21-121 Off Road Vehicle By-law
Ward: City Wide

(Johnson/VanderBeek)

That the agenda for the July 9, 2021 meeting of Council be approved, ***as amended.***

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

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Deputy Mayor - 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 J.P. Danko declared an interest to Item 6 of Emergency and Community Services Committee Report 21-008 respecting Removal of the Name Ryerson from the Recreation Centre at 251 Duke Street, Hamilton (Ward 1), as his wife is the Chair of the Hamilton-Wentworth District School Board.

Councillor J.P. Danko declared an interest to Item 6 of General Issues Committee Report 21-014 respecting School Board Properties Sub-Committee Report 21-002, June 22, 2021, as his wife is the Chair of the Hamilton-Wentworth District School Board.

Councillor B. Clark declared an interest to Item 8 of Planning Committee Report 21-011 respecting Report 21125, Applications for a Rural Hamilton Official Plan Amendment and Zoning By-law Amendment for lands located at 822, 914 Book Road West and 1276 Shaver Road, Ancaster (Ward 12), due to his son's business interest with, the principal of the applicant's planning consultant.

Councillor S. Merulla declared an interest to Item 4 of General Issues Committee Report 21-014 respecting Report PED21115, Hamilton Tax Increment Grant - 154 Main Street East, Hamilton, as he and his wife are rental property landlords.

Councillor M. Pearson declared an interest to Item 4 of General Issues Committee Report 21-014 respecting Report PED21115, Hamilton Tax Increment Grant - 154 Main Street East, Hamilton, as she is a rental property landlord.

Councillor A. VanderBeek declared an interest to Item 4 of General Issues Committee Report 21-014 respecting Report PED21115, Hamilton Tax Increment Grant - 154 Main Street East, Hamilton, as she is a rental property landlord.

APPROVAL OF MINUTES OF PREVIOUS MEETING
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3. June 23, 2021 (Item 3.1)

(Partridge/Pearson)

That the Minutes of the June 23, 2021 meeting of Council be approved, as presented.

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

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

(Merulla/Collins)

That Council Communications 4.1 to 4.15 be approved, ***as amended***, as follows:

- 4.1 Correspondence from the Township of Huron-Kinloss requesting support for their resolution in support of domestic production of a COVID-19 vaccine.

Recommendation: Be received.

- 4.2 Correspondence from the Town of Fort Erie requesting support for their resolution requesting that the Federal Government consider prohibiting the ability to obtain a licence to grow cannabis if any of the owners including those owners within a corporation have ever been convicted of operating an illegal cannabis operation.

Recommendation: Be received.

- 4.3 Correspondence from Grant Bivol, Clerk/Board Secretariat, Niagara Peninsula Conservation Authority respecting their resolution referring the transition actions listed in Report FA-41-21 (Revised) to their Governance Committee for consideration of next steps including discussions with municipal partners.

Recommendation: Be received.

- 4.4 Correspondence from the Office of the Ontario Ombudsman respecting the complaints about the display of electronic vote results.

Recommendation: Be received.

- 4.5 Correspondence from Gary Carr, Regional Chair, Halton Region requesting support for their resolution respecting the protection of Glen Abbey Lands.

Recommendation: Be supported.

- 4.6 Correspondence from Stantec Consulting Ltd. respecting Imperial Oil Pipeline Relocation Project - Notice of Study Commencement.

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

- 4.7 Correspondence respecting the restructuring of Hamilton's Board of Health:

- (a) Chloe Tse Tse
- (b) Han Godin
- (c) Natasha Johnson, MD, FAAP, FRCPC; Kassia Johnson, MD, FRCPC; Ruth Rodney, RN, PhD; Claire Bodkin, MD and co-signed by 203 individuals.

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

- 4.8 Correspondence from the Township of West Lincoln requesting support for their resolution respecting Accessibility Issues for Seniors.

Recommendation: Be received.

- 4.9 Correspondence from the Municipality of St. Charles requesting support for their resolution respecting Municipal Land Transfer Tax.

Recommendation: Be received.

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

Recommendation: Be received.

- 4.11 Correspondence from the Municipality of Chatham-Kent requesting support for their resolution respecting the Induction of Coloured All-Stars into the Canadian Baseball Hall of Fame.

Recommendation: Be ***supported***.

- 4.12 Correspondence from York Region requesting support for their resolution advocating for immediate regulatory and legislative amendments to provide municipal Provincial Offences Courts with the flexibility to respond to the critical pressures described in York Region's Court Services Annual Report 2020.

Recommendation: Be received.

- 4.13 Correspondence respecting the Regulating of Off-Road Vehicles:

- (a) N. Christine Morley and Ben Tagarelli
- (b) Jeff Hazzard

Recommendation: Be received and referred to the consideration of Item 10 of Planning Committee Report 21-011.

- 4.14 Correspondence respecting the removal of the Sir John A. MacDonald Statue from Gore Park, Hamilton:

- (a) Sarah Sheehan
- (b) Katelyne Clark
- (c) Randy Kay
- (d) Mouna Bile on behalf of Together We Rise Together We Rise S'Elever Ensemble

Recommendation: Be received and referred to the consideration of Item (f) of the Emergency and Community Services Committee Report 21-008

- 4.15 Correspondence respecting Report PW21034 recommending the sale of part of the Sunset Cultural Garden at the corner of Bay Street North and Strachan Street West:

- (a) Cameron Kroetsch
- (b) Tanya Ritchie
- (c) James Honey
- (d) Jessica Glegg

Recommendation: Be received and referred to the consideration of Item 5.7 (a) Report PW21034, Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 38 Strachan Street West, Hamilton.

At Council's request, Item 4.5 was voted on separately, as follows:

- 4.5 Correspondence from Gary Carr, Regional Chair, Halton Region requesting support for their resolution respecting the protection of Glen Abbey Lands.

Recommendation: Be supported.

Result: Motion on Item 4.5 of the Communication Items, CARRIED by a vote of 9 to 6, as follows:

NO - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
NO - Ward 3 Councillor Nrinder Nann
YES - Deputy Mayor - 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
NO - 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

At Council's request, Item 4.7 was voted on separately, as follows:

- 4.7 Correspondence respecting the restructuring of Hamilton's Board of Health:

- (a) Chloe Tse Tse
(b) Han Godin
(c) Natasha Johnson, MD, FAAP, FRCPC; Kassia Johnson, MD, FRCPC; Ruth Rodney, RN, PhD; Claire Bodkin, MD and co-signed by 203 individuals.

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

Result: Motion on Item 4.7 of the Communication Items, CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Deputy Mayor - 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 Communication Items, as Amended, CARRIED by a vote of 15 to 0, as follows:

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

(Merulla/Jackson)

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

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

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

(Merulla/Farr)

That Section 5.8(2) of the City's Procedural By-law 21-021, which provides that a minimum of 2 days shall pass before the Report of a Standing Committee, the Selection Committee, or other Committee that reports directly to Council is presented to Council to provide adequate opportunity for review, be waived in order to consider the General Issues Committee Report 21-014; Planning Committee Report 21-011; Board of Health Report 21-007, Public Works Committee Report 21-010, Audit, Finance and Administration Committee Report 21-011 and Emergency and Community Services Committee Report 21-008.

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

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Deputy Mayor - 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 21-014

(Merulla/Johnson)

That General Issues Committee Report 21-014, being the meeting held on Monday, July 5, 2021, be received and the recommendations contained therein be approved.

Due to a declared conflict, Item 6 was voted on separately, as follows:

6. School Board Properties Sub-Committee Report 21-002, June 22, 2021 (Item 10.5)

(a) Hamilton-Wentworth District School Board Property at 350 Albright Road, Stoney Creek (PED21128) (Ward 5) (Item 10.1)

- (i) That staff be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton has no interest in acquiring its property located at 350 Albright Road, Stoney Creek, as shown on Appendix "A" attached to Report PED21128; and,
- (ii) That staff be directed to advise the Hamilton-Wentworth District School Board of the City of Hamilton's site development requirements, as identified in Appendix "B" attached to Report PED21128.

(b) Hamilton-Wentworth District School Board Property at 140 Glen Echo Drive, Stoney Creek (PED21129) (Ward 5) (Item 10.2)

- (i) That staff be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton has no interest in acquiring its property located at 140 Glen Echo Drive, Stoney Creek, as shown on Appendix “A” attached to Report PED21129; and,
- (ii) That staff be directed to advise the Hamilton-Wentworth District School Board of the City of Hamilton’s site development requirements, as identified in Appendix “B” attached to Report PED21129.

(c) Hamilton-Wentworth District School Board Property at 45 Randall Avenue, Stoney Creek (PED21130) (Ward 5) (Item 10.3)

- (i) That staff be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton has no interest in acquiring its property located at 45 Randall Avenue, Stoney Creek, as shown on Appendix “A” attached to Report PED21130; and,
- (ii) That staff be directed to advise the Hamilton-Wentworth District School Board of the City of Hamilton’s site development requirements, as identified in Appendix “B” attached to Report PED21130.

(d) Hamilton-Wentworth District School Board Property at 630-640 Rymal Road East, Hamilton (PED21131) (Ward 7) (Item 14.1)

- (i) That the Manager of Real Estate, or designate, be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton may have an interest in the acquisition of the lands located at 630-640 Rymal Road East, Hamilton, as shown and legally described in Appendix “A” attached to Report PED21131;
- (ii) That staff be authorized and directed to complete the due diligence work in preparation for the potential acquisition of the of the lands located at 630-640 Rymal Road East, Hamilton, to be funded from the Property Purchases and Sales Capital Account No. 3562850200;
- (iii) That staff be directed to report back to the School Board Properties Sub-Committee, as to its due diligence findings, refined acquisition and post-acquisition cost estimates, funding model and its recommendations for the City to submit an Offer to Purchase the Hamilton-Wentworth District School Board lands located at 630-640 Rymal Road East, Hamilton; and,
- (iv) That Report PED21131, respecting Hamilton-Wentworth District School Board Property at 630-640 Rymal Road East, Hamilton, remain confidential and not be released as a public document.

(e) Hamilton-Wentworth District School Board Property at 20 Lake Avenue South, Stoney Creek (PED21132) (Ward 5) (Item 14.2)

- (i) That the Manager of Real Estate, or designate, be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton may have an interest in the acquisition of the lands located at 20 Lake Avenue South, Stoney Creek, as shown and legally described in Appendix "A" attached to Report PED21132;
- (ii) That staff be authorized and directed to complete the due diligence work in preparation for the potential acquisition of the Hamilton-Wentworth District School Board lands located at 20 Lake Avenue South, Stoney Creek;
- (iii) That staff be directed to establish a Capital Account Project I.D. to be funded from the Parkland Acquisition Reserve No. 108050, for use as the funding source for all costs related to the due diligence for the potential acquisition of the Hamilton-Wentworth District School Board lands located at 20 Lake Avenue South, Stoney Creek;
- (iv) That staff be directed to report back to the School Board Properties Sub-Committee, as to its due diligence findings, refined acquisition and post-acquisition cost estimates, funding model and its recommendations for the City to submit an Offer to Purchase the Hamilton-Wentworth District School Board lands located at 20 Lake Avenue South, Stoney Creek; and,
- (v) That Report PED21132, respecting the Hamilton-Wentworth District School Board Property at 20 Lake Avenue South, Stoney Creek, remain confidential and not be released as a public document.

Result: Motion on Item 6 of the General Issues Committee Report 21-014, CARRIED by a vote of 14 to 0, as follows:

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

YES - Ward 9 Councillor Brad Clark

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

4. Hamilton Tax Increment Grant - 154 Main Street East, Hamilton (PED21115) (Ward 2) (Item 10.1)

- (a) That a Hamilton Tax Increment Grant Program Application, submitted by 1970703 Ontario Inc. (Darko Vranich) for the property known as 154 Main Street East, Hamilton, estimated at \$1,211,018.67 over a maximum of a five (5) year period, based upon the incremental tax increase attributable to the development of 154 Main Street East, Hamilton, be authorized and approved, in accordance with the terms and conditions of the Hamilton Tax Increment Grant Program;
- (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 Hamilton Tax Increment Grant for 1970703 Ontario Inc. for the property known as 154 Main Street East, Hamilton, 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 Hamilton Tax Increment Grant Program, as approved by City Council, are maintained.

Result: Motion on Item 4 of the General Issues Committee Report 21-014, CARRIED by a vote of 12 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
CONFLICT - Deputy Mayor - 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
CONFLICT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
CONFLICT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

At Council's request, Item 9 was voted on separately, as follows:

9. Investing in City Roads and Sidewalks Infrastructure with Canada Community-Building Funds (Item 11.1)

WHEREAS, Deputy Prime Minister Freeland announced Bill C-25, An Act to amend the *Federal-Provincial Fiscal Arrangements Act*, to authorize certain payments to be made out of the Consolidated Revenue Fund and to amend another Act, which would permanently rename the Federal Gas Tax Fund to the Canada Community-Building Fund and increase funding by \$2.2 billion in 2021, almost double the allocation for this year, totaling approximately \$4.5 billion;

WHEREAS, Bill C-25 has not yet been enacted by the House of Commons Canada;

WHEREAS, the City of Hamilton expects to receive \$32.7 million in one-time funding under Bill C-25 in 2021;

WHEREAS, Federal Gas Tax Funds must be spent within five years;

WHEREAS, highway infrastructure and infrastructure for local roads and bridges eligible projects under the Federal Gas Tax Agreements includes roads, bridges, tunnels, highways and active transportation infrastructure, referring to investments that support active methods of travel of cycling lanes and paths, sidewalks, hiking and walking trails;

WHEREAS, the City of Hamilton maintains roads related infrastructure with an estimated value of \$6 Billion, and,

WHEREAS, the City of Hamilton has a funding gap that does not maintain our current condition for Roads Related infrastructure;

THEREFORE, BE IT RESOLVED:

- (a) That \$30 million of the estimated \$32.7 million of the one-time funding under Bill C-25, be invested in sidewalk and road repairs (minor maintenance);
- (b) That the funds be allocated equally amongst 15 wards (\$2m per ward); and,
- (c) That staff be directed to report back to the Audit, Finance and Administration Committee with a procurement process that expedites the use of the funds to limit exposure to rising (inflationary) prices.

Result: Motion on Item 9 of the General Issues Committee Report 21-014, CARRIED by a vote of 12 to 3, as follows:

NO - Ward 1 Councillor Maureen Wilson

YES – Ward 2 Councillor Jason Farr

NO - Ward 3 Councillor Nrinder Nann

YES - Deputy Mayor - 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

Result: Motion on the balance of the General Issues Committee Report 21-014, CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Deputy Mayor - 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 21-011

(Danko/Johnson)

That Planning Committee Report 21-011, being the meeting held on Tuesday, July 6, 2021, be received and the recommendations contained therein be approved.

Mayor Eisenberger relinquished the Chair to Deputy Mayor Merulla, to move the following motion:

(Eisenberger/Danko)

That the motion to defer consideration of Report PED21113 to the September 7, 2021 Planning Committee meeting, be lifted and added as Item 14 of the Planning Committee Report 21-011.

Result: Motion CARRIED by a vote of 14 to 1, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr

YES - Ward 3 Councillor Nrinder Nann
YES - Deputy Mayor - 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

Mayor Eisenberger assumed the Chair.

14. Application for a Zoning By-law Amendment for Lands Located at 1269 Mohawk Road, Ancaster (PED21113) (Ward 14) (Item 9.1)

(Ferguson/Johnson)

That the consideration of Report PED21113 respecting the Application for a Zoning By-law Amendment for Lands Located at 1269 Mohawk Road, Ancaster, be deferred to the September 7, 2021 Planning Committee meeting.

Result: Motion on Item 14 of the Planning Committee Report 21-011, DEFEATED by a vote of 6 to 9, as follows:

NO - Ward 1 Councillor Maureen Wilson
NO – Ward 2 Councillor Jason Farr
NO - Ward 3 Councillor Nrinder Nann
YES - Deputy Mayor - Ward 4 Councillor Sam Merulla
NO - Ward 5 Councillor Chad Collins
NO – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
NO - Ward 8 Councillor John-Paul Danko
NO - 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

14. Application for a Zoning By-law Amendment for Lands Located at 1269 Mohawk Road, Ancaster (PED21113) (Ward 14) (Item 9.1)**(Danko/Pearson)**

- (a) That amended Zoning By-law Amendment Application ZAC-19-006, by Shine Mohawk Independent Living Enterprises Ltd. (Owner), for a change in zoning from the Agricultural "A" Zone (Block 1) and the Residential "R4-666" Zone, Modified (Block 2) to a Holding Residential Multiple "H-RM6-708" Zone, Modified, to facilitate the development of a four-storey, 19-unit multiple dwelling with 35 parking spaces on lands located at 1269 Mohawk Road (Ancaster), as shown on Appendix "A" to Report PED21113, be APPROVED on the following basis:
- (i) That the draft By-law attached as Appendix "B" to Report PED21113, 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 property by introducing the Holding symbol 'H' to the proposed Residential Multiple "RM6-708" Zone, Modified, with the 'H' symbol being eligible to be removed conditional upon:
 - (1) That the owner shall submit and receive approval of a Documentation and Salvage Report which further details the approach for removing, labelling, storing, and if required, reassembly of material salvaged from the removal of any portions of existing building, to the satisfaction of the Director of Planning and Chief Planner.
 - (2) That the owner shall submit and receive approval of a Stage 3 (and if required, Stage 4) archaeological assessment for the site to the satisfaction of the Director of Planning and Chief Planner and the Ministry of Heritage, Sport, Tourism and Culture Industries.
 - (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms with A Place to Grow Plan (2019, as amended) and complies with the Urban Hamilton Official Plan.
- (b) That the public submissions regarding this matter were received and considered by the Committee in approving the application.

Result: Motion on Item 14 of the Planning Committee Report 21-011, CARRIED by a vote of 12 to 3, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Deputy Mayor - 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
 NO - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 NO - Ward 12 Councillor Lloyd Ferguson
 NO - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

2. Demolition Permit – 202 Cannon Street East, Hamilton (PED21127) (Ward 2) (Item 7.2)

(Farr/Collins)

That Item 2 of Planning Committee Report 21-011, be **amended** to read as follows:

- (a) That the Chief Building Official be authorized to issue a demolition permit for 202 Cannon Street East, Hamilton in accordance with By-law 09-208, as amended by By-law 13-185, pursuant to Section 33 of *The Planning Act*, ***without the applicant having to apply for and receive a building permit for a replacement building on the property at the same time as the demolition permit***, subject to the following conditions:
 - (i) ***That if the replacement building is not erected within two years of the demolition of the existing building on the property, the City be paid the sum of \$20,000 which sum:***
 - (1) the City Clerk is authorized to enter on the collector's roll and collect in like manner as municipal taxes;
 - (2) is a lien or charge on the property until paid; and,
 - (b) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions in a form satisfactory to the Chief Building Official and the City Solicitor.

Result: Motion on Item 2 of the Planning Committee Report 21-011 As Amended, CARRIED by a vote of 14 to 0, as follows:

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

YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 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 8 was voted on separately, as follows:

8. Applications for a Rural Hamilton Official Plan Amendment and Zoning By-law Amendment for lands located at 822, 914 Book Road West and 1276 Shaver Road, Ancaster (PED21125) (Ward 12) (Item 9.5)

- (a) That Rural Hamilton Official Plan Amendment application RHOPA-20-028, by Urban Solutions Planning & Land Development Consultants Inc. on behalf of Knollwood Golf Ltd., (Owner), to amend the Rural Hamilton Official Plan designation from “Open Space” to “Agricultural” on two portions of the subject lands (Knollwood Golf Course) and recognize a reduced lot area to permit the severance of the existing single detached dwellings for the lands located at 822 Book Road West, 914 Book Road West and 1276 Shaver Road, Ancaster as shown on Appendix “A” to Report PED21125, be APPROVED on the following basis:
 - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED21125, 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 implements the direction given by Planning Committee on September 22, 2020 (PED21125) of Committee of Adjustment applications AN/B-20:30, AN/B-20:31 and AN/B-20:32.
- (b) That Zoning By-law Amendment application ZAR-20-045, as amended, by Urban Solutions Planning & Land Development Consultants Inc. on behalf of Knollwood Golf Ltd., (Owner) to change the zoning from the Open Space (P4) Zone to the Agricultural (A1, 746) Zone to permit a single detached dwelling on each of the three lots to be created and modifications to the required setbacks, accessory structure size, height, for lands located at 822 Book Road West, 914 Book Road West and 1276 Shaver Road, Ancaster, to reflect the existing buildings and structures on the subject lands as shown on Appendix “C” to Report PED21125, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix “C” to Report PED21125, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

- (ii) That the proposed change in zoning is required in order to implement Condition No. 10 of Consent application AN/B-20:30, Condition No. 9 of Consent application AN/B-20:31 and Condition No. 9 of Consent application AN/B-20:32; and,
 - (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to the Greenbelt Plan (2020), and will comply with the Rural Hamilton Official Plan upon approval of Rural Hamilton Official Plan Amendment No. XX.
- (c) That the public submissions were received and considered by the Committee in approving the application.

Result: Motion on Item 8 of the Planning Committee Report 21-011, CARRIED by a vote of 13 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Deputy Mayor - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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 the Planning Committee Report 21-011, CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Deputy Mayor - 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 21-007

(Wilson/Nann)

That Board of Health Report 21-007, being the meeting held on Wednesday, July 7, 2021, be received and the recommendations contained therein be approved.

Result: Motion on the Board of Health Report 21-007, CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson

YES – Ward 2 Councillor Jason Farr

YES - Ward 3 Councillor Nrinder Nann

YES - Deputy Mayor - 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 21-010

(VanderBeek/Nann)

That Public Works Committee Report 21-010, being the meeting held on Wednesday, July 7, 2021, be received and the recommendations contained therein be approved.

At Council's request, Item 3 was voted on separately, as follows:

3. Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 315B Aberdeen Avenue, Hamilton (PW21041) (Ward 1) (Item 9.2)

(a) That the application of the owner of 315B Aberdeen Avenue, Hamilton, to permanently close and purchase a portion of the unassumed alleyway abutting 315B Aberdeen Avenue, Hamilton, ("Subject Lands"), as shown on Appendix "A" attached to Public Works Committee Report 21-010, be approved, subject to the following conditions:

(i) That the applicant makes an application to the Ontario Superior Court of Justice, under Section 88 of the Registry Act, for an order to permanently close the Subject Lands, if required by the City, subject to:

- (1) The General Manager of Public Works, or designate, signing the appropriate documentation to obtain any required court order; and,
 - (2) The documentation regarding any required application to the Ontario Superior Court of Justice being prepared by the applicant, to the satisfaction of the City Solicitor;
- (ii) That the applicant be fully responsible for the deposit of a 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;
- (iii) That, subject to any required application to the Ontario Superior Court of Justice to permanently close the Subject Lands being approved;
 - (1) The City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the alleyway, for enactment by Council;
 - (2) That the City Solicitor be authorized to amend and waive such terms as they consider reasonable to give effect to this authorization and direction;
 - (3) The Real Estate Section of the Planning and Economic Development Department be authorized and directed to secure any requisite easement agreements (subject to the obligations of the applicant to negotiate such agreements as set out in recommendation (d)), right of way agreements, and/or other agreements deemed necessary to affect the orderly disposition of the Subject Lands and to proceed to sell the Subject Lands to the owners of 315B Aberdeen Avenue, Hamilton, as described in Report PW21041, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;
 - (4) The City Solicitor be authorized to complete the transfer of the Subject Lands to the owners of 315B Aberdeen Avenue, Hamilton and transfers of easement to all land owners requiring access to the Subject Lands as outlined in Report PW21041, pursuant to an Agreement of Purchase and Sale or Offer to Purchase as negotiated by the Real Estate Section of the Planning and Economic Development Department;
 - (5) The City Solicitor be authorized and directed to register a certified copy of the by-laws permanently closing and selling the alleyway in the proper land registry office;

- (6) The Public Works Department publish any required notice of the City's intention to pass the by-laws and/or permanently sell the closed alleyway pursuant to City of Hamilton Sale of Land Policy By-law 14-204;
- (iv) That the applicant be responsible to arrange, negotiate, and obtain agreements, at the applicant's sole cost, with respect to all necessary transfers of right of way easements as outlined and as a condition of the transfer of the Subject Lands and for all legal costs associated with the aforesaid as well as the registration of required right of way agreements on title with the land owners who require access as indicated within Report PW21041 and such agreements ensure the following terms are included;
 - (1) That 72 hours prior written notice delivered to all abutting landowners of the private right of way lands as shown on Appendix "B" attached to Public Works Committee Report 21-010, of any construction or other activities on or over the laneway;
 - (2) That any such construction or other activity not interfere with or impede access to or over the laneway except between the hours of 9:00am and 5:00pm on the days specified in the prior written notice;
 - (3) That at all other times there is to be unobstructed access to all abutting land owners;
- (v) That the applicant prepares a site drainage plan to the satisfaction of the Manager, Development Approvals;
- (vi) That the applicant works with the City of Hamilton to ensures all sight lines are clear at the intersection of Aberdeen Avenue and Locke Street South, Hamilton which fall on City property, to the satisfaction of the Manager, Traffic Safety;
- (vii) That the applicant abides by Committee of Adjustment decision HM/A-19:290 and subsequent Local Planning Appeal Tribunal decision PL200334;
- (viii) That the applicant be responsible for all costs associated with any construction related damages to the retaining wall and landscaping at 315 Aberdeen Avenue, Hamilton, excluding any costs related to the works proposed under recommendation "(a)(x)";
- (ix) That the proposed "right of way" lands as shown on Appendix "B" attached to Public Works Committee Report 21-010 be paved at the expense of the applicant once recommendations "(a)(v)" and "(a)(x)" have been cleared;

- (x) That a portion of the proceeds of the sale of the Subject Lands not exceeding \$40,000.00 be transferred to the appropriate account as determined by the Manager, Transportation, Operations, and Maintenance Division for the purpose of widening the sidewalk at the southwest corner of the intersection located at Locke Street South and Aberdeen Avenue, Hamilton, subject to the following:
 - (1) That no building permits be submitted by the owner of 315B Aberdeen Avenue, Hamilton, or issued by the City of Hamilton until all works related to recommendation “(a)(x)” be completed;
 - (2) That the City of Hamilton retain ownership and maintenance responsibility of all works completed by the City of Hamilton related to recommendation “(a)(x)”;
 - (3) That the owner of 315B Aberdeen Avenue, Hamilton, install at his own expense a stop sign at the south side of the property boundary between the proposed “right of way” lands and City of Hamilton road allowance;
 - (4) That the retaining wall be constructed of concrete to match the existing retaining walls at 315 Aberdeen Avenue, Hamilton and ensure the newly constructed retaining wall is adequately tied in to the existing step retaining wall at 315 Aberdeen Avenue, Hamilton.

Result: Motion on Item 3 of the Public Works Committee Report 21-010, CARRIED by a vote of 13 to 2, as follows:

NO - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Deputy Mayor - 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

**Result: Motion on the balance of the Public Works Committee Report 21-010,
CARRIED by a vote of 15 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Deputy Mayor - 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 21-011
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(Ferguson/Pearson)

That Audit, Finance and Administration Committee Report 21-011, being the meeting held on Thursday, July 8, 2021, be received and the recommendations contained therein be approved.

**Result: Motion on the Audit, Finance and Administration Committee Report 21-011,
CARRIED by a vote of 15 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Deputy Mayor - 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 21-008**(Nann/Jackson)**

That Emergency and Community Services Committee Report 21-008, being the meeting held on Thursday, July 8, 2021, be received and the recommendations contained therein be approved.

(Nann/Wilson)

That Item (f) from the Information Section be lifted and added as Item 7 of the Emergency and Community Services Committee Report 21-008 Committee Report 21-011.

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Deputy Mayor - Ward 4 Councillor Sam Merulla
NO - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
NO - Ward 8 Councillor John-Paul Danko
NO - 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
NO - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

7. Removal of Sir John A. MacDonald Statue from Gore Park, Hamilton (Item 11.1)**(Nann/Wilson)**

WHEREAS, in 1879 Sir John A. MacDonald said “When the school is on the reserve, the child lives with its parents, who are savages, and though he may learn to read and write, his habits and training mode of thought are Indian. He is simply a savage who can read and write. It has been strongly impressed upon myself, as head of the Department, that Indian children should be withdrawn as much as possible from the parental influence, and the only way to do that would be to put them in central training industrial schools where they will acquire the habits and modes of thought of white men”;

WHEREAS, the atrocities of the residential school system were described by the 2015 Truth and Reconciliation Commission of Canada (TRC) as “a systematic, government- sponsored attempt to destroy [Indigenous] cultures and languages and to assimilate [Indigenous] peoples so that they no longer existed as distinct peoples”;

WHEREAS, Indigenous residents across Hamilton have been in profound grief since the unmarked graves of 215 Indigenous children were confirmed at the Kamloops

Residential School, 751 more at Marieval Residential School in Saskatchewan, now exceeding a thousand and counting;

WHEREAS, the Hamilton City Council committed to having “a trusting relationship with Indigenous communities where we communicate and work together appropriately to address the unique needs and issues of Indigenous people” through the adoption of the Urban Indigenous Strategy in July 2019 and the endorsement of the Urban Indigenous Strategy Implementation Plan on February 4, 2021;

WHEREAS, in adopting Urban Indigenous Strategy, Hamilton City Council committed to act in alignment with the Truth and Reconciliation Commission recommendations;

WHEREAS, Hamilton is falling behind the example set by other city councils, in Ontario and nationwide, starting in 2018, that have already removed statues of Sir John A. MacDonald from public spaces, including Victoria, Wilmont, Regina, Charlottetown, Picton and Kingston;

WHEREAS, over 17,000 people identify as Indigenous in the City of Hamilton; and

WHEREAS, over several years, survivors of residential schools, Indigenous elders and families, members of the Hamilton Aboriginal Advisory Committee, participants of the Urban Indigenous Strategy consultations, and hundreds more in the form of public demonstrations have clearly communicated to the City of Hamilton about the need to remove the Sir John A. MacDonald statue from Gore Park in order to facilitate healing.

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to immediately remove the statue of Sir John A. MacDonald from City of Hamilton owned lands known as Gore Park and place it in storage; until the Landmarks and Monuments Review has been conducted; and
- (b) That the cost for removal and storage be covered through the Tax Stabilization Reserve Account.

Result: Motion on Item 7 of the Emergency and Community Services Committee Report 21-008, DEFEATED by a vote of 3 to 12, as follows:

YES - Ward 1 Councillor Maureen Wilson
NO – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NO - Deputy Mayor - Ward 4 Councillor Sam Merulla
NO - Ward 5 Councillor Chad Collins
NO – Ward 6 Councillor Tom Jackson
NO - Ward 7 Councillor Esther Pauls
NO - Ward 8 Councillor John-Paul Danko
NO - Mayor Fred Eisenberger
NO - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead

NO - Ward 13 Councillor Arlene VanderBeek
NO - Ward 12 Councillor Lloyd Ferguson
NO - Ward 11 Councillor Brenda Johnson
NO - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

At Council's request, Item 3 was voted on separately, as follows:

**3. City of Hamilton Landmarks and Monuments Review
(HSC21025/PED21149/PW21038) (City Wide) (Item 10.1)**

- (a) That staff undertake a Historical Review of City of Hamilton owned landmarks, including park and street names, to determine opportunities to honour the Indigenous community in accordance with the Urban Indigenous Strategy action item #12 and to contribute to the City of Hamilton's journey towards meaningful Reconciliation;
- (b) That the estimated project budget at an upset limit of \$75,000 to complete the initial historical landmarks review and facilitate the community consultation process, be funded from the Tax Stabilization Reserve (110046);
- (c) That the single source procurement to Nation FPG Inc., operating as First Peoples Group, pursuant to Procurement Policy 11 – Non-competitive Procurements, for the consultancy work to complete the historical landmarks review and community consultation be approved; and,
- (d) That staff report back to the Emergency and Community Services Committee with next steps and recommendations following the completion of the Historical Review process.

Result: Motion on Item 3 of the Emergency and Community Services Committee Report 21-008, CARRIED by a vote of 14 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Deputy Mayor - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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. Removal of the Name Ryerson from the Recreation Centre at 251 Duke Street, Hamilton (Ward 1) (Item 11.2)

(Wilson/Nann)

That the following be stricken from Item 6:

~~**That the following motion, be referred to the Facility Naming Sub-Committee for consideration:**~~

Result: Motion on Item 6 As Amended, of the Emergency and Community Services Committee Report 21-008, DEFEATED by a vote of 2 to 11, as follows:

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

Due to a declared conflict, Item 6 was voted on separately, as follows:

6. Removal of the Name Ryerson from the Recreation Centre at 251 Duke Street, Hamilton (Ward 1) (Item 11.2)

That the following motion, be referred to the Facility Naming Sub-Committee for consideration:

WHEREAS the May 2006 Indian Residential Schools Settlement Agreement saw parties to the Agreement, including Canada and the churches responsible for the operations of the schools, formally acknowledge that “Canada and certain religious organizations operated Indian Residential Schools for the education of aboriginal children and certain harms and abuses were committed against those children”;

WHEREAS on June 11, 2008 then Canadian Prime Minister Stephen Harper issued a formal Statement of Apology on behalf of Canada to students of Indian residential schools, their families, and communities;

WHEREAS the 2015 Truth and Reconciliation Commission of Canada (TRC) concluded that Residential Schools were “a systematic, government-sponsored attempt to destroy Aboriginal cultures and languages and to assimilate Aboriginal peoples so that they no longer existed as distinct peoples.” The TRC characterized this intent as “cultural genocide”;

WHEREAS Egerton Ryerson held the position of Chief Superintendent of Education in Upper Canada from 1844 to 1876;

WHEREAS Egerton Ryerson advocated for the creation of the residential school system for Indigenous children when asked by the Department of Indian Affairs for his suggestions on “Industrial Schools for the benefit of the aboriginal Indian tribes”;

WHEREAS in this report Ryerson stated that for Indigenous Peoples “nothing can be done to improve and elevate his character and condition without the aid of religious feeling. This information must be superadded to all others to make the Indian a sober and industrious man”;

WHEREAS Ryerson reasoned that White and Indigenous children required different education because “It is a fact established by numerous experiments, that the North American Indian cannot be civilized or preserved in a state of civilization (including habits of industry and sobriety) except in connection with, if not by the influence of, not only religious instruction and sentiment but of religious feelings”;

WHEREAS Ryerson’s report formed the blueprint of what would become the Indian Residential School System, including his recommendations that it be administered by religious institutions and that the majority of the children’s time would be spent in labour rather than instruction;

WHEREAS authorities would frequently take children to schools far from their home communities as part of a strategy to alienate them from their families, language, culture and familiar surroundings;

WHEREAS abuse at the schools was widespread: emotional and psychological abuse was constant, physical abuse was meted out as punishment, and sexual abuse was also common. Survivors recall being beaten and strapped; some students were shackled to their beds; some had needles shoved in their tongues for speaking their native languages;

WHEREAS the Truth and Reconciliation Commission final report provided conservative estimates that between 4,000 and 6,000 children died in the residential schools, causes of death including physical abuse, malnutrition, disease, neglect, suicide, or trying to escape;

WHEREAS the last of Canada’s residential schools closed in 1996, impacting several generations of Indigenous Peoples who share in the intergenerational effects of transmitted personal trauma and loss of language, culture, traditional teachings, and mental/spiritual wellbeing;

WHEREAS in addition to his role in the establishment of Residential Schools, Ryerson opposed the education of girls beyond elementary school, and supported racially segregated education, drafting legislation allowing for the creation of racially segregated schools that lasted in Ontario until 1965;

WHEREAS the city of Hamilton owns and operates a recreation centre that is adjoined to a public elementary school sharing the name Ryerson;

WHEREAS the city of Hamilton formally states that it is committed to creating and nurturing a city that is welcoming and inclusive where equity seeking communities will feel safe, supported and have an enhanced sense of belonging;

WHEREAS keeping the name Ryerson on the municipal recreation centre is inconsistent with the values set out in the city's vision and strategic priorities; and

WHEREAS at the June 6, 2021 meeting of the HWDSB the following motion was unanimously passed: "That In the spirit of Truth and Reconciliation, that an Indigenous process that is both locally relevant and responsive be struck to rename Ryerson Elementary school, through ethical engagement and in consultation with local Indigenous communities and key beneficiaries and stakeholders."

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton take all necessary steps, administrative and physical, to immediately remove the name Ryerson from the municipal recreation centre located at 251 Duke Street, Hamilton, Ontario;
- (b) That the City of Hamilton work in tandem with the HWDSB in the renaming of the elementary school/municipal recreation centre;
- (c) That the recommended name be submitted to the City's Facility Naming Sub-Committee for review and approval;
- (d) That the City's Tax Stabilization Reserve be used to fund this action; and
- (e) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

Result: Motion on Item 6 of the Emergency and Community Services Committee Report 21-008, CARRIED by a vote of 11 to 2, as follows:

NO - Ward 1 Councillor Maureen Wilson

YES – Ward 2 Councillor Jason Farr

NO - Ward 3 Councillor Nrinde Nann

YES - Deputy Mayor - Ward 4 Councillor Sam Merulla

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

Result: Motion on the balance of the Emergency and Community Services Committee Report 21-008, CARRIED by a vote of 13 to 1, as follows:

NO - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Deputy Mayor - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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

STAFF REPORTS

5.7 (a) Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 38 Strachan Street West, Hamilton (PW21034) (Ward 2)

(Farr/Collins)

- (a) That the application of the City of Hamilton's Real Estate Section on behalf of CityHousing Hamilton Corporation to permanently close and sell a portion of road allowance abutting the west side of 38 Strachan Street West, Hamilton ("Subject Lands"), as shown as Parts A & B, on Appendix "A", attached to Report PW21034, be approved, subject to the following conditions:
- (i) That the City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the highway, for enactment by Council;

- (ii) The Real Estate Section of the Planning and Economic Development Department be authorized and directed to enter into any requisite easement agreements, right of way agreements, and/or other agreements deemed necessary to affect the orderly disposition of the Subject Lands and to proceed to sell the Subject Lands as deemed necessary by the Real Estate Section, as described in Report PW21034, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;
- (iii) The City Solicitor be authorized to complete the transfer of the Subject Lands pursuant to an Agreement(s) of Purchase and Sale or Offer(s) to Purchase as negotiated by the Real Estate Section of the Planning and Economic Development Department;
- (iv) That the City Solicitor be authorized and directed to register a certified copy of the by-law(s) permanently closing and selling the highway in the proper land registry office;
- (v) That the City Solicitor be authorized to amend and waive such terms as the City Solicitor considers reasonable to give effect to this authorization and direction;
- (vi) That the Public Works Department publish any required notice of the City's intention to pass the by-laws and/or permanently sell the closed highway pursuant to the City of Hamilton Sale of Land Policy By-law 14-204;
- (vii) That the applicant be fully responsible for the deposit of a 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.

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

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

(Merulla/Eisenberger)

That the Committee of the Whole Rise and Report.

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

YES - Ward 1 Councillor Maureen Wilson

YES – Ward 2 Councillor Jason Farr

YES - Ward 3 Councillor Nrinder Nann

YES - Deputy Mayor - Ward 4 Councillor Sam Merulla

YES - Ward 5 Councillor Chad Collins

YES – Ward 6 Councillor Tom Jackson

NOT PRESENT - Ward 7 Councillor Esther Pauls

YES - Ward 8 Councillor John-Paul Danko

YES - Mayor Fred Eisenberger

YES - Ward 15 Councillor Judi Partridge

NOT PRESENT - Ward 14 Councillor Terry Whitehead

YES - Ward 13 Councillor Arlene VanderBeek

YES - Ward 12 Councillor Lloyd Ferguson

YES - Ward 11 Councillor Brenda Johnson

YES - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

(Ferguson/Pearson)

That Council recess at 1:00 p.m.

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

YES - Ward 1 Councillor Maureen Wilson

YES – Ward 2 Councillor Jason Farr

YES - Ward 3 Councillor Nrinder Nann

YES - Deputy Mayor - Ward 4 Councillor Sam Merulla

YES - Ward 5 Councillor Chad Collins

YES – Ward 6 Councillor Tom Jackson

NOT PRESENT - Ward 7 Councillor Esther Pauls

YES - Ward 8 Councillor John-Paul Danko

YES - Mayor Fred Eisenberger

YES - Ward 15 Councillor Judi Partridge

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

Council reconvened at 1:30 p.m.

MOTIONS

6.1 Support for the Issuance of a Manufacturer's Limited Liquor Sales Licence ("By the Glass") for West Avenue Cider House at Somerset Orchards

(Partridge/Johnson)

WHEREAS West Avenue Cider House at Somerset Orchards is operating at 84 Concession 8 East, Freelon, Ontario; 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 West Avenue Cider House at Somerset Orchards located at 84 Concession 8 East, Freelon, Ontario.

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

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

STATEMENTS BY MEMBERS

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

COUNCIL COMMUNICATION UPDATES**(Merulla/Eisenberger)**

That the listing of Council Communication Updates from June 18, 2021 to July 1, 2021, be received.

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

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

PRIVATE AND CONFIDENTIAL**(Pearson/Merulla)**

That Council move into Closed Session respecting Item 10.1 pursuant to Section 9.1, Sub-sections (b) of the City's Procedural By-law 21-021; and Section 239(2), Sub-Sections (b) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City or a local board employees.

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

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

10.1 Advisory Committee Update (FCS21072) (City Wide)

(Clark/Pearson)

(a) That the direction to staff in Closed Session, be approved; and

(b) That Report FCS21072, respecting an Advisory Committee Update, remain confidential.

Result: Motion CARRIED by a vote of 11 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson

YES – Ward 2 Councillor Jason Farr

NOT PRESENT - Ward 3 Councillor Nrinder Nann

NOT PRESENT - Deputy Mayor - Ward 4 Councillor Sam Merulla

YES - Ward 5 Councillor Chad Collins

YES – Ward 6 Councillor Tom Jackson

NOT PRESENT - Ward 7 Councillor Esther Pauls

YES - Ward 8 Councillor John-Paul Danko

YES - Mayor Fred Eisenberger

YES - Ward 15 Councillor Judi Partridge

NOT PRESENT - Ward 14 Councillor Terry Whitehead

NOT PRESENT - 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

(Jackson/Farr)

That Bills No. 21-115 to No. 21-123 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:

115 To Adopt: Amendment No. 246 to the City of Hamilton Official Plan:
respecting 179, 18, 183, 185, 187 and 189 Catharine Street North Hamilton
Ward: 2

116 To Amend Zoning By-law No. 6593 (Hamilton) as amended,
Respecting Lands Located at 179, 181, 183, 185, 187 and 189 Catharine Street
North, Hamilton
ZAC-20-027
Ward: 2

- 117 Respecting Removal of Part Lot Control, Blocks 609 to 621 within Registered Plan of Subdivision 62M-1266 "Waterdown Bay, Phase 3", 65-71 Westfield Crescent, 37-74 Great Falls Boulevard, 58-68 Skinner Road, 39-50 Kenesky Drive, 31-58 Westfield Crescent, and 4-30 Granite Ridge Trail
PLC-21-004
Ward: 15
- 118 Respecting Removal of Part Lot Control, Lots 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 59, 60, 61, 62, 63, 64, 65, 66, 76, 77, 106, 107, 108, 109, 110 and 111, Registered Plan of Subdivision 62M-1266, Municipally Known as 3, 5, 9, 11, 14-17, 20-23, 26-29, 33, 35, 39, 41, 45, 47 Mountain Heights Place, 4, 6, 10, 12, 15-18, 21-25, 27, 28, 30, 31, 33, 34, 36 Great Falls Boulevard, 143, 145, 149, 151, 155, 157, 166, 168, 172, 174, 178, 180, 184, 186, 190, 192, 196, 198 Agro Street, 6-9, 12-15, 18-21, 24-27, 75, 77, 80-83, 86-89, 92-95, 98-101 Westfield Crescent, 28, 30, 34, 36 Kenesky Drive
PLC-21-001
Ward: 15
- 119 A By-law to Establish Certain 2021 User Fees and Charges for Services, Activities, or the Use of Property, and to Repeal By-law No. 20-168
Ward: City Wide
- 120 To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands Located at 3140 and 3150 Binbrook Road (Glanbrook)
ZAC-19-039
25CDM-202002
Ward: 11
- 121 Being a By-law to Regulate Off-Road Vehicles
Ward: City Wide
- 122 To Amend By-law No. 17-225, being a By-law to Establish a System of Administrative Penalties
Table 27: By-law No. 21-121 Off Road Vehicle By-law
Ward: City Wide
- 123 To Confirm Proceedings of Council

Result: Motion CARRIED by a vote of 11 to 0, as follows:

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

That, there being no further business, City Council be adjourned at 2:16 p.m.

Result: Motion CARRIED by a vote of 11 to 0, as follows:

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