



CITY COUNCIL MINUTES 21-014

9:30 a.m.
August 13, 2021
Council Chamber
Hamilton City Hall
71 Main Street West

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

Absent: Councillor T. Whitehead – Leave of Absence
Councillor E. Pauls – Personal
Councillor C. Collins (Deputy Mayor) - Personal

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:

3. APPROVAL OF MINUTES OF PREVIOUS MEETING

3.2 August 9, 2021 – Emergency Council Meeting

4. COMMUNICATIONS

Added Communications:

4.21 Correspondence respecting License Rental Housing:

- (a) Vicki Coughlan
- (b) Robert Cooper
- (c) Tyler Kam

- (d) Gina Pin
- (e) Ann Lawton-Barry
- (f) Todd Prior
- (g) Victor Hannah
- (h) Brian Folkes
- (i) J. Zita
- (j) Les Toronto
- (k) Joanne Zissopoulos
- (l) Lyn Folkes
- (m) Jim Folkes
- (n) Barb McKean and John Hannah
- (o) Susan Hammond
- (p) Helen Sherriff
- (q) Brenda Zsiros
- (r) Diane Elliott
- (s) S. Ewoniak
- (t) Joann Carrothers
- (u) Boris Krasevich
- (v) Catherine Mlekuz
- (w) Frank Criminisi
- (x) Barbara Bohm-Lee and Graham Lee
- (y) Andrew Stassen

Recommendation: Be received and referred to the consideration of Item 9 of Planning Committee Report 21-012.

4.22 Correspondence respecting Encampments:

- (a) Ani Chenier
- (b) Councillor Farr's response to Ani Chenier's email (Item 4.22 (a))
- (c) Maya Lyn
- (d) Theo DiTommaso
- (e) Emma Ditchburn
- (f) Ben Robinson
- (g) Simon Lebrun
- (h) Craig Leonard
- (i) Montana Mellett
- (j) Alex Berze
- (k) Katie McCrindle
- (l) Jim Fitzgerald Jr.
- (m) Michelle Hruschka, Steel City Rising Against Poverty (SCRAP)
- (n) Kelly Wolf
- (o) Amber C. Boyle
- (p) Olivia Watkin-McClurg
- (q) Sarah Bennett
- (r) Kathleen Moore
- (s) Kara Jongeling
- (t) Mary-Elizabeth Gallacher

Recommendation: Be received and referred to the consideration of Item 3.2,

August 9, 2021 Emergency Council Meeting Minutes.

4.23 Correspondence GRIDS 2 & Municipal Comprehensive Review - Consultation Update & Evaluation Framework & Phasing Principles:

- (a) Alida Wilson
- (b) Alana Didur
- (c) Brian Cumming
- (d) Maxine Morris-Zecchini

Recommendation: Be received and referred to the consideration of Item 1 of General Issues Committee Report 21-015.

Changes to the disposition of Communication Items:

4.3 Correspondence from the Municipality of Chatham-Kent requesting support for their resolution supporting the Big City Mayors (OBCM) call for action on ambitious mental health and addiction plan.

Recommendation: Be **endorsed**.

4.9 Correspondence from the City of Woodstock requesting support for their resolution calling on the Provincial government to immediately work together on both short and long term solutions, complete with funding, to take proper responsibility and action to address the affordable housing, homelessness, and addiction crisis.

Recommendation: Be **endorsed**.

7. NOTICES OF MOTION

7.1 Issuance of a Demolition Permit for 582 and 584 Highway No. 8, Stoney Creek

7.2 Amendment to Item 5 of the Emergency & Community Services Committee Report 19-004, respecting Report HSC19008(a) – Reaching Home: Canada's Homelessness Strategy

7.3 Residential Municipal Relief Assistance Program for Basement Flooding for the Heavy Rain Event of August 7 and 10, 2021 (Ward 13)

7.4 Speed Cushion Traffic Calming Locations Ward 2

7.5 Encampment Response Strategy

10. PRIVATE AND CONFIDENTIAL

10.2 Closed Emergency Council Minutes August 9, 2021

11. BY-LAWS AND CONFIRMING BY-LAW

Bill 124 was renumbered to Bill 139:

- 139** To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking
Ward: 2,3,6,7 and 13
Schedule 8 – No Parking
Schedule 12 – Permit
Schedule 13 – No Stopping
Schedule 14 – Wheelchair LZ

Added Bills:

- 134 To Adopt Official Plan Amendment No. 29 to the Rural Hamilton Official Plan Respecting 822 and 914 Book Road West and 1376 Shaver Road (Ancaster)
Ward: 12
- 140 To Authorize the Execution of the Transfer Payment Agreement for the Investing in Canada Infrastructure Program (ICIP): Public Transit Stream between the City of Hamilton and Her Majesty the Queen in right of the Province of Ontario, represented by the Minister of Transportation for the Province of Ontario
Ward: City Wide
- 141 To Establish City of Hamilton Land Described as Part 2 on Plan 62R-21169 as Part of Rachel Drive
- 142 To Extend the Time Period of the Interim Control By-laws respecting lands in the former Town of Dundas, generally in the area bounded by Patterson road to the north, Cootes Paradise to the south, Highway No. 6 to the east, and Valley Road/York road to the west (Pleasantview)
Ward: 13
- 143 To Amend Zoning By-law No. 05-200 with respect to an extension of the Temporary Use By-law for Outdoor Commercial Patios and an addition to and extension of the Temporary Use By-law for Temporary Tents
Ward: City Wide
- 144 To Amend Property Standards By-law No. 10-221, as Amended, a By-law to Prescribe Standards for the Maintenance and Occupancy of Property
Ward: City Wide
- 145 To Amend By-law 17-225, a By-law to Establish a System of Administrative Penalties
Ward: City Wide

- 146 To Amend City of Hamilton By-law 09-190, Being a By-law Requiring the Supply of Vital Services and To Amend City of Hamilton By-law 17-225, being a By-law to Establish a System of Administrative Penalties
Ward: City Wide
- 147 A By-law to Authorize the Use of Optical Scanning Vote Tabulators and to Authorize Use of a Special Vote by Mail as an Alternative Voting Method and to repeal By-law 17-059 and By-law 03-200
Ward: City Wide
- 148 To Amend By-law No. 21-021, the Council Procedural By-law
Ward: City Wide

Bills 134 to 137 were renumbered to accommodate the addition of a new Bill 134:

- 135 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 822 and 914 Book Road West and 1276 Shaver Road, Hamilton
Ward: 12
- 136 To Adopt: Official Plan Amendment No. 154 to the Urban Hamilton Official Plan
Respecting: 10, 39, and 40 Mallard Trail, 488 Dundas Street East and 585 Skinner Road (Flamborough)
Ward: 15
- 137 To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 10, 39 and 40 Mallard Trail and 488 Dundas Street East (Flamborough)
Ward: 15
- 138 To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 585 Skinner Road (Flamborough)
Ward: 15

(Pearson/Partridge)

That the agenda for the August 13, 2021 meeting of Council be approved, ***as amended.***

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

- YES - Ward 1 Councillor Maureen Wilson
- YES – Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- NOT PRESENT - Deputy Mayor - 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

DECLARATIONS OF INTEREST

Councillor B. Johnson declared an interest to Item 4 of General Issues Committee Report 21-015 respecting Report LS16029(e)/PED16248(e), Update regarding Ontario Land Tribunal (formerly Local Planning Appeal Tribunal) Appeals of Rural and Urban Hamilton Official Plans – Urban Boundary Expansion, as her Administrative Assistant’s family is a party to the Appeal.

Councillor B. Clark declared a potential interest to Item 17 of General Issues Committee Report 21-016 respecting Report LS21030 – Indemnification of Legal Fees.

Councillor M. Pearson declared a conflict with Communication Item 4.21 respecting correspondence respecting License Rental Housing, as she is a landlord of rental properties.

Councillor M. Pearson declared a conflict with Item 9 of Planning Committee Report 21-012 respecting License Rental Housing (PED21097/LS21022) (Wards 1, 8 and parts of Ward 14), as she is a landlord of rental properties.

Councillor M. Pearson declared a conflict with Item 8 of Planning Committee Report 21-012 respecting Amendments to the Property Standards and Vital Services By-law (PED21049(a)) (City Wide), as she is a landlord of rental properties.

Councillor A. VanderBeek declared a conflict with Communication Item 4.21 respecting correspondence respecting License Rental Housing, as she is a landlord of rental properties.

Councillor A. VanderBeek declared a conflict with Item 9 of Planning Committee Report 21-012 respecting License Rental Housing (PED21097/LS21022) (Wards 1, 8 and parts of Ward 14), as she is a landlord of rental properties.

Councillor A. VanderBeek declared a conflict with Item 8 of Planning Committee Report 21-012 respecting Amendments to the Property Standards and Vital Services By-law (PED21049(a)) (City Wide), as she is a landlord of rental properties.

Councillor S. Merulla declared a conflict with Communication Item 4.21 respecting correspondence respecting License Rental Housing, as he is a landlord of rental properties.

Councillor S. Merulla declared a conflict with Item 9 of Planning Committee Report 21-012 respecting License Rental Housing (PED21097/LS21022) (Wards 1, 8 and parts of Ward 14), as he is a landlord of rental properties.

Councillor S. Merulla declared a conflict with Item 8 of Planning Committee Report 21-012 respecting Amendments to the Property Standards and Vital Services By-law (PED21049(a)) (City Wide), as he is a landlord of rental properties.

APPROVAL OF MINUTES OF PREVIOUS MEETING

3. July 9, 2021 (Item 3.1) and August 9, 2021**(Pearson/Farr)**

That the Minutes of the July 9, 2021 and August 9, 2021 meetings of Council be approved, as presented.

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

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - 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

COMMUNICATIONS

(Merulla/Farr)

That Council Communications 4.1 to 4.23 be approved, *as amended*, as follows:

- 4.1 Correspondence from the City of Mississauga requesting support for their resolution marking this years Canada Day virtually and calling upon the Government of Canada to terminate its appeal of the 2019 Human Rights Tribunal Ruling, ordering Ottawa to pay compensation to First Nations Children and their families.

Recommendation: Be received.

- 4.2 Correspondence from the Municipality of Chatham-Kent requesting support for their resolution urging the Government of Ontario to immediately provide funding sources for Municipalities for the ongoing maintenance and preservation repair of abandoned cemeteries in their care.

Recommendation: Be received.

- 4.3 Correspondence from the Municipality of Chatham-Kent requesting support for their resolution supporting the Big City Mayors (OBCM) call for action on ambitious mental health and addiction plan.

Recommendation: Be endorsed.

- 4.4 Correspondence from Viv Saunders requesting that Committee consider reviewing and/or establishing guidelines for basic core amenities and locational criteria for the Soupie Program locations.

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

- 4.5 Correspondence from the City of Kitchener requesting support for their resolution advocating to the Federal and Provincial Governments to review actions that could be taken to help mitigate or offset the impacts related to the rising cost of building materials.

Recommendation: Be received.

- 4.6 Correspondence from the Township of Georgian Bay requesting support for their resolution respecting the implementation of the remaining 84 Truth and Reconciliation Commission of Canada: Calls to Action.

Recommendation: Be received.

- 4.7 Correspondence from Bob Berberick respecting Vacant property example.

Recommendation: Be received and referred to the General Manager of Finance and Administration for appropriate action.

- 4.8 Correspondence from Grant Bivol, NPCA Clerk / Board Secretariat, Niagara Peninsula Conservation Authority respecting the NPCA Water Quality Summary Report for the Year 2020.

Recommendation: Be received.

- 4.9 Correspondence from the City of Woodstock requesting support for their resolution calling on the Provincial government to immediately work together on both short and long term solutions, complete with funding, to take proper responsibility and action to address the affordable housing, homelessness, and addiction crisis.

Recommendation: Be endorsed.

- 4.10 Correspondence in response to Council's July 9, 2021 decision respecting the removal of the Sir John A. MacDonald Statue from Gore Park, Hamilton:

- (a) Rose Janson and Family
- (b) Equity Network of Dundas

Recommendation: Be received.

- 4.11 Correspondence from Uzma Qureshi respecting the NCCM Recommendations brought forward by the National Council of Canadian Muslims (NCCM) released July

19, 2021.

Recommendation: Be received and referred to the consideration of Item 6.2, Support for the NCCM Recommendations brought forward by the National Council of Canadian Muslims.

- 4.12 Correspondence from the Town of Cobourg requesting support for their resolution in support of Bill C-6, being an act to amend the Criminal Code of Canada (Conversion Therapy).

Recommendation: Be received.

- 4.13 Correspondence from Elke Taylor requesting action to remedy the encampment on the beach.

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

- 4.14 Correspondence from Grant Bivol, NPCA Clerk / Board Secretariat, Niagara Peninsula Conservation Authority requesting support and collaboration of their partner municipalities to include the provision of native pollinator habitat with specialized native plant species through future development and redevelopment processes.

Recommendation: Be received.

- 4.15 Correspondence from Grant Bivol, NPCA Clerk / Board Secretariat, Niagara Peninsula Conservation Authority respecting Report FA-45021, Compliance and Enforcement 2021 Q2 Statistics.

Recommendation: Be received.

- 4.16 Correspondence from the Honourable Steve Clark, Minister of Transportation in response to the Mayor's letter respecting concerns around the impacts of the COVID19 outbreak on renters and residential evictions.

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

- 4.17 Correspondence from Carole-Ann Durran respecting GRIDS 2 & Municipal Comprehensive Review - Consultation Update & Evaluation Framework & Phasing Principles.

Recommendation: Be received and referred to the consideration of Item 1 of General Issues Committee Report 21-015.

- 4.18 Correspondence respecting 1269 Mohawk Road, Ancaster ZAC-19-006:

- (a) Sarbjit Juneja
- (b) Mridula and Thidula Ganatra

- (c) Nick Dobler
- (d) Alice Dobler
- (e) Harsukh Ganatra
- (f) Shalini Sharma
- (g) Rajeev Sharma
- (h) Yaser Rahim
- (i) Vurdhaan Prinza
- (j) Thomas Kurian
- (k) Sunanda Jadon
- (l) Sumbal Malik
- (m) Shahnaz Tehseen
- (n) Shilpa Sanjeev and Sanjeev Sreenivasan
- (o) Sanjay Kumar Sharma
- (p) Rhian Thomas-Parasu
- (q) Rama Sharma
- (r) Nasser Malik
- (s) Nalin Amin
- (t) Komil Bhalla
- (u) Jyoti Hansra
- (v) Dr. Jasdev Bhalla
- (w) Sergio and Domenica Succi
- (x) Rajeev Sharma
- (y) Abhishek Sharma
- (z) Hassan Alayche
- (aa) Garvit Sharma
- (ab) Ashish Sharma

Recommendation: Be received and referred to the consideration of Bill 128.

- 4.19 Correspondence from the Honourable Deputy Minister Kate Manson-Smith, Ministry of Municipal Affairs respecting *Main Street Recovery Act*: Proclamation of Amendments to the *Municipal Act* and *City of Toronto Act*.

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

- 4.20 Correspondence from the City of Toronto requesting support for their resolution respecting Building the Early Learning and Child Care System Toronto Needs.

Recommendation: Be endorsed ***with the Mayor forwarding a letter to the Association of Municipalities of Ontario, Federation of Canadian Municipalities, municipalities in Ontario and Provincial and Federal Governments with the City of Hamilton's similar position on this matter.***

- 4.21 Correspondence respecting License Rental Housing:

- (a) Vicki Coughlan
- (b) Robert Cooper
- (c) Tyler Kam
- (d) Gina Pin

- (e) Ann Lawton-Barry
- (f) Todd Prior
- (g) Victor Hannah
- (h) Brian Folkes
- (i) J. Zita
- (j) Les Toronto
- (k) Joanne Zissopoulos
- (l) Lyn Folkes
- (m) Jim Folkes
- (n) Barb McKean and John Hannah
- (o) Susan Hammond
- (p) Helen Sherriff
- (q) Brenda Zsiros
- (r) Diane Elliott
- (s) S. Ewoniak
- (t) Joann Carrothers
- (u) Boris Krasevich
- (v) Catherine Mlekuz
- (w) Frank Criminisi
- (x) Barbara Bohm-Lee and Graham Lee
- (y) Andrew Stassen

Recommendation: Be received and referred to the consideration of Item 9 of Planning Committee Report 21-012.

4.22 Correspondence respecting Encampments:

- (a) Ani Chenier
- (b) Councillor Farr's response to Ani Chenier's email (Item 4.22 (a))
- (c) Maya Lyn
- (d) Theo DiTommaso
- (e) Emma Ditchburn
- (f) Ben Robinson
- (g) Simon Lebrun
- (h) Craig Leonard
- (i) Montana Mellett
- (j) Alex Berze
- (k) Katie McCrindle
- (l) Jim Fitzgerald Jr.
- (m) Michelle Hruschka, Steel City Rising Against Poverty (SCRAP)
- (n) Kelly Wolf
- (o) Amber C. Boyle
- (p) Olivia Watkin-McClurg
- (q) Sarah Bennett
- (r) Kathleen Moore
- (s) Kara Jongeling
- (t) Mary-Elizabeth Gallacher

Recommendation: Be received and referred to the consideration of Item 3.2, August 9, 2021 Emergency Council Meeting Minutes.

4.23 Correspondence GRIDS 2 & Municipal Comprehensive Review - Consultation Update & Evaluation Framework & Phasing Principles:

- (a) Alida Wilson
- (b) Alana Didur
- (c) Brian Cumming
- (d) Maxine Morris-Zecchini

Recommendation: Be received and referred to the consideration of Item 1 of General Issues Committee Report 21-015.

Due to declared conflicts, Item 4.21 was voted on separately:

4.21 Correspondence respecting License Rental Housing:

- (a) Vicki Coughlan
- (b) Robert Cooper
- (c) Tyler Kam
- (d) Gina Pin
- (e) Ann Lawton-Barry
- (f) Todd Prior
- (g) Victor Hannah
- (h) Brian Folkes
- (i) J. Zita
- (j) Les Toronto
- (k) Joanne Zissopoulos
- (l) Lyn Folkes
- (m) Jim Folkes
- (n) Barb McKean and John Hannah
- (o) Susan Hammond
- (p) Helen Sherriff
- (q) Brenda Zsiros
- (r) Diane Elliott
- (s) S. Ewoniak
- (t) Joann Carrothers
- (u) Boris Krsevich
- (v) Catherine Mlekuz
- (w) Frank Criminisi
- (x) Barbara Bohm-Lee and Graham Lee
- (y) Andrew Stassen

Recommendation: Be received and referred to the consideration of Item 9 of Planning Committee Report 21-012.

Result: Motion on the Communication Item 4.21, CARRIED by a vote of 10 to 0, as follows:

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

CONFLICT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - 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
CONFLICT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
CONFLICT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

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

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - 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/Farr)

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

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

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - 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

SPECIAL GENERAL ISSUES COMMITTEE REPORT 21-015

(Merulla/Farr)

That Special General Issues Committee Report 21-015, being the meeting held on Wednesday, August 4, 2021, be received and the recommendations contained therein be approved.

2. GRIDS 2 and Municipal Comprehensive Review – Employment Land Review (PED17010(k)) (City Wide) (Item 8.2)**(Pearson/Jackson)**

WHEREAS, based on the broader community needs that these lands will meet;

THEREFORE, BE IT RESOLVED:

- (a) That sub-section (a)(i) of Report PED17010(k), respecting the GRIDS 2 and Municipal Comprehensive Review – Employment Land Review, be **amended** by deleting the figure of “49.5” and replacing with the with figure of “**56.8**”; and by adding the words “**as amended**” to read as follows:
 - (a) That the Employment Land Review Report, dated August 4, 2021, attached as Appendix “C”, **as amended**, to Report PED17010(k), and the following conversions of Employment Lands, be approved by Council for implementation through the Municipal Comprehensive Review process:
 - (i) The conversion of ~~49.5~~ha **56.8 ha** of Employment Lands to non-employment designations as identified in Appendices “A” to “C”, **as amended**, attached to Report PED17010(k);
- (c) That sub-section (b) of Report PED17010(k), respecting the GRIDS 2 and Municipal Comprehensive Review – Employment Land Review, be **amended** by deleting the word “five” and replacing it with the word “**six**” and, by adding a new sub-section (vi), to read as follows:
 - (b) That the following ~~five~~ **six** privately-initiated conversion requests be deferred for consideration to later in the Municipal Comprehensive Review process to allow for additional information to be provided and evaluated; and, for the requests to be considered as part of the GRIDS 2 / MCR review of growth options:
 - (i) McMaster Innovation Park lands within the West Hamilton Innovation District, Hamilton (approximate area of conversion request 3.1 ha);

- (ii) 70 – 100 Frid Street (West Hamilton Innovation District “ANNEX precinct”), Hamilton (approximate area of conversion request 2.24 ha);
- (iii) Lands in the vicinity of Twenty Road West, bounded by Upper James Street, Twenty Road West, Dickenson Road and Glancaster Road, Glanbrook (approximate area of conversion request 55.2 ha);
- (iv) 700 Garner Road East, Ancaster (approximate area of conversion request 26.6 ha);
- (v) 1725 Stone Church Road East (approximate area of conversion request 7.38 ha); and,
- (vi) **1400 South Service Road.**

Result: Motion on Item 2, as Amended of the Special General Issues Committee Report 21-015, CARRIED by a vote of 13 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES – Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Deputy Mayor - 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 4 was voted on separately, as follows:

4. Update regarding Ontario Land Tribunal (formerly Local Planning Appeal Tribunal) Appeals of Rural and Urban Hamilton Official Plans (LS16029(d)/PED16248(d)) (City Wide) (Item 14.1)

- (a) That the direction provided to staff in Closed Session, respecting Report LS16029(d)/PED16248(d), respecting Update regarding Ontario Land Tribunal (formerly Local Planning Appeal Tribunal) appeals of Rural and Urban Hamilton Official Plans, be approved; and,

- (b) That Report LS16029(d)/PED16248(d), respecting Update regarding Ontario Land Tribunal (formerly Local Planning Appeal Tribunal) appeals of Rural and Urban Hamilton Official Plans and its appendices, remain confidential.

Result: Motion on Item 4 of the Special General Issues Committee Report 21-015, CARRIED by a vote of 12 to 0, as follows:

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

1. GRIDS 2 and Municipal Comprehensive Review - Consultation Update and Evaluation Framework and Phasing Principles (PED17010(I)) (City Wide) (Item 8.1)

(Clark/Wilson)

That Report PED17010(I), respecting GRIDS 2 and Municipal Comprehensive Review - Consultation Update and Evaluation Framework and Phasing Principles, be **amended** by adding a new sub-section (e) to read as follows:

- (e) That staff be directed to conduct a greenhouse gas comparison between the growth options under the MCR/GRIDS2 evaluation criteria.**

Result: Motion on the Amendment to Item 1 of the Special General Issues Committee Report 21-015, CARRIED by a vote of 12 to 1, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES – Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Deputy Mayor - 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
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 Special General Issues Committee Report 21-015, as Amended CARRIED by a vote of 13 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - 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/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 21-016; Planning Committee Report 21-012; Board of Health Report 21-008, Public Works Committee Report 21-011 and Audit, Finance and Administration Committee Report 21-012.

Result: Motion CARRIED by a 2/3 vote of 13 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - 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

GENERAL ISSUES COMMITTEE REPORT 21-016

(Merulla/Farr)

That General Issues Committee Report 21-016, being the meeting held on Monday, August 9, 2021, be received and the recommendations contained therein be approved.

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

- 3. Feasibility of Creating a Technology Hub on South City Hall Lands (PED21109) (Ward 2) (Item 10.1)**
- (a) That staff be directed to prepare a land disposition strategy, through either a land sale or long-term land lease, for the City Hall Precinct Lands;
 - (b) That staff be directed to prepare all relevant technical due-diligence studies required for executing the land disposition strategy including the following:
 - (i) Land-use, zoning, heritage planning, massing, parks and open space, environmental assessment, sustainable design, and functional servicing studies;
 - (ii) Assessment of municipal corporate requirements, including capital and operational parking impact analysis;
 - (iii) Highest and Best Use determination;
 - (iv) Property appraisal, based on highest and best use; and,
 - (v) Review of municipal financial implications;
 - (c) That staff be directed to prepare options for Committee's consideration on a process to facilitate the land disposition for the City Hall Precinct lands;
 - (d) That Reserve Account #112221 entitled "Economic Development Investment Reserve" be approved for up to \$100,000, for any technical due diligence and expertise necessary to complete the approved direction; and establish a project ID;
 - (e) That staff be directed to report back to the General Issues Committee with recommendations for consideration, regarding the disposition for the City Hall Precinct lands, in first quarter of 2022; and,
 - (f) That staff be directed to consider the inclusion of a tower to accommodate staff located in other downtown locations in the review of the City Hall Precinct lands.

Result: Motion on Item 3 of the General Issues Committee Report 21-016, DEFEATED by a vote of 6 to 7, as follows:

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

11. Hamilton's Federal Election Priorities 2021 (CM21010) (City Wide) (Item 10.10)

(Merulla/Farr)

(a) That Item 11 of the General Issues Committee Report 21-016, respecting Report CM21010 - Hamilton's Federal Election Priorities 2021, be **amended** by deleting sub-section (b) in its entirety and replacing it with the following in lieu thereof:

~~(b) That staff be directed to report back to the General Issues Committee to provide relevant supplementary materials that will support election related meetings with candidates and campaign teams.~~

(b) That staff be directed to provide relevant supplementary materials to members of Council that will support election related meetings with candidates and campaign teams.

(b) That the word “and” be deleted from (a)(v) to read as follows:

(v) Championing rural and northern communities by committing to universal internet access and modernizing, streamlining funding tools; **and,**

Result: Motion on the Amendment to Item 11 of the General Issues Committee Report 21-016, CARRIED by a vote of 13 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES – Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Deputy Mayor - 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

(Wilson/Nann)

That sub-section (a)(iv), be **amended** to include the Muslim and Asian communities, to read as follows:

- (iv) Equity, Diversity and Inclusion – support for marginalized communities that have been impacted by hate related incidents, namely, the Black, Jewish, 2S-LGBTQIA+, **Muslim, Asian** and Indigenous communities;

Result: Motion on the Amendment to Item 11 of the General Issues Committee Report 21-016, CARRIED by a vote of 13 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES – Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Deputy Mayor - 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

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

11. Hamilton's Federal Election Priorities 2021 (CM21010) (City Wide) (Item 10.10)

- (a) That the following Hamilton Priorities, be approved in advance of the Federal election:
 - (i) Supportive Housing & Tackling Poverty – addressing the economic impact of COVID-19 on vulnerable populations through supports for homelessness and an affordable housing strategy;

- (ii) Impacts of Climate Change – disaster mitigation and adaption support for areas either impacted or at risk of being impacted by the effects of Climate Change;
 - (iii) Strong Economic Recovery – investment in critical infrastructure to support economic development and continued support for workers and businesses recovering from COVID-19;
 - (iv) Equity, Diversity and Inclusion – support for marginalized communities that have been impacted by hate related incidents, namely, the Black, Jewish, 2S-LGBTQIA+, **Muslim, Asian** and Indigenous communities;
 - (v) Championing rural and northern communities by committing to universal internet access and modernizing, streamlining funding tools;
- (b) ***That staff be directed to provide relevant supplementary materials to members of Council that will support election related meetings with candidates and campaign teams.***

Result: Motion on Item 11, as Amended of the General Issues Committee Report 21-016, CARRIED by a vote of 13 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES – Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Deputy Mayor - 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 17 was voted on separately as follows:

17. Indemnification of Legal Fees (LS21030) (City Wide) (Item 14.7)

- (a) That the direction provided to staff in Closed Session, respecting Report LS21030 - Indemnification of Legal Fees, be approved; and,
- (b) That Report LS21030, respecting the Indemnification of Legal Fees, remain confidential.

Result: Motion on Item 17 of the General Issues Committee Report 21-016, CARRIED by a vote of 12 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - 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 General Issues Committee Report 21-016, CARRIED by a vote of 13 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - 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

PLANNING COMMITTEE REPORT 21-012

(Danko/Johnson)

That Planning Committee Report 21-012, being the meeting held on Tuesday, August 10, 2021, be received and the recommendations contained therein be approved.

Councillor Jackson assumed the Chair so that the Mayor could move the following amendment to Planning Committee Report 21-012.

9. License Rental Housing (PED21097/LS21022) (Wards 1, 8 and parts of Ward 14) (Item 10.2)

(Eisenberger/Danko)

That Item 9 of the Planning Committee Report 21-012, respecting Report PED21097/LS21022 - License Rental Housing be **amended** to include the following sub-section (e) and renumber the existing sub-section (e) to (f):

- (e) That Staff report back to Planning Committee with an update every 6 months on the pilot project in Wards 1, 8 and parts of Ward 14; and**
- (f) That the contents of Appendix "C" to Report PED21097/LS21022 remain confidential under solicitor-client privilege.**

Result: Motion on the Amendment to Item 9 of the Planning Committee Report 21-012, CARRIED by a vote of 10 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES – Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 CONFLICT - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Deputy Mayor - 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
 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

The Mayor assumed the Chair.

Due to declared conflicts, Item 9, as **Amended** was voted on separately, as follows:

9. License Rental Housing (PED21097/LS21022) (Wards 1, 8 and parts of Ward 14) (Item 10.2)

- (a) That the draft By-law "Rental Housing Units" (Schedule 31) attached as Appendix "A" to Report PED21097/LS21022, which has been prepared in a form satisfactory to the City Solicitor be referred to the September 21st, 2021 Planning Committee meeting to satisfy the public notice requirement for implementation;**
- (b) That Staff prepare a transition plan to inform business property owners and tenants of the requirements of the pilot by-law, provide owners with**

adequate time and information to gain compliance and avoid displacement of tenants;

- (c) That Staff prepare a fee schedule to achieve full cost recovery with no net levy impact for the implementation of the 2 year pilot project in Wards 1, 8 and parts of Ward 14 at a total cost of \$2,014,992 with the creation of 10 temporary FTEs as follows: three full-time temporary zoning Staff to be funded from zoning verification fees; four full-time temporary Fire Inspectors to be funded from inspection fees; and one full-time temporary Licensing Administrator and two full-time temporary Licensing Compliance Officers to be funded from licensing fees;
- (d) That Staff report back to Planning Committee after the “Rental Housing Units” (Schedule 31) has been enacted for 18 months with an update on the pilot project; and,
- (e) ***That Staff report back to Planning Committee with an update every 6 months on the pilot project in Wards 1, 8 and parts of Ward 14; and***
- (f) That the contents of Appendix “C” to Report PED21097/LS21022 remain confidential under solicitor-client privilege.

Result: Motion on Item 9 of the Planning Committee Report 21-012, CARRIED, as Amended, by a vote of 10 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES – Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 CONFLICT - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Deputy Mayor - 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
 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

Due to declared conflicts, Item 8 was voted on separately, as follows:

8. Amendments to the Property Standards and Vital Services By-law (PED21049(a)) (City Wide) (Item 10.1)

- (a) That the amendment to the City of Hamilton Property Standards By-law 10-221 with respect to improvements and maintenance involving rental properties and apartments described in Report PED21049(a) and detailed

in the proposed amending By-law attached as Appendix "A" to Report PED21049(a) be approved;

- (b) That the amendment to Table 14 to the City of Hamilton Administrative Penalties By-law 17-255 described in Report PED21049(a) and detailed in the proposed amending By-law attached as Appendix "B" to Report PED21049(a) be approved;
- (c) That the amendment to the City of Hamilton Vital Services By-law 09-190 and the City of Hamilton Administrative Penalty By-law 17-255 described in Report PED21049(a) and detailed in the proposed amending By-law attached as Appendix "C" to Report PED21049(a) be approved; and,
- (d) That the amending By-laws attached as Appendix "A", Appendix "B", and Appendix "C" to Report PED21049(a), which has been prepared in a form satisfactory to the City Solicitor be enacted by Council.

Result: Motion on Item 8 of the Planning Committee Report 21-012, CARRIED by a vote of 10 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES – Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 CONFLICT - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Deputy Mayor - 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
 CONFLICT - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 CONFLICT - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

Result: Motion on the balance of the Planning Committee Report 21-012, CARRIED by a vote of 13 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES – Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Deputy Mayor - 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

BOARD OF HEALTH REPORT 21-008

(Wilson/Johnson)

That Board of Health Report 21-008, being the meeting held on Wednesday, August 11, 2021, be received and the recommendations contained therein be approved.

Councillor Merulla assumed the Chair so that the Mayor could move the following amendment to Board of Health Report 21-008.

2. Mandatory COVID-19 Vaccines and Vaccine Passport Programs (Added Item 11.1)

(Eisenberger/Farr)

That Item 2 of the Board of Health Report 21-012, respecting Mandatory COVID-19 Vaccines and Vaccine Passport Programs be **amended** to read as follows:

- (a) That the Mayor correspond with the **Prime Minister, Federal Minister of Health, Premier of Ontario, Ontario** Minister of Health and the Attorney General expressing Hamilton's desire for **Canada and** the Province of **Ontario** to institute Mandatory COVID-19 Vaccines, where permissible by law, and a Vaccine Passports Program with a copy being forwarded to local municipalities, **Federation of Canadian Municipalities** and the Association of Municipalities of Ontario; **and**
- (b) **That this resolution be shared with all local MPs and MPPs.**

Result: Motion on the Amendment to Item 2 of the Board of Health Report 21-008, CARRIED by a vote of 13 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES – Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Deputy Mayor - 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

The Mayor assumed the Chair.

Result: Motion on the Board of Health Report 21-008, as Amended, CARRIED by a vote of 13 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - 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

PUBLIC WORKS COMMITTEE REPORT 21-011

(VanderBeek/Nann)

That Public Works Committee Report 21-011, being the meeting held on Wednesday, August 11, 2021, be received and the recommendations contained therein be approved.

2. Old Dundas Road Sewage Pumping Station (HC005) Emergency Overflow to Ancaster Creek Feasibility Study (PW14107(a)) (Ward 12) (Item 7.2)

(Farr/Danko)

That Item 2 respecting Report PW14107(a), Old Dundas Road Sewage Pumping Station (HC005) Emergency Overflow to Ancaster Creek Feasibility Study, be referred to the Public Works Committee for further discussion:

That staff be directed to apply to the Ministry of Environment, Conservation and Parks (MECP) for the installation of stormwater overflow into Ancaster Creek.

Result: Motion on the referral of Item 2 to the Public Works Committee, CARRIED by a vote of 13 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla

NOT PRESENT - Deputy Mayor - 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

**Result: Motion on the balance of the Public Works 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 - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - 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/Jackson)

That Council recess at 12:23 p.m.

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 - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - 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 12:55 p.m.

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 21-012

(Ferguson/Pearson)

That Audit, Finance and Administration Committee Report 21-012, being the meeting held on Thursday, August 12, 2021, be received and the recommendations contained therein be approved.

2. Governance Review Sub-Committee Report 21-004 - June 25, 2021 (Item 10.1)

(Johnson/Partridge)

- (a) That Item 2 (b) (iv) respecting Governance Review Sub-Committee Report 21-004, Virtual Participation of a Member of Council at Council, Standing Committee, Sub-Committee, Local Board, and Advisory Committee Meetings Outside of an Emergency (FCS21058) (City Wide), be **amended** to refer the amendment to Sub-Section 3.4 (7) in Appendix A to the Audit, Finance and Administration Committee Report 21-012 to the Governance Review Sub-Committee for further discussion:

3.4 Special Meetings of Council

- (1) In addition to scheduled Council meetings, the Mayor may, at any time, summon a special meeting of Council by giving written direction to the Clerk stating the date, time, and purpose of the special meeting.
- (2) The Clerk shall summon a special meeting of Council when requested to do so in writing by a majority of Members of Council.
- (3) The Clerk shall give each Member of Council, or their designated staff, notice of a special meeting of Council at least 2 days before the time appointed for such meeting by:
 - (a) delivering a written notice personally;
 - (b) delivering such notice at their residence or place of business; or
 - (c) facsimile transmission or electronic mail to such residence or place of business.
- (4) The written notice to be given under subsection 3.4(3) shall state the nature of the business to be

considered at the special meeting of Council and no business other than that which is stated in the notice shall be considered at such meeting.

- (5) Notwithstanding subsection 3.4(4), other business may be considered at a special meeting with at least two-thirds of the Members of Council present and voting in the affirmative.
- (6) The Clerk shall prepare the Order of Business for a special meeting of Council with the appropriate selection of agenda categories from subsection 3.11.
- (7) ***Notwithstanding subsection 3.4(3), on urgent and extraordinary occasions, with the consent of the majority of all the Members of Council, recorded in the Minutes, a special meeting of the Council may be called by the Mayor without notice to consider and deal with such urgent and extraordinary matters.***

Result: Motion on the *Amendment* to Item 2 of the Audit, Finance and Administration Committee Report 21-012, 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
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Deputy Mayor - 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

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

2. Governance Review Sub-Committee Report 21-004 - June 25, 2021 (Item 10.1)

(a) Poll Results – Recording of Advisory Committee Meetings (FCS21054) (City Wide) (Outstanding Business List Item) (Item 7.1)

That Report FCS21054, respecting Poll Results – Recording of Advisory Committee Meetings, be received.

- (b) Virtual Participation of a Member of Council at Council, Standing Committee, Sub-Committee, Local Board, and Advisory Committee Meetings Outside of an Emergency (FCS21058) (City Wide) (Outstanding Business List Item) (Item 10.1)**
- (i) That Council approve the request for two (2) additional FTEs to support the provision of ongoing virtual participation of Members of Council and virtual delegations at Standing Committee and Sub-Committee meetings supported by the Office of the City Clerk, be referred to the 2022 budget deliberations for consideration;
 - (ii) That staff be directed to acquire the technology (equipment and the programming of software) to reconfigure the Council Chamber in order to conduct Hybrid meetings on an ongoing basis, to be funded from the Tax Stabilization Reserve at a cost not exceed \$30,000;
 - (iii) That staff be directed to acquire the technology (equipment and the programming of software) to reconfigure Room 264 in order to conduct Hybrid meetings on an ongoing basis, to be funded from the Tax Stabilization Reserve at a cost not exceed \$30,000; and,
 - (iv) That Council approve the amendments to the Procedural By-Law 21-021 outlined in **REVISED** Appendix “A” to Audit, Finance & Administration Report 21-012 to permanently allow Virtual Participation for Members of Council, Standing Committees, Sub-Committees, Citizen Advisory Committees, and delegations.

Result: Motion on Item 2 of the Audit, Finance and Administration Committee Report 21-012, as Amended, 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
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Deputy Mayor - 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

Result: Motion on the balance of the Audit, Finance and Administration Committee Report 21-012, 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
- NOT PRESENT - Ward 4 Councillor Sam Merulla
- NOT PRESENT - Deputy Mayor - 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

(Farr/VanderBeek)

That the Committee of the Whole Rise and Report.

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

- YES - Ward 1 Councillor Maureen Wilson
- YES – Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- NOT PRESENT - Ward 4 Councillor Sam Merulla
- NOT PRESENT - Deputy Mayor - 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

MOTIONS

- 6.1 Amendment to Item 2 of the Audit, Finance & Administration Committee Report 21-006, respecting Report FCS20069(b) – Tax and Rate Operating Budget Variance Report as at December 31, 2020 and Budget Control Policy**

(Ferguson/Pearson)

WHEREAS, Council at its meeting of April 28, 2021, approved Item 2 of the Audit, Finance & Administration Committee Report 21-006, which was subject to finalization of the 2020 audited financial statements; and,

WHEREAS, the 2020 audited financial statements have now been finalized an amendment is required to reflect the total Hamilton Police Services' Surplus.

THEREFORE, BE IT RESOLVED:

- (a) That Sub-section (d) to Item 2 to the Audit, Finance & Administration Committee Report 21-006, respecting Report FCS20069(b) – Tax and Rate Operating Budget Variance Report as at December 31, 2020 and Budget Control Policy, be **amended** by removing the words “subject to finalization of the 2020 audited financial statements”, to read as follows:
 - (d) That , ~~subject to finalization of the 2020 audited financial statements~~, the Disposition of 2020 Year-End Operating Budget Surplus / Deficit, be approved as follows:
- (b) That the Table depicting the Disposition / Reconciliation of Year End Surplus (Deficit) referred to in Sub-Section (d) to Item 2 to the Audit, Finance & Administration Committee Report 21-006, respecting Report FCS20069(b) – Tax and Rate Operating Budget Variance Report as at December 31, 2020 and Budget Control Policy, be **amended** as follows:
 - (i) Corporate Surplus from Tax Supported Operations – deleting \$55,325,707 and replacing it with **\$54,763,630**;
 - (ii) Disposition to/from Self-Supporting Programs & Agencies - deleting \$(6,063,995) and replacing it with **\$(5,501,918)**; and,
 - (iii) Less: Police (Transfer to Police Reserve) – deleting \$(2,690,482) and replacing it with **\$(2,128,405)**;

DISPOSITION / RECONCILIATION OF YEAR-END SURPLUS/ (DEFICIT)	\$	\$
Corporate Surplus from Tax Supported Operations		\$ 54,763,630
Disposition to/from Self-Supporting Programs & Agencies		\$ (5,501,918)
Less: Police (Transfer to Police Reserve)	\$ (2,128,405)	
Less: Library (Transfer to Library Reserve)	\$ (3,333,841)	
Less: Farmers Market (Transfer to Hamilton Farmers Market Reserve)	\$ (39,672)	
Balance of Corporate Surplus		\$ 49,261,712
Less: Transfer to Social Housing Stabilization Reserve		\$ -
Less: Transfer for Ontario Summer Student Jobs Services		\$ -
Less: Transfer of HUC Dividend to Unallocated Capital Levy Reserve		\$ -
Less: Transfer for Concessionary Loans		\$ -
Less: Transfer to Tax Stabilization Reserve		\$ (2,000,000)
Less: Transfer to Early Years System Reserve		\$ (3,000,000)
Add: Transfer from HEF Capital Project Reserve		\$ 903,318
Less: Transfer to fund 2021 "Rent Ready" Program		\$ (1,000,000)
Less: Transfer to fund Menstrual Products Affordability Pilot Program		\$ (121,000)
Less: Transfer to Climate Change Reserve		\$ (1,500,000)
Less: Transfer to 2022 Capital Budget - Recreation Facilities Discretionary Block (Unallocated Capital Levy Reserve)		\$ (700,000)
Less: Transfer to ATS Reserve for PRESTO Agreement		\$ (162,872)
Less: Transfer to fund Red Hill Creek Inquiry		\$ (5,000,000)
Less: Transfer to Sick Leave Liability - General Reserve		\$ (1,300,000)
Less: Transfer to fund shortfall in Development Charge Exemptions		\$ (15,100,000)
Less: Hamilton Status of Women Advisory Committee - Donation of Remaining 2020 Budget Allocation		\$ (3,996)
Less: Transfer to COVID-19 Emergency Reserve		\$ (20,277,162)
Balance of Tax Supported Operations		\$ -
Corporate Deficit from Rate Supported Operations		\$ (4,592,662)
Add: Transfer from the Rate Supported Water Reserve		\$ 10,211,949
Less: Transfer to the Rate Supported Wastewater Reserve		\$ (5,619,287)
Less: Transfer to the Rate Supported Stormwater Reserve		\$ -
Balance of Rate Supported Operations		\$ -

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

- YES - Ward 1 Councillor Maureen Wilson
- YES – Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- NOT PRESENT - Ward 4 Councillor Sam Merulla
- NOT PRESENT - Deputy Mayor - 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

6.2 Support for the NCCM Recommendations brought forward by the National Council of Canadian Muslims

(Farr/Clark)

WHEREAS, Council was requested to respond to the City of Hamilton's Muslim leaders respecting the municipal portion of the NCCM Recommendations brought forward by the National Council of Canadian Muslims (NCCM) released July 19, 2021 and attached as Appendix A to this motion;

WHEREAS, the City of Hamilton's Muslim leaders are requesting endorsement and commitments to several of the recommendations within NCCM Recommendations;

WHEREAS, there is city-wide concern after the Islamophobic attack, in the City of Hamilton, allegedly by a Cambridge man, on the wife and daughter of Imam, Kamal Gurgi of our cherished downtown mosque;

WHEREAS, the National Council of Canadian Muslims has called a National Summit on Islamophobia taking place on Thursday, July 22, 2021, which is designed to engage all levels of government to take action on dismantling Islamophobia; and

WHEREAS, in order to reassure the National Council of Canadian Muslims that City of Hamilton is in support of the NCCM Recommendations at the municipal level.

THEREFORE, BE IT RESOLVED:

- (a) That the Director of By-Law Enforcement be directed to report back to Planning Committee on options to create and/or amend a by-law(s) to undertake NCCM Recommendation 55:
 55. Pass municipal street harassment bylaws that are proportional and constitutional such as the approach now being adopted in Edmonton after the NCCM initiative. Bylaws should also address clearly hateful verbal assaults and give authorities the ability to ticket and fine when necessary.
- (b) That the Director of Government Relations and Community Engagement be directed to meet with local leaders of the National Council of Canadian Muslims and report back to the General Issues Committee on a plan that celebrates the history of local Muslims and assists in directing these leaders to existing programs, such as the City Enrichment Fund, to undertake NCCM Recommendation 59:
 59. Invest in celebrating the history of local Canadian Muslims and initiatives through a concrete program that brings these figures and names to the forefront of local-level recognition. Municipalities should fund events and spaces where their accomplishments are celebrated in a way that clearly shows that Muslims have made real contributions to Canadian society and are far from the violent caricatures that constantly make the news.

- (c) That the Director of Government Relations and Community Engagement be directed to work with local leaders of the National Council of Canadian Muslims to determine what dedicated local funding may be required to fulfil community-based anti-Islamophobia initiatives and report back to the Audit, Finance and Administration Committee, to undertake NCCM Recommendation 56:
56. Municipalities provide dedicated funding for local community-based anti-Islamophobia initiatives.
- (d) That the Director of Government Relations and Community Engagement be directed to report back to the Audit, Finance and Administration Committee on local anti-Islamophobic public awareness campaigns and options respecting a potential program(s) for training young Muslim leaders for the future, to undertake NCCM Recommendations 58 and 61:
58. Municipalities dedicate specific funding for anti-Islamophobia public awareness campaigns.
61. Develop models for training young Muslim leaders for the future such as Youth Fellowship program in Toronto.
- (e) That NCCM Recommendation 60, be referred to the Hamilton Police Services Board for consideration:
60. Redirect funding towards alternative measures to policing in municipal budgets.

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

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - 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

6.3 Supporting Community Resilience through the Powell Park Community Garden in Ward 3**(Nann/Jackson)**

WHEREAS, the Powell Park Community Garden is run by a group of Ward 3 resident volunteers who grow food to support local community food access; and

WHEREAS, the COVID-19 pandemic has resulted in an increase need for access to fresh, nutritious food.

THEREFORE, BE IT RESOLVED:

- (a) That \$675 from the Ward 3 Bell Tower Fund (Account #3301609603) be allocated to the GALA Community Planning Team to assist in covering the costs associated with the Powell Park Community Garden; and
- (b) 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 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
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - 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

6.4 Block Party Assistance Program**(Farr/Eisenberger)**

WHEREAS, the COVID-19 pandemic has taken its toll on citizens to various degrees, which for so many includes an absence in socializing safely with friends and neighbours;

WHEREAS, there is an interest from some residents during phase three of reopening to safely hold block parties on streets where they live and within the parameters and guidelines of Ontario's Roadmap to Reopen;

WHEREAS, Council has been a leader in ensuring that the safe return to events in Hamilton is incentivized with many incentives and supports derived from the unprecedented work of the Mayor's Task Force on Economic Recovery, which included approving amendments to previous policies and fee reductions where applicable in an effort to bring our communities back to life in both work and play;

WHEREAS, the costs to host a block party can far exceed \$2,000.00, which includes but is not limited to, a street closure permit at approximately \$700 and contracting of a 3rd party company to close the street at approximately \$1,000, in addition to the current requirement for the these types of street closures to go through a Special Events Advisory Team process, which creates the potential for delays and further restrictions.

THEREFORE, BE IT RESOLVED:

That the appropriate staff be requested to report back to the next Emergency and Community Services Committee meeting with options for residents wishing to hold safe block parties that are less costly and more efficiently approved.

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

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - 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

6.5 Commemorating the 75th Anniversary of the Stelco Strike in Woodlands Park in Ward 3

(Nann/Wilson)

WHEREAS, Ward 3 residents have initiated a historical and artistic placemaking project to commemorate the 75th Anniversary of the Stelco workers strike in Woodlands Park;

WHEREAS, this placemaking project aims to commemorate Woodlands Park historical role as the "Workers' Park," a place for organizing; and

WHEREAS, the project aims to speak to the past and ongoing community resilience and strength of residents in the area while also inspiring local involvement in future park renewal.

THEREFORE, BE IT RESOLVED:

- (a) That \$1500 from the Ward 3 Bell Tower Fund (Account # 3301609603) be allocated to the Barton Village BIA to assist in covering the costs of the project works; and
- (b) 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 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
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - 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

6.6 Issuance of a Demolition Permit for 582 and 584 Highway No. 8, Stoney Creek

(Pearson/Farr)

WHEREAS the owner/developer of the above-mentioned properties is in the process of bringing forward a development proposal to Planning Committee in due course; and

WHEREAS there have been ongoing issues with security of the two vacant homes creating ongoing safety and property standards concerns for the surrounding neighbours and owner.

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demolition permit for 582 and 584 Highway No. 8, Stoney Creek in accordance with By-law 09-208, as amended by By-law 13-185, pursuant to Section 33 of the *Planning Act* as amended, without having to comply with the conditions of 6(a), (b), and (c) of the Demolition Control By-law 09-208.

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

YES - Ward 1 Councillor Maureen Wilson
 YES – Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Deputy Mayor - 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

6.7 Amendment to Item 5 of the Emergency & Community Services Committee Report 19-004, respecting Report HSC19008(a) – Reaching Home: Canada's Homelessness Strategy

(Nann/Jackson)

WHEREAS at its meeting of May 8th and 9th, 2019 the Council of the City approved Item 10.1 of Emergency and Community Services Committee Report No. 19-004 thereby authorizing and directing the General Manager of Healthy and Safe Communities (“GM”), or his designate, to enter into and execute an Agreement with Employment and Social Development Canada to administer the Reaching Home Program as of April 1, 2019 and any ancillary agreements required to give effect thereto in a form satisfactory to the City Solicitor;

WHEREAS, an agreement between the City and Her Majesty the Queen in Right of Canada, as represented by the Minister of Employment and Social Development Canada Employment and Social Development Canada (the “Minister”) was signed by the General Manager on March 22, 2019 (the “Agreement”) which provided for \$29,462,653.00 to be used over the course of 5 years 2019 to 2024;

WHEREAS the Agreement was amended on June 13, 2019 to provide for an increase in funding of \$522,840.00;

WHEREAS the Minister has agreed to provide additional funding in the amount of \$4,242,360.00 to be used in the 2021 fiscal year subject to the Agreement being further amended to provide for the increased funding;

WHEREAS the amended Agreement would contain the same terms and conditions as the original agreement except for the additional funding and the requirement that it be used in the 2021 fiscal year; and

WHEREAS the authority and direction to the General Manager provided by Council at its meeting of May 8th and 9th did not include the authority or direction for the General Manager to enter into and execute an amended Agreement;

THEREFORE, BE IT RESOLVED:

- (a) That Sub-section (a) to Item 5 of the Emergency & Community Services Committee Report 19-004, respecting Report HSC19008(a) – Reaching Home: Canada's Homelessness Strategy, be **amended**, to read as follows:
 - (a) That the General Manager of Healthy and Safe Communities, or **their** designate, be authorized and directed to enter into and execute **an amendment to the agreement between the City and Her Majesty the Queen in Right of Canada, as represented by the Minister of Employment and Social Development Canada, signed by the General Manager on March 22, 2019 and amended on June 13, 2019 (the "Agreement") to provide for additional funding in the amount of \$4,242,360.00 to be used in the 2021 fiscal year** to administer the Reaching Home Program as of April 1, 2019 in a form satisfactory to the City Solicitor;
- (b) That Sub-section (d) to Item 5 of the Emergency & Community Services Committee Report 19-004, respecting Report HSC19008(a) – Reaching Home: Canada's Homelessness Strategy, be included, to read as follows:
 - (d) **That the General Manger be authorized and directed to enter into and execute any further amendments to the Agreement in order to obtain additional funding on such terms and conditions satisfactory to the GM and in a form satisfactory to the City Solicitor.**

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

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - 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

6.8 Residential Municipal Relief Assistance Program for Basement Flooding for the Heavy Rain Event of August 7 and 10, 2021 (Ward 13)

(VanderBeek/Wilson)

WHEREAS, the heavy rain event on August 7 and 10, 2021, caused basement flooding at properties within Ward 13 in the City of Hamilton.

THEREFORE, BE IT RESOLVED:

- (a) That for the purpose of invoking the Residential Relief Assistance Program for Basement Flooding, City Council declare the heavy rain event of August 7 and 10, 2021, as a “Disaster” for all affected properties within Ward 13 in the City of Hamilton;
- (b) That payment of claims be based on compassionate grounds only and not be construed as an admission of liability on the part of the City of Hamilton;
- (c) That the Eligibility Criteria for the Residential Municipal Disaster Relief Assistance Program as previously approved in report FCS06007 be applied;
- (d) That the costs associated with these claims be funded from the Storm Sewer Reserve 108010; and,
- (e) That staff be authorized, if necessary, to retain an independent adjusting service for the administration of claims under the Residential Municipal Disaster Relief Assistance Program and that these administrative costs be funded from the Storm Sewer Reserve 108010.

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

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - 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

6.9 Speed Cushion Traffic Calming Locations Ward 2

(Farr/Jackson)

WHEREAS, as a direct result of resident engagement respecting safer roads for all road and sidewalk users, speed cushions have been requested.

THEREFORE, BE IT RESOLVED:

- (a) That Transportation Operations and Maintenance staff be authorized and directed to install traffic calming measures on the following roadways as part of the 2021 Traffic Calming Program (Fall 2021 Installation):
 - (i) Young Street (three cushions), between Ferguson Street South and Hughson Street South.
 - (ii) Duke Street, between Hess Street and Queen Street
 - (iii) Bold Street, between Hess Street and Queen Street
 - (iv) Caroline Street North (two cushions), between Barton and Central Park
 - (v) Liberty Street, between Grove Street and Grange Street
 - (vi) Park Street South, between Markland and Herkimer
- (b) That all costs associated with the installation of traffic calming measures at the identified locations throughout Ward 2 be funded from the ward 2 minor maintenance Account (Account # 4031911602) at a total cost not to exceed \$88,000 (including contingency); and,
- (c) That the Mayor and Clerk be Authorized and directed to execute any required agreements and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor

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

YES - Ward 1 Councillor Maureen Wilson
 YES – Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Deputy Mayor - 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

NOTICES OF MOTION

7.1 Issuance of a Demolition Permit for 582 and 584 Highway No. 8, Stoney Creek

(Pearson/Farr)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Issuance of a demolition permit for 582 and 584 Highway No. 8, Stoney Creek.

Result: Motion CARRIED by a 2/3 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
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - 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

Refer to Item 6.6 for further disposition of this item.

7.2 Amendment to Item 5 of the Emergency & Community Services Committee Report 19-004, respecting Report HSC19008(a) – Reaching Home: Canada's Homelessness Strategy

(Nann/Jackson)

That the Rules of Order be waived to allow for the introduction of a Motion respecting an Amendment to Item 5 of the Emergency & Community Services Committee Report 19-004, respecting Report HSC19008(a) – Reaching Home: Canada's Homelessness Strategy.

Result: Motion CARRIED by a 2/3 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
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - 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

Refer to Item 6.7 for further disposition of this item.

7.3 Residential Municipal Relief Assistance Program for Basement Flooding for the Heavy Rain Event of August 7 and 10, 2021 (Ward 13)

(VanderBeek/Wilson)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Residential Municipal Relief Assistance Program for Basement Flooding for the Heavy Rain Event of August 7 and 10, 2021 (Ward 13).

Result: Motion CARRIED by a 2/3 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
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - 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

Refer to Item 6.8 for further disposition of this item.

7.4 Speed Cushion Traffic Calming Locations Ward 2

(Farr/Jackson)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Speed Cushion Traffic Calming Locations Ward 2.

Result: Motion CARRIED by a 2/3 vote of 11 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - 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

Refer to Item 6.9 for further disposition of this item.

7.5 Encampment Response Strategy

Councillor Wilson introduced the following Notice of Motion respecting Encampment Response Strategy:

WHEREAS on August 9, 2021 Hamilton City Council voted to repeal its Encampment Response Protocol that permitted unhoused individuals to shelter in public spaces for up to 14 days;

WHEREAS the City of Hamilton will return to pre-pandemic enforcement levels that prevents anyone from sheltering on city property including public park areas effective Aug 30, 2021;

WHEREAS the city of Hamilton’s pre-pandemic enforcement level resides within the domain of Municipal Bylaw Enforcement with support from the Hamilton Police Service;

WHEREAS the guiding principles and approach of the Encampment Response Protocol enabled an assessment of the individual health and social needs of those living in an encampment and an approach during the 14 day period that would provide supports including but not limited to the following:

- engagement that treats every individual from a rights-based approach, ensuring dignity and confidentiality is maintained;
- An assessment of health and social needs of individual with consent;
- Immediate work on a personalized housing plan with consent;
- Determine previous (if any) barriers affecting access into the system and attempt to resolve them;
- Informing individuals of the timeline for encampment removal taking into consideration location and individual health and social circumstances;
- Assist with the movement to shelter/housing including but not limited to transportation, financial assistance, and storage of possessions.
- Ensures abandoned belongings and litter are cleared and the site is cleaned.

WHEREAS there is no formal, publicly established approach to how the pre-pandemic enforcement level will operate and the role of the encampment response team (includes representatives from the City of Hamilton Housing Services Division and Street Outreach Team, Municipal Law Enforcement, Public Works and Hamilton Police Services Social Navigator Program) is undefined;

WHEREAS the City of Hamilton recognizes the rise in unsheltered homelessness during COVID-19 continues to highlight ongoing systemic health, social and economic inequities and remains an ongoing concern for the City;

WHEREAS in its Housing and Homelessness Action Plan (HHAP) the city of Hamilton committed to taking an individualized, person-centred approach to housing by connecting those experiencing homelessness with the available community resources and supports;

WHEREAS the Housing and Homelessness Action does not include an approach of responding homeless individuals living in encampments;

WHEREAS the City of Hamilton has formally acknowledged that all actions and decisions relating to housing and homelessness policy, programs and services must use a formalized equity, diversity and inclusion framework and Gender Based Analysis (GBA+) to ensure they are effectively meeting the specific needs of a diversity of individuals;

WHEREAS the Hamilton Board of Health has acknowledged that trauma-informed services must be designed and delivered in a way that will not cause further traumatization or retraumatization;

WHEREAS the City of Hamilton through its Urban Indigenous Strategy (2019) committed to developing and strengthening its relationship with Indigenous Peoples;

WHEREAS action Item #24 in the city of Hamilton's Urban Indigenous Strategy Implementation Plan is to enable city staff to deliver city services in a culturally-appropriate way;

WHEREAS Indigenous Peoples experience homelessness at a higher rate than the general population and that homelessness amongst Indigenous Peoples is a colonial legacy;

WHEREAS the city of Hamilton has stated that its homeless servicing system must account for systemic over-representation of Indigenous Persons experiencing homelessness and aim to design a system that not only responds to Indigenous homelessness but also respects, honours and promotes the strength and resiliency of Indigenous Peoples (Coming Together to End Homelessness, July 2019)

WHEREAS the City of Hamilton has acknowledged that homelessness is a gendered experience, impacting single women, trans and non-binary individuals differently than single men or families;

WHEREAS the City of Hamilton unanimously declared an opioid overdose emergency in November 2019 in recognition that Hamilton's opioid-related death rate was more than double the provincial rate;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to report to Emergency and Community Services Committee the following:
 - (i) define encampment response strategy within the Housing and Homelessness Action Plan
 - (ii) define how encampment response strategy will be informed by an individualized, person-centred and Gender Based Analysis approach to ensure it effectively meets the specific needs of a diversity of individuals;
 - (iii) to respect, honour and promote the strength and resiliency of Indigenous Peoples experiencing homelessness
 - (iv) clarify the role and responsibility of the encampment response team following Council's termination of the Encampment Response Protocol
 - (v) identify the process to be followed once an encampment is identified
- (b) That staff consult with all necessary community and health organizations that currently serve homeless groups and individuals prior to.

STATEMENTS BY MEMBERS

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

COUNCIL COMMUNICATION UPDATES

(Farr/Clark)

That the listing of Council Communication Updates from July 2, 2021 to August 5, 2021, be received.

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

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla

NOT PRESENT - Deputy Mayor - 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

Council determined that discussion of Item 10.1 and 10.2 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

Closed Session Minutes – July 9, 2021 (Item 10.1) and August 9, 2021 (Item 10.2)

(Pearson/Nann)

That the Closed Session Minutes dated July 9, 2021 and August 9, 2021 be approved, as presented, and 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
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - 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

(Farr/Danko)

That Bills No. 21-125 to No. 21-149, as **Amended** 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:

- 125 To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking
Schedule 5 – Parking Meters
Schedule 8 – No Parking
Schedule 12 – Permit
Schedule 13 – No Stopping
Schedule 14 – Wheelchair LZ
Schedule 16 – Taxi
Ward: 1, 2, 3, 4, 5, 8, 9, 11, 15

- 126 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 191 King Street West, Hamilton
Ward: 2
ZAD-20-021

- 127 To Repeal and Replace By-law No. 21-094, Respecting Removal of Part Lot Control Block “A”, Registered Plan No. 865, 270 Melvin Avenue, Hamilton
Ward: 4
PLC-21-002

- 128 To Amend Zoning By-law No. 87-57 Respecting Lands located at 1269 Mohawk Road (Ancaster)
Ward: 14
ZAC-19-006

- 129 To Amend Zoning By-law No. 90-145-Z Respecting Lands located at 585 Skinner Road, in the Former Town of Flamborough, now in the City of Hamilton
Ward: 15
ZAH-21-013

- 130 To Adopt Official Plan Amendment No. 152 to the Urban Hamilton Official Plan Respecting 15, 17 and 21 Stone Church Road East (Hamilton)
Ward: 8

- 131 To Amend Zoning By-law No. 05-200, Respecting Lands Located at 15, 17 and 21 Stone Church Road East, Hamilton
Ward: 8
ZAC-20-028

- 132 To Adopt Official Plan Amendment No. 153 to the Urban Hamilton Official Plan Respecting 466, 478, 482 and 490 Highway No. 8 (Stoney Creek)
Ward: 10

- 133 To Amend Zoning By-law No. 05-200 respecting lands located at 466 to 490 Highway No. 8, Stoney Creek
Ward: 10
ZAC-18-059
UHOPA-18-25

- 134 To Adopt Official Plan Amendment No. 29 to the Rural Hamilton Official Plan Respecting 822 and 914 Book Road West and 1376 Shaver Road (Ancaster)
Ward: 12
- 135 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 822 and 914 Book Road West and 1276 Shaver Road, Hamilton
Ward: 12
RHOPA-20-028
ZAR-20-045
- 136 To Adopt Official Plan Amendment No. 154 to the Urban Hamilton Official Plan Respecting 10, 39, and 40 Mallard Trail, 488 Dundas Street East and 585 Skinner Road (Flamborough)
Ward: 15
- 137 To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 10, 39 and 40 Mallard Trail and 488 Dundas Street East (Flamborough)
Ward: 15
ZAC-19-046
- 138 To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 585 Skinner Road (Flamborough)
Ward: 15
ZAC-19-046
- 139 To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking
Ward: 2,3,6,7 and 13
Schedule 8 – No Parking
Schedule 12 – Permit
Schedule 13 – No Stopping
Schedule 14 – Wheelchair LZ
Ward: 2, 3, 6, 7, 13
- 140 To Authorize the Execution of the Transfer Payment Agreement for the Investing in Canada Infrastructure Program (ICIP): Public Transit Stream between the City of Hamilton and Her Majesty the Queen in right of the Province of Ontario, represented by the Minister of Transportation for the Province of Ontario
Ward: City Wide
- 141 To Establish City of Hamilton Land Described as Part 2 on Plan 62R-21169 as Part of Rachel Drive
- 142 To Extend the Time Period of the Interim Control By-laws respecting lands in the former Town of Dundas, generally in the area bounded by Patterson road to the north, Cootes Paradise to the south, Highway No. 6 to the east, and Valley Road/York road to the west (Pleasantview)
Ward: 13

- 143 To Amend Zoning By-law No. 05-200 with respect to an extension of the Temporary Use By-law for Outdoor Commercial Patios and an addition to and extension of the Temporary Use By-law for Temporary Tents
Ward: City Wide
- 144 To Amend Property Standards By-law No. 10-221, as Amended, a By-law to Prescribe Standards for the Maintenance and Occupancy of Property
Ward: City Wide
- 145 To Amend By-law 17-225, a By-law to Establish a System of Administrative Penalties
Ward: City Wide
- 146 To Amend City of Hamilton By-law 09-190, Being a By-law Requiring the Supply of Vital Services and To Amend City of Hamilton By-law 17-225, being a By-law to Establish a System of Administrative Penalties
Ward: City Wide
- 147 A By-law to Authorize the Use of Optical Scanning Vote Tabulators and to Authorize Use of a Special Vote by Mail as an Alternative Voting Method and to repeal By-law 17-059 and By-law 03-200
Ward: City Wide
- 148 To Amend By-law No. 21-021, the Council Procedural By-law, as **Amended**
Ward: City Wide
- 149 To Confirm the Proceedings of City 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
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - 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/Ferguson)

That, there being no further business, City Council be adjourned at 2:07 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
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - 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