



## **CITY COUNCIL MINUTES 21-024**

9:30 a.m.  
December 15, 2021  
Council Chamber  
Hamilton City Hall  
71 Main Street West

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

**Absent:** Councillor T. Whitehead - 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.

<b>APPROVAL OF THE AGENDA</b>
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The Clerk advised of the following changes to the agenda:

#### **4. COMMUNICATIONS**

- 4.17 Correspondence from Aldo Castelli respecting 1290 South Service Rd and 5 & 23 Vince Mazza Way (File Number UHOPA-21-004)

Recommendation: Be received and referred to consideration to Item 8 of Planning Committee Report 21-019.

- 4.18 Correspondence from the Township of Mulmur respecting Truth and Reconciliation Calls to Action

Recommendation: Be received.

**7. NOTICES OF MOTION**

7.1 Registered Plan of Subdivision 62M-1278 - Joint Service Agreement

7.2 Amendment to City of Hamilton Policy respecting the Appointment of Citizens to the City's Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees

**9. COUNCIL COMMUNICATION UPDATES**

9.2 December 14, 2021

**11. BY-LAWS AND CONFIRMING BY-LAW**

249 To Amend Zoning By-law No 6593, Respecting Lands Located at 311 and 313 Stone Church Road East

250 Being a By-law to amend By-law No. 06-026, The Sewer and Drain By-law

**(Pearson/Partridge)**

That the agenda for the December 15, 2021 meeting of Council be approved, ***as amended.***

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

YES - Ward 1 Councillor Maureen Wilson

YES – Ward 2 Councillor Jason Farr

YES - Ward 3 Councillor Nrinder Nann

YES - Ward 4 Councillor Sam Merulla

YES - Ward 5 Councillor Russ Powers

YES - Ward 6 Councillor Tom Jackson

YES - Ward 7 Councillor Esther Pauls

YES - Ward 8 Councillor John-Paul Danko

YES - Mayor Fred Eisenberger

YES - Ward 15 Councillor Judi Partridge

NOT PRESENT - Ward 14 Councillor Terry Whitehead

YES - Ward 13 Councillor Arlene VanderBeek

YES - Ward 12 Councillor Lloyd Ferguson

YES - Ward 11 Councillor Brenda Johnson

YES - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

<b>DECLARATIONS OF INTEREST</b>
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Councillor B. Clark declared an interest to Item 7 of Planning Committee Report 21-019, respecting Applications for Amendments to the Urban Hamilton Official Plan, City of Hamilton Zoning By-law No. 6593, and Hamilton Zoning By-law No. 05-200, and Draft Plan of Subdivision for Lands Located at 311 and 313 Stone Church Road East, Hamilton (PED21221) (Ward 7), due to his son's business interest with, the principal of the applicant's planning consultant.

Councillor B. Clark declared an interest to Item 13 of Planning Committee Report 21-019, respecting Update Regarding Appeal to the Local Planning Appeal Tribunal of the Urban Hamilton Official Plan: Site Specific Appeal (313 Stone Church Road East) by DiCenzo Construction Company Ltd. of the Urban Hamilton Official Plan and Legal Direction (LS20018(a) / PED20124(a)) (Added Item 14.3), due to his son's business interest with, the principal of the applicant's planning consultant.

Councillor B. Clark declared an interest to Notice of Motion 7.3 and Motion 6.8, respecting Roxborough Access to Home Ownership Grant Program, due to his son's business interest with, the principal of the applicant's planning consultant.

Councillor E. Pauls declared an interest to Item 3 of General Issues Committee (Budget) Report 21-026, respecting the Hamilton Police Services Board Report 21-098 Hamilton Police Service Projected Capital Expenditures for 2022 – 2031, as her son is employed by the Hamilton Police Service.

Councillor E. Pauls declared an interest to Item 9 of Emergency and Community Services Report 21-013, respecting Seniors Advisory Committee - Citizen Committee Report, respecting Proposed resolution regarding Hamilton Police Service Board and Hamilton Police Services failure to provide adequate and effective police services in long-term care homes in the City of Hamilton, as her son is employed by the Hamilton Police Service.

Councillor J.P. Danko declared an interest to Item 9 of Public Works Committee Report 21-018, respecting the Playground Addition to Armstrong Park Hamilton (Ward 7), as his wife is Chair of the Hamilton-Wentworth District School Board.

Councillor L. Ferguson declared an interest to Item 18 of General Issues Committee Report 21-027, respecting Report FCS21115 – 2022 Tax Supported User Fees, as his family has an interest in the taxi industry.

Councillor S. Merulla declared a conflict of Interest for Item 5 of Emergency and Community Services Committee Report 21-013, respecting Adaptation and Transformation of Services for People Experiencing Homelessness Update 4, as he is a landlord.

Councillor M. Pearson declared a conflict of Interest for Item 5 of Emergency and Community Services Committee Report 21-013, respecting Adaptation and Transformation of Services for People Experiencing Homelessness Update 4, as she is a landlord.

Councillor A. VanderBeek declared a conflict of Interest for Item 5 of Emergency and Community Services Committee Report 21-013, respecting Adaptation and Transformation of Services for People Experiencing Homelessness Update 4, as she is a landlord.

Councillor J. Farr declared a conflict of Interest for Item 13 of Emergency and Community Services Committee Report 21-013, respecting 2021 Ministry of Long-Term Care Funding Enhancement (HSC21052) (Wards 7 and 13), as his mother is a resident.

**CEREMONIAL ACTIVITY**

Mayor Eisenberger welcomed MP Collins to thank him for his service to the City of Hamilton. MP Collins addressed Council and other Council members took the opportunity to give thanks as well.

**APPROVAL OF MINUTES OF PREVIOUS MEETING****3. November 24, 2021 (Item 3.1)****(Powers/Pearson)**

That the Minutes of the November 24, 2021 meeting s of Council be approved, as presented.

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

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

**COMMUNICATIONS****(Jackson/Pauls)**

That Council Communications 4.1 to 4.18 be approved, as presented, as follows:

- 4.1 Correspondence from Rose Janson and Family thanking City Council for listening to the citizens and voting to keep a firm urban boundary in Hamilton.

Recommendation: Be received.

- 4.2 Correspondence from Kaiden, Project Coordinator for the Hamilton Trans Health Coalition requesting that City Council endorse the *Gender Affirming Health Care Advisory Committee Act* (aka Bill 17).

Recommendation: Be endorsed.

4.3 Correspondence respecting the events that transpired at JC Beemer:

- (a) Emily Kulpaka
- (b) Bridget Phillips
- (c) Gillian Fenwick
- (d) Grayson Smith
- (e) Joanne Beausoleil
- (f) Lakan Young
- (g) Miriam Wolfson
- (h) Gary Warner
- (i) Matthew Higginson
- (j) Nicole Plant
- (k) Jeanette Eby
- (l) Kim Martin

Recommendation: Be received.

4.4 Correspondence from the City of Kitchener requesting support for their resolution respecting fire safety measures.

Recommendation: Be received.

4.5 Correspondence from the Ministry of the Environment, Conservation and Parks respecting the Ministry Review of the Biggars Lane Landfill Expansion Environmental Assessment.

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

4.6 Correspondence from Town of Georgina requesting support for their resolution respecting the lack of recycling options for Agricultural Bale Wrap and Twine and Boat Shrink Wrap.

Recommendation: Be received.

4.7 Correspondence respecting the proposed safe injection site at 746 Barton Street East, Hamilton:

- (a) John Maggio
- (b) Petition from Walter Furlan on behalf of the neighbours and businesses on Barton
- (c) Holy Spirit Ukrainian Saturday School
- (d) Liz Duval
- (e) Holy Spirit Ukrainian Catholic Church
- (f) Lena Sutton
- (g) St. Stanislaus Kostka Parish
- (h) Immigrant Culture and Art Association
- (i) Norman Robinson
- (j) Walter Furlan

Recommendation: Be received.

- 4.8 Correspondence from Alyssa Zilney requesting that Council amend the Responsible Animal Ownership by-law to allow citizens to own and raise chickens in urban areas.

Recommendation: Be received.

- 4.9 Correspondence from Melvin Switzer, President, Township of Glanbrook Non-Profit Housing Corporation requesting an Interest Free Loan for an Affordable Housing Project.

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

- 4.10 Correspondence from Ben Hui, Senior Project Manager, WSP Canada Inc., respecting Notice of Study Commencement, QEW Burlington Skyway South bound Lane Structural Rehabilitations, Detail Design and Class Environmental Assessment Study (GWP 2385-15-00).

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

- 4.11 Correspondence from Lisa Burnside, Chief Administrative Officer, Hamilton Conservation Authority respecting the Conservation Authorities Act Amendments - Transition Plans.

Recommendation: Be received and referred to the General Managers of Planning and Economic Development and Finance and Corporate Services.

- 4.12 Correspondence from the Town of Ville de Penetanguishene Police Services Board to the Honourable Doug Downey, Attorney General respecting the recidivism rates.

Recommendation: Be received.

- 4.13 Correspondence from Richard E. Adams requesting that Drakes Dr. and the north end of Gray Rd, be removed as a truck route.

Recommendation: Be received and referred to the consideration of Item 6 of Public Works Committee Report 21-018.

- 4.14 A petition respecting the proposed amendments to File Number UHOPA-21-005, ZAC-21-009 and 25T-20214 which affects Crerar neighbourhood in the City of Hamilton.

Recommendation: Be received and referred to the consideration of Item 7 of Planning Committee Report 21-019.

- 4.15 Correspondence from Rick Johnson respecting the Climate Emergency Needs An Emergency Response.

Recommendation: Be received and referred to Item 4 of General Issues Committee Report 21-027.

- 4.16 Correspondence from Sarah Van Berkel respecting the Red Hill encampment eviction.

Recommendation: Be received.

- 4.17 Correspondence from Aldo Castelli respecting 1290 South Service Rd and 5 & 23 Vince Mazza Way (File Number UHOPA-21-004)

Recommendation: Be received and referred to consideration to Item 8 of Planning Committee Report 21-019.

- 4.18 Correspondence from the Township of Mulmur respecting Truth and Reconciliation Calls to Action

Recommendation: Be received.

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

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

**(Jackson/Pauls)**

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

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

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

NOT PRESENT - Ward 14 Councillor Terry Whitehead  
YES - Ward 13 Councillor Arlene VanderBeek  
YES - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark

<b>GENERAL ISSUES COMMITTEE (BUDGET) REPORT 21-026</b>
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**(Jackson/Pauls)**

That General Issues Committee (Budget) Report 21-026, being the meeting held on Friday, November 26, 2021 and Thursday, December 2, 2021, be received and the recommendations contained therein be approved.

Due to declared conflict, Item 3 respecting the Hamilton Police Services' Board 2022 Tax Supported Capital Budget, was voted on separately, as follows:

That the Hamilton Police Services' Board 2022 Tax Supported Capital Budget, be approved as part of the 2022 Tax Supported Capital Levy.

**Result: Motion on Item 3, Hamilton Police Services' Board 2022 Tax Supported Capital Budget, General Issues Committee (Budget) Report 21-026, CARRIED by a vote of 14 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
YES – Ward 2 Councillor Jason Farr  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 4 Councillor Sam Merulla  
YES - Ward 5 Councillor Russ Powers  
YES - Ward 6 Councillor Tom Jackson  
CONFLICT - 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 General Issues Committee (Budget) Report 21-026, CARRIED by a vote of 15 to 0, as follows:**

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



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

<b>BOARD OF HEALTH REPORT 21-012</b>
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**(Wilson/Nann)**

That Board of Health Report 21-012, being the meeting held on Monday, December 6, 2021, be received and the recommendations contained therein be approved.

**(Eisenberger/Partridge)**

That Item (g)(i) respecting Overview of COVID-19 Activity in the City of Hamilton 11 Mar 2020 to Present, be lifted from the information section and added as Item 2 of the Board of Health Report 21-012.

**Result: Motion to lift Item (g)(i) from the information section of Board of Health Report 21-012, CARRIED by a vote of 15 to 0, as follows:**

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

**2. Overview of COVID-19 Activity in the City of Hamilton 11 Mar 2020 to Present**

**(Jackson/Pearson)**

That the Overview of COVID-19 Activity in the City of Hamilton 11 Mar 2020 to Present, be received.

**Result: Motion on Item 2 of Board of Health 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  
NOT PRESENT - Ward 3 Councillor Nrinder Nann  
YES - Ward 4 Councillor Sam Merulla  
YES - Ward 5 Councillor Russ Powers  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 8 Councillor John-Paul Danko  
YES - Mayor Fred Eisenberger  
NOT PRESENT - 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 Board of Health Report 21-012, CARRIED by a vote of 14 to 0, as follows:**

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

<b>PUBLIC WORKS COMMITTEE REPORT 21-018</b>
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**(VanderBeek/Nann)**

That Public Works Committee Report 21-018, being the meeting held on Monday, December 6, 2021, be received and the recommendations contained therein be approved.

Due to declared conflict Item 9 was voted on separately, as follows:

**9. Playground Addition Armstrong Park Hamilton (Ward 7) (Item 12.1)**

WHEREAS, the Hamilton Wentworth District School Board has provided space on their property at 460 Concession Street, Hamilton, for an existing play structure that is available for public use;

WHEREAS, the existing structure has reached its end of life and requires removal or replacement; and

WHEREAS, these community amenities are valuable recreation opportunities for children, youth and families within the Burkholme neighbourhood;

THEREFORE BE IT RESOLVED:

- (a) That the design and installation of a new play structure at 460 Concession Street, Hamilton (G.L. Armstrong School), at an upset limit of \$125,000, allocated from Ward 7 Special Capital Re-Investment Reserve Fund (#108057), be approved;
- (b) That a formal agreement for the operation and maintenance of the proposed structure as a public amenity on non-City owned lands be executed between the City and the Hamilton Wentworth District School Board; and
- (c) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents for the installation and ongoing maintenance of the play structure located at 460 Concession Street, Hamilton, with such terms and conditions in a form satisfactory to the City Solicitor.

**Result: Motion on Item 9 of Public Works Committee Report 21-018, CARRIED by a vote of 14 to 0, as follows:**

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

**Result: Motion on the balance of the Public Works Committee Report 21-018, CARRIED by a vote of 15 to 0, as follows:**

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

<b>PLANNING COMMITTEE REPORT 21-019</b>
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**(Danko/Johnson)**

That Planning Committee Report 21-019, being the meeting held on Tuesday, December 7, 2021, be received and the recommendations contained therein be approved.

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

**7. Applications for Amendments to the Urban Hamilton Official Plan, City of Hamilton Zoning By-law No. 6593, and Hamilton Zoning By-law No. 05-200, and Draft Plan of Subdivision for Lands Located at 311 and 313 Stone Church Road East, Hamilton (PED21221)(Ward 7) (Item 9.4)**

- (a) That Urban Hamilton Official Plan Amendment Application UHOPA-21-005, by UrbanSolutions Planning & Land Development Consultants Inc. (c/o Matt Johnston, Applicant) on behalf of DiCenzo Construction Company Ltd. (c/o Anthony DiCenzo, Owner) to redesignate a portion of the subject lands from “Open Space” to “Neighbourhoods” and to establish an Urban Site Specific Policy to reduce daylighting triangle requirements, to permit a minimum net residential density of 55 units per hectare, and to permit the dedication of a woodlot to the City of Hamilton as parkland dedication, on lands located at 311 and 313 Stone Church Road East, as shown on Appendix “A” attached to Report PED21221, be APPROVED on the following basis:
  - (i) That the draft Official Plan Amendment attached as Appendix “B” to Report PED21221, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

- (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- (b) That Zoning By-law Amendment Application ZAC-21-009, by UrbanSolutions Planning & Land Development Consultants Inc. (c/o Matt Johnston, Applicant) on behalf of DiCenzo Construction Company Ltd. (c/o Anthony DiCenzo, Owner) for a change in zoning from the “AA” (Agricultural) District to the “C/S-1811” (Urban Protected Residential, Etc.) District, Modified (Block 1); from the “AA” (Agricultural) District to the “RT-20/S-1811” (Townhouse - Maisonette) District, Modified (Block 2); from the “AA” (Agricultural) District and the “C” (Urban Protected Residential, Etc.) District to the “RT-30/S-1811” (Street - Townhouse) District, Modified (Blocks 3 and 4); and, from the “AA” (Agricultural) District and the “C” (Urban Protected Residential, Etc.) District to the “C/S-1811” (Urban Protected Residential, Etc.) District, Modified (Blocks 5 and 6), to permit a maximum of 221 residential dwelling units consisting of a maximum of 112 block townhouse units, 80 maisonette units, 12 single detached dwellings on a private road (condominium road), five single detached dwellings on a public road, and 12 street townhouse units, on lands located at 311 and 313 Stone Church Road East, as shown on Appendix “A” attached to Report PED21221, be APPROVED on the following basis:
  - (i) That the draft By-law attached as Appendix “C” to Report PED21221, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
  - (iii) That this By-law will comply with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No. XX;
- (c) That Zoning By-law Amendment Application ZAC-21-009, by UrbanSolutions Planning & Land Development Consultants Inc. (c/o Matt Johnston, Applicant) on behalf of DiCenzo Construction Company Ltd. (c/o Anthony DiCenzo, Owner) for a change in zoning from the “AA” (Agricultural) District to the Conservation / Hazard Land (P5) Zone, in order to protect a significant woodland on lands located at 313 Stone Church Road East, as shown on Appendix “A” attached to Report PED21221, be APPROVED on the following basis:
  - (i) That the draft By-law attached as Appendix “D” to Report PED21221, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);

- (iii) That this By-law will comply with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No. XX;
- (d) That Draft Plan of Subdivision Application 25T-202104 by UrbanSolutions Planning & Land Development Consultants Inc. (c/o Matt Johnston, Applicant) on behalf of DiCenzo Construction Company Ltd. (c/o Anthony DiCenzo, Owner) on lands located at 311 and 313 Stone Church Road East, as shown on Appendix "A" attached to Report PED21221, be APPROVED, subject to the following:
  - (i) That this approval apply to the Draft Plan of Subdivision "Lavita Estates" 25T-202104, prepared by UrbanSolutions Planning & Land Development Consultants Inc., and certified by Robert McLaren, O.L.S., dated November 24, 2021, consisting of one Natural Heritage/Park block (Block 1); one block for a maximum of 12 single detached dwellings on a private condominium road (Block 2); one block for a maximum of 112 block townhouse units and 80 maisonette units (Block 3); one block for a maximum of 12 street townhouse units (Block 4); one road widening block (Block 5); one future residential block (Block 6); four 0.3 m reserve blocks (Blocks 7-10); five lots for single detached dwellings (Lots 11-15); and, three public roads (Street 'A' and the extensions of Crerar Drive and Cyprus Drive), attached as Appendix "G" to Report PED21221, subject to the Owner entering into a standard form subdivision agreement as approved by City Council and with Special Conditions attached as Appendix "H", as amended, to Report PED21221;
    - 1. (e) That the grading and storm water management plans be designed to prioritize the protection and retention of the existing boundary trees located along the edge of Block 3.

all to the satisfaction of the Director, Growth Management Division and the Manager of Forestry and Horticulture.
    - 2. That, prior to preliminary grading, the Owner shall submit an detailed Stormwater Management Report using a low impact development treatment train first approach prepared by a qualified Professional Engineer, in accordance with the City of Hamilton Drainage Policies, City of Hamilton's Storm Drainage Policy, Comprehensive Development Guidelines, an approved Functional Servicing Report, and the MECP's storm design criteria outlined in the City's Consolidated Linear Infrastructure ECA and current Stormwater Management Planning and Design Manual, including Level 1 (Enhanced) quality treatment. Additionally, the following shall be required:
    - 24. That, prior to registration, the Owner shall submit a parkland management plan developed in conjunction with the Planning Division and Hamilton Conservation Authority and a revised Stewardship Brochure, to the satisfaction of the Director of

Planning and Chief Planner and the Hamilton Conservation Authority. The Stewardship Brochure shall be distributed to all future homeowners adjacent to the Crerar Woodland and shall describe the importance of the natural feature and its functions and which includes best practices and uses for pathways, including the location of pathways and ensuring it remains open to the public, and how the homeowner can minimize their impact on this feature.

- (ii) Acknowledgement by the City of Hamilton of its responsibility for cost sharing with respect to this development shall be in accordance with the City's Financial Policies and will be determined at the time of development. However, the traffic signal costs at the intersections of Stone Church Road/Crerar Drive/Brigade Drive shall be one-third (1/3<sup>rd</sup>) owner's responsibility/share.
- (iii) That there will be no payment of Cash-in-Lieu of Parkland required upon the dedication of the Natural Heritage/Park block (Block 1) to the City of Hamilton to satisfy parkland dedication requirements for this subdivision; and, that upon the dedication of the Natural Heritage/Park block (Block 1) to the City of Hamilton there will be no parkland balance credited in favour of the owner from this subdivision;
- (e) That upon approval of Urban Hamilton Official Plan Amendment Application UHOPA-21-005, Zoning By-law Amendment Application ZAC-21-009, and Draft Plan of Subdivision Application 25T-202104, that a portion of the subject lands identified as Block 1 on the Draft Plan of Subdivision attached as Appendix "G" to Report PED21221 be re-designated from "Single and Double" to "Park and Recreation" and that a portion of the subject lands identified as Blocks 3 and 4 on the Draft Plan of Subdivision attached as Appendix "G" to Report PED21221 be re-designated from "Single and Double" to "Attached Housing" in the Crerar Neighbourhood Plan;
- (f) That the Statutory Declarations for the Official Plan Amendment and Zoning By-law Amendments not be issued until the Ontario Land Tribunal issues its decision regarding the Urban Hamilton Official Plan appeal by DiCenzo Construction Company Ltd. as it affects the lands at 311 and 313 Stone Church Road East.
- (g) That the public submissions were received and considered by Committee in approving the application.

**Result: Motion on Item 7 of Planning Committee Report 21-019, CARRIED by a vote of 13 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  
YES - Ward 5 Councillor Russ Powers

YES - Ward 6 Councillor Tom Jackson  
NO - 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

Due to declared conflict Item 13 was voted on separately, as follows:

**13. Update Regarding Appeal to the Local Planning Appeal Tribunal of the Urban Hamilton Official Plan: Site Specific Appeal (313 Stone Church Road East) by DiCenzo Construction Company Ltd. of the Urban Hamilton Official Plan and Legal Direction (LS20018(a) / PED20124(a)) (Added Item 14.3)**

- (a) That the directions to staff in closed session respecting Report LS20018(a)/PED20124(a) be released to the public, following approval by Council; and,
- (b) That the balance of Report LS20018(a)/PED20124(a) remain confidential.

**Result: Motion on Item 13 of Planning Committee Report 21-019, CARRIED by a vote of 14 to 0, as follows:**

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

**Result: Motion on the balance of the Planning Committee Report 21-019, CARRIED by a vote of 15 to 0, as follows:**

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



YES - Ward 3 Councillor Nrinder Nann  
 YES - Ward 4 Councillor Sam Merulla  
 YES - Ward 5 Councillor Russ Powers  
 YES - Ward 6 Councillor Tom Jackson  
 YES - Ward 7 Councillor Esther Pauls  
 YES - Ward 8 Councillor John-Paul Danko  
 YES - Mayor Fred Eisenberger  
 YES - Ward 15 Councillor Judi Partridge  
 NOT PRESENT - Ward 14 Councillor Terry Whitehead  
 YES - Ward 13 Councillor Arlene VanderBeek  
 YES - Ward 12 Councillor Lloyd Ferguson  
 YES - Ward 11 Councillor Brenda Johnson  
 YES - Ward 10 Councillor Maria Pearson  
 YES - Ward 9 Councillor Brad Clark

<b>AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 21-022</b>
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**(Ferguson/Pearson)**

That Audit, Finance and Administration Committee Report 21-022, being the meeting held on Thursday, December 9, 2021, be received and the recommendations contained therein be approved.

**(Ferguson/Partridge)**

That Item 13 of the Audit, Finance and Administration Report 21-022 respecting Write Off of Penalties, Interest and Related Fees for Property Taxes and Interest Free Loan Agreement on Compassionate Grounds for the YFC/Youth Unlimited Waterdown, 273 Parkside Drive, Waterdown (Roll No. 2518.303.410.28600.0000), be **amended** as follows:

**13. Write Off of Penalties, Interest and Related Fees for Property Taxes and Interest Free Loan Agreement on Compassionate Grounds for the YFC/Youth Unlimited Waterdown, 273 Parkside Drive, Waterdown (Roll No. 2518.303.410.28600.0000)**

That sub-sections (a) through to (c) of Item 13 of Audit, Finance and Administration Report 21-022 respecting Write Off of Penalties, Interest and Related Fees for Property Taxes and Interest Free Loan Agreement on Compassionate Grounds for the YFC/Youth Unlimited Waterdown, 273 Parkside Drive, Waterdown (Roll No. 2518.303.410.28600.0000), be **deleted in their entirety and replaced with the following:**

- (a) ~~That the General Manager, Finance and Corporate Services, be authorized to write off penalties, interest and related fees for property taxes for YFC/Youth Unlimited Waterdown due up to the date of the loan execution estimated at \$7,148.48 to operating Dept ID 252009;~~
- (b) ~~That the General Manager, Finance and Corporate Services, be authorized and directed to enter into an interest free loan agreement with the YFC/Youth Unlimited Waterdown on compassionate grounds not to exceed \$58,467.12 to be repaid within 5 years at \$11,693.14 annually, together with a General~~

~~Security Agreement, both in a form satisfactory to the City Solicitor and General Manager, Finance and Corporate Services; and,~~

- ~~(c) That should property taxes levied to YFC/Youth Unlimited for the property located at 273 Parkside Drive, Waterdown (Roll No. 2518.303.410.28600.0000) during the loan period for 2022 to 2026 not remain current, then the loan will be cancelled and the outstanding balance of this loan will be transferred to the property tax roll.~~
- (a) ***That the General Manager, Finance and Corporate Services (“GM”), be authorized and directed to enter into an payment agreement with Southwestern Ontario Youth for Christ (“SOYC”) for the payment of outstanding property taxes and penalty and interest for the property municipally known as 273 Parkside Drive, Waterdown with Roll No. 2518.303.410.28600.0000 with a content satisfactory the GM and in a form satisfactory the City Solicitor and with the following terms and conditions:***
- (i) ***the amount of outstanding taxes to which the agreement applies is \$58,467.21 (“Outstanding Taxes”) and are in respect of the taxation years 2018 to 2021;***
  - (ii) ***the Outstanding Taxes will remain on the tax roll;***
  - (iii) ***penalty and interest owing to December 15, 2021 in respect of the Outstanding Taxes shall be written-off and future penalty and interest is waived as long as installment payments of Outstanding Taxes are made in accordance with the Agreement;***
  - (iv) ***the Outstanding Taxes will be paid over 5 years in 19 installments of \$2,923.36 and a final installment of \$2,923.37 with payments to payable at the same time as quarterly tax payments are due and payable;***
  - (v) ***if SOYC does not make a payment of Outstanding Taxes when due and/or fails to pay future property taxes during the term of the Agreement when they are due the Agreement will come to an end and penalty and interest on the balance of Outstanding Taxes unpaid and an future property taxes unpaid will accrue will be payable in accordance with applicable City By-laws and will continue to accrue on any unpaid balance of the Outstanding Taxes;***
  - (vi) ***confirmation that SOYC is a registered charity and non-profit corporation; and***
  - (vii) ***such further terms and conditions as the GM and City Solicitor deem appropriate;***

- (b) *That the General Manager Finance and Corporate Services, be authorized to waive and write off penalties, interest and related fees for property taxes for Southwestern Ontario Youth for Christ in accordance with the payment agreement to operating Dept ID 252009.*

**Result: Amendment to Item 13 of the Audit, Finance and Administration Report 21-022, CARRIED by a vote of 14 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
YES – Ward 2 Councillor Jason Farr  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 4 Councillor Sam Merulla  
YES - Ward 5 Councillor Russ Powers  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 7 Councillor Esther Pauls  
NOT PRESENT - 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: Main Motion on Item 13, as Amended, of the Audit, Finance and Administration Report 21-022, CARRIED by a vote of 14 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
YES – Ward 2 Councillor Jason Farr  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 4 Councillor Sam Merulla  
YES - Ward 5 Councillor Russ Powers  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 7 Councillor Esther Pauls  
NOT PRESENT - 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 21-022, CARRIED by a vote of 13 to 0, as follows:**

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

YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 4 Councillor Sam Merulla  
YES - Ward 5 Councillor Russ Powers  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 7 Councillor Esther Pauls  
NOT PRESENT - 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  
NOT PRESENT - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark

<b>EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 21-013</b>
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**(Nann/Jackson)**

That Emergency and Community Services Committee Report 21-013, being the meeting held on Thursday, December 9, 2021, be received and the recommendations contained therein be approved.

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

**5. Adaptation and Transformation of Services for People Experiencing Homelessness Update 4 (HSC20020) (City Wide) (Item 8.2)**

- (a) That the General Manager of the Healthy and Safe Communities Department or their designate be authorized to continue to enter into contracts necessary to secure access and purchase of service for continued enhancement of supports for Hamilton's homeless-serving system during COVID-19 and be funded from any available source jointly deemed appropriate by the General Manager of the Healthy and Safe Communities Department and the General Manager of the Finance and Corporate Services Department including, but not limited to, one or more of the following sources: Reaching Home, Community Homelessness Prevention Initiative, any available provincial or federal funding:
  - (i) Transitioning 378 Main Street East (the former Cathedral Boys School) into a temporary shelter for women (approximately 80-100 beds) at an approximate cost of \$1 M for the period of January 1, 2022 to March 31, 2022;
  - (ii) Adding approximately 28 temporary emergency shelter beds as men's system overflow at an approximate cost of \$350 K for the period of January 1, 2022 to March 31, 2022;
  - (iii) That the establishment of a funding source of up to \$500 K to support independent agencies and community entities (e.g. community collaboratives/churches/social clubs, etc.) who may be interested in supporting vulnerable residents through the winter months until March

31, 2022 but who may not have the operational funds to be viable, be approved;

- (iv) That the creation of an Emerging Needs Fund to prevent and address homelessness experienced by Indigenous community members of Hamilton to respond to needs arising as a result of COVID-19 in the amount of \$500 K for the period of January 1, 2022 to March 31, 2022 be approved;
- (b) That an additional grant in the approximate amount of \$500 K to the YWCA Hamilton for capital renovations required to continue to operate Carol Anne's Place as a temporary drop in program for 22 single homeless women until June 30, 2022, funded from the projected 2021 Housing Services Division surplus through the Tax Stabilization Reserve #110046 and if necessary, from in-year surpluses of the department; any unspent Housing Services Division 2021 surplus be transferred to the Housing Supplement/Housing Allowance Reserve, #112252 be approved;
- (c) That an additional grant in the approximate amount of \$150 K to the Good Shepherd Centre Hamilton for capital renovations required to continue to operate Cathedral as a temporary shelter for women until June 30, 2022, funded from the projected 2021 Housing Services Division surplus through the Tax Stabilization Reserve #110046 and if necessary, from in-year surpluses of the department; any unspent Housing Services Division 2021 surplus be transferred to the Housing Supplement/Housing Allowance Reserve, #112252 be approved;
- (d) That the General Manager of the Healthy and Safe Communities Department or their designate be authorized to enter into contracts necessary to hire and retain a consultant to find the ways and means of implementing a New Westminster style by-law in Hamilton to deal with the issue of 'renovictions' in the approximate amount of \$100 K, funded from the projected 2021 Housing Services Division surplus through the Tax Stabilization Reserve #110046 and if necessary, from in-year surpluses of the department; any unspent Housing Services Division 2021 surplus be transferred to the Housing Supplement/Housing Allowance Reserve, #112252 be approved.
- (e) That the General Manager of the Healthy and Safe Communities Department or their designate be directed and authorized, on behalf of the City of Hamilton, to enter into, execute and administer all agreements and documents necessary to implement the purchases and grants outlined above on terms and conditions satisfactory to the General Manager of the Healthy and Safe Communities Department or his designate and in a form satisfactory to the City Solicitor; and,
- (f) That the item respecting Encampment Response Update be identified as completed and removed from the Outstanding Business List.

**Result: Motion on Item 5 of the Emergency and Community Services Committee Report 21-013, 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  
YES - Ward 5 Councillor Russ Powers  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 7 Councillor Esther Pauls  
NOT PRESENT - 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  
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
CONFLICT - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark

**(Jackson/Nann)**

That Item 9 of the Emergency Community Services Report 21-013, ***be amended*** by adding sub-section (b), as follows:

9. **Seniors Advisory Committee – Citizen Committee Report, respecting Proposed resolution regarding Hamilton Police Service Board and Hamilton Police Services failure to provide adequate and effective police services in long-term care homes in the City of Hamilton (Deferred from November 18, 2021) (Item 10.4)**
- (b) That Seniors Advisory Committee – Citizen Committee Report, respecting Proposed resolution regarding Hamilton Police Service Board and Hamilton Police Services failure to provide adequate and effective police services in long-term care homes in the City of Hamilton be referred to the Police Services Board.***

**Result: Amendment to Item 9 of the Emergency and Community Services Report 21-013, CARRIED by a vote of 13 to 0, as follows:**

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

YES - Ward 13 Councillor Arlene VanderBeek  
YES - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark

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

9. **Seniors Advisory Committee – Citizen Committee Report, respecting Proposed resolution regarding Hamilton Police Service Board and Hamilton Police Services failure to provide adequate and effective police services in long-term care homes in the City of Hamilton (Deferred from November 18, 2021) (Item 10.4)**
- (a) That Seniors Advisory Committee – Citizen Committee Report, respecting Proposed resolution regarding Hamilton Police Service Board and Hamilton Police Services failure to provide adequate and effective police services in long-term care homes in the City of Hamilton, be received.
- (b) ***That Seniors Advisory Committee – Citizen Committee Report, respecting Proposed resolution regarding Hamilton Police Service Board and Hamilton Police Services failure to provide adequate and effective police services in long-term care homes in the City of Hamilton be referred to the Police Services Board.***

**Result: Main Motion, as amended on Item 9 of the Emergency and Community Services Committee Report 21-013, CARRIED by a vote of 13 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
YES – Ward 2 Councillor Jason Farr  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 4 Councillor Sam Merulla  
YES - Ward 5 Councillor Russ Powers  
YES - Ward 6 Councillor Tom Jackson  
CONFLICT - 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  
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark

**(Wilson/Johnson)**

That consideration of Item 12 of Emergency and Community Services Committee Report 21-013, respecting LGBTQ Advisory Committee – Citizen Committee Report, Appointment of Additional Committee Members, be DEFERRED until after consideration of Item 7.3 an Amendment to City of Hamilton Policy respecting the Appointment of Citizens to the City's

Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees (Notices of Motion).

**Result: Motion to DEFER Consideration of Item 12 of the Emergency and Community Services Committee Report 21-013, CARRIED by a vote of 16 to 0, as follows:**

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

Due to a declared conflict, Item 13 was voted on separately, as follows:

**13. 2021 Ministry of Long-Term Care Funding Enhancement (HSC21052) (Wards 7 and 13) (Added Item 10.9)**

That new 100% Provincial Funding from the Ministry of Long-Term Care to provide care and services seven days a week to our residents in Long Term Care facilities of Macassa Lodge and Wentworth Lodge for additional 39.65 FTEs effective November 1, 2021 with an estimated gross cost of \$1,531,724 and net cost of \$0 annually be approved.

**Result: Motion on Item 13 of the Emergency and Community Services Committee Report 21-013, CARRIED by a vote of 13 to 0, as follows:**

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



YES - Ward 11 Councillor Brenda Johnson

<b>GENERAL ISSUES COMMITTEE REPORT 21-027</b>
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**(Jackson/Pauls)**

That General Issues Committee Report 21-027, being the meeting held on Wednesday, December 8, 2021 and Friday, December 10, 2021, be received and the recommendations contained therein be approved.

**(Eisenberger/Farr)**

That Item (h)(i) respecting Report LS19036(g) the Red Hill Valley Parkway Inquiry Update, be lifted from the information section and added as Item 20(d) of the General Issues Committee Report 21-027.

**Result: Motion to lift Item (h)(i) from the information section of General Issues Committee Report 21-027, 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  
YES - Ward 5 Councillor Russ Powers  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 8 Councillor John-Paul Danko  
YES - Mayor Fred Eisenberger  
NO - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
YES - Ward 13 Councillor Arlene VanderBeek  
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
NOT PRESENT - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark

**(Eisenberger/Farr)**

**20. Red Hill Valley Parkway Inquiry Update (LS19036(g)) City Wide) (Item 10.16)**

- (d) That one (1) temporary FTE be approved effective January 2022 for a 12 month period, namely a RHVP Communications Officer, and that the annual compensation costs totalling \$115,000 to be funded from the Tax Stabilization Reserve (110046).

**Result: Motion on Item 20(d) of the General Issues Committee Report 21-027, CARRIED by a vote of 12 to 2, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
YES – Ward 2 Councillor Jason Farr  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 4 Councillor Sam Merulla  
YES - Ward 5 Councillor Russ Powers

YES - Ward 6 Councillor Tom Jackson  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 8 Councillor John-Paul Danko  
YES - Mayor Fred Eisenberger  
NO - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
YES - Ward 13 Councillor Arlene VanderBeek  
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
NO - Ward 9 Councillor Brad Clark

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

**20. Red Hill Valley Parkway Inquiry Update (LS19036(g)) City Wide) (Item 10.16)**

- (a) That the City Solicitor be authorized to approve for payment external counsel invoices for services rendered, in support of the Red Hill Valley Parkway Judicial Inquiry, for amounts up to \$500,000;
- (b) That the City Manager be authorized to approve for payment external counsel invoices, for services rendered in support of the Red Hill Valley Parkway Judicial Inquiry, for amounts over \$500,00, but less than \$1,000,000; and,
- (c) That the revised estimated total cost of the Red Hill Valley Parkway Judicial Inquiry of up to \$20,000,000, to be funded through the Tax Stabilization Reserve (110046), be approved.
- (d) ***That one (1) temporary FTE be approved effective January 2022 for a 12 month period, namely a RHVP Communications Officer, and that the annual compensation costs totalling \$115,000 to be funded from the Tax Stabilization Reserve (110046).***

**Result: Main Motion, *as amended*, CARRIED by a vote of 13 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  
YES - Ward 5 Councillor Russ Powers  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 8 Councillor John-Paul Danko  
YES - Mayor Fred Eisenberger  
NO - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
YES - Ward 13 Councillor Arlene VanderBeek  
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

A separate vote on Item 17 was requested, as follows:

**17. Proposal for the Adaptive Re-Use of Balfour House/Chedoke Estate (PED19168(b)) (Ward 14) (Item 10.13)**

- (a) That staff be directed to finalize and enter into a Memorandum of Understanding with The Cardus Institute toward negotiating an Occupancy Agreement for the adaptive reuse of the Balfour House/Chedoke Estate, as depicted in Appendix "J" to Report 21-027, based substantially on the Criteria and Business Framework, outlined in Appendix "K" to Report 21-027, and such other terms and conditions that are deemed appropriate by the General Manager of Planning and Economic Development Department;
- (b) That staff, pursuant to entering into the final Memorandum of Understanding, negotiate the contemplated real estate Occupancy Agreement(s) with The Cardus Institute for the adaptive reuse of the Balfour House/Chedoke Estate incorporating the Criteria and Business Framework, as outlined in Appendix "K" to Report 21-027, and such other terms and conditions deemed appropriate by the General Manager of the Planning and Economic Development Department;
- (c) That staff report back to General Issues Committee for approval of the negotiated Occupancy Agreement(s), with The Cardus Institute for the adaptive reuse of the Balfour House/Chedoke Estate;
- (d) That the General Manager, Planning and Economic Development Department or their designate, acting on behalf of the City, be authorized to provide any consents, approvals and notices related to the Memorandum of Understanding with The Cardus Institute for the adaptive reuse of the Balfour House/Chedoke Estate;
- (e) That the City Solicitor be authorized and directed to complete the Memorandum of Understanding with The Cardus Institute for the adaptive reuse of the Balfour House/Chedoke Estate, and any other requisite documents, on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as considered reasonable; and,
- (f) That the Mayor and Clerk be authorized and directed to execute a Memorandum of Understanding and any other requisite documents herein, with The Cardus Institute for the adaptive reuse of the Balfour House/Chedoke Estate, in a form satisfactory to the City Solicitor.

**Result: Motion on Item 17 of the General Issues Committee Report 21-027, CARRIED by a vote of 12 to 2, as follows:**

NO - Ward 1 Councillor Maureen Wilson  
YES – Ward 2 Councillor Jason Farr

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

A separate vote on Item 18 was requested, as follows:

**18. 2022 Tax Supported User Fees (FCS21115) (City Wide) (Item 10.14)**

- (a) That the 2022 User Fees, contained in Appendix "A" to attached to Report FCS21115, be approved and implemented; and,
- (b) That the City Solicitor be authorized and directed to prepare all necessary by-laws, for Council approval, for the purposes of establishing the user fees contained in Appendix "A" to attached to Report FCS21115.

**Result: Motion on Item 18 of the General Issues Committee Report 21-027, CARRIED by a vote of 11 to 3, as follows:**

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

A separate vote on Item 26 was requested, as follows:

**26. Red Hill Valley Parkway Inquiry Update (LS19036(h)) (City Wide) (Item 14.7)**

- (a) That the direction provided to staff in Closed Session, respecting Report LS19036(h) - Red Hill Valley Parkway Inquiry Update, be approved; and,
- (b) That Report LS19036(h) - Red Hill Valley Parkway Inquiry Update, remain confidential.

**Result: Motion on Item 26 of the General Issues Committee Report 21-027, CARRIED by a vote of 9 to 5, as follows:**

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

**Result: Motion on the balance of the General Issues Committee Report 21-027, CARRIED by a vote of 14 to 0, as follows:**

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

**(Pearson/Partridge)**

That Council recess until 1:30 p.m.

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

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

<b>HAMILTON ENTERPRISE HOLDING CORPORATION SHAREHOLDER REPORT 21-002</b>
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**(Jackson/Pauls)**

That Hamilton Enterprise Holding Corporation Shareholder Report 21-002, being the meeting held on Friday, December 10, 2021, be received and the recommendations contained therein be approved.

**Result: Motion on Hamilton Enterprise Holding Corporation Shareholder Report 21-002, CARRIED by a vote of 13 to 1, as follows:**

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

<b>MOTIONS</b>
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**6.1 Amendment to Item 8 to the Public Works Committee Report 21-013, respecting Report PW20002(a)/LS21035, Automated Speed Enforcement Update**

**(Partridge/Farr)**

WHEREAS, on September 29, 2021, Council approved the Automated Speed Enforcement Program including scheduled Automated Speed Enforcement operating locations for 2022 through Report PW20002(a)/LS21035;

WHEREAS, the *Highway Traffic Act* requires advanced 'Coming Soon' Automated Speed Enforcement signage to be installed on roadways where it will operate 90 days before the start date of equipment activation;

WHEREAS, Centre Road (Parkside Drive to Concession 5 East) and Robson Road (Parkside Drive to Concession 5 East) in Ward 15 were approved for Automated Speed Enforcement operation in March and August of 2022 respectively; and

WHEREAS, Centre Road is currently closed and anticipated to be reopened in January of 2022, which will not permit the installation of the advanced 'Coming Soon' Automated Speed Enforcement signage to meet requirements;

THEREFORE, BE IT RESOLVED:

That Item 8 of the Public Works Committee Report 21-013, respecting Report PW20002(a)/LS21035, Automated Speed Enforcement Update, which was approved by Council on September 29, 2021, ***be amended*** by amending sub-section (b) to authorize Transportation Operations and Maintenance to reschedule the operation of Automated Speed Enforcement for Centre Road (Parkside Drive to Concession 5 East) to ***August*** of 2022 and Robson Road (Parkside Drive to Concession 5 East) to ***March*** of 2022 to enable the installation of the advanced 'Coming Soon' Automated Speed Enforcement signage on Centre Road in compliance with *Highway Traffic Act* requirements, to read as follows:

- (b) That the proposed 24 ASE program operating locations and associated schedule, comprised of one location per Ward and nine school zones, ***Revised Appendix "C" attached to Public Works Committee Report 21-013 (Revised Appendix "A" to Report PW20002(a)/LS21035) attached hereto***, be approved for implementation in 2022;

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

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

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

**6.2 Amendment to Item 6 of the General Issues Committee Report 20-021, respecting Alternative Budget Reporting Approaches of Operating Impacts from Contributed Assets, which was approved by Council on January 20, 2021**

**(Jackson/Pauls)**

That Item 6 of the General Issues Committee Report 20-021, respecting Alternative Budget Reporting Approaches of Operating Impacts from Contributed Assets, **be amended** by deleting the year “2022” and replacing it with the year “**2023**”, to read as follows:

**6. Alternative Budget Reporting Approaches of Operating Impacts from Contributed Assets (Item 8.1)**

That staff be directed to review and investigate alternative budget reporting approaches of operating impacts, related to future growth-related projects, from contributed assets and report back through the Audit, Finance & Administration Committee with the final report being referred to the ~~2022~~ **2023** Tax Supported Capital Budget process for consideration.

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

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



**6.3 Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI) Project Stream Funding****(Nann/Wilson)**

WHEREAS, on December 7, 2021 Canada Mortgage and Housing Corporation approved Rapid Housing Project Stream Funding for an additional 36 units;

WHEREAS, through the execution of Contribution Agreements with prospective housing preonements, new affordable housing units can be guaranteed for the next 20 years; and

WHEREAS, residents on current City of Hamilton housing waitlists can find stable housing.

THEREFORE, BE IT RESOLVED:

- (a) That the General Manager of the Healthy and Safe Communities Department, or designate, be directed to accept the Rapid Housing Initiative Project Stream Funding allocation in an amount of up to \$10,305,844 for the creation of additional affordable housing units, providing the City's submitted projects are selected by CMHC's evaluation team for funding under the Project Stream;
- (b) That the General Manager of the Healthy and Safe Communities Department, or designate, be authorized and directed to enter into the Rapid Housing Initiative Amending Letter dated December 6, 2021 with the Canada Mortgage and Housing Corporation (CMHC) to accept Rapid Housing Initiative Project Stream allocation in the amount of up to \$10,305,844 for the creation of up to 36 affordable housing units, in a form satisfactory to the City Solicitor;
- (c) That the General Manager of the Healthy and Safe Communities Department, or designate, be authorized and directed to administer projects selected through the Rapid Housing Initiative (RHI) Project Stream including: entering into any agreements and ancillary agreements on such terms as they consider appropriate; approving purchase orders; and taking other actions needed to ensure success, in a form satisfactory to the City Solicitor;
- (d) That Housing Services Division be directed to managed project overrun costs for the projects selected under RHI-2 Project Stream, and funds required to cover overruns of the RHI-2 Project Stream projects be brought forward to Council for approval with a funding source identified.
- (e) Pending CMHC's approval of the City's submitted projects for Project Stream Funding, Staff be directed to fund eligible Development Charges (DC), for approximately 12 units at an estimated cost of \$231 K, from the Tax Stabilization Reserve 110046 or other Council approved funding sources; and
- (f) That an estimated increase of \$150 K to the Housing Services Division operating budget fund rent subsidies for 36 units created under the Rapid Housing Initiative Round II for the City's submitted projects required program

affordability period of 20 years be included in the 2023 operating budget for Council deliberation and approval, and

- (g) That the Housing Services Division report back to the Emergency and Community Services Committee, upon receiving CMHC's approval of RHI-2 projects under Project Stream as appropriate, on the City's progress with the Rapid Housing Initiative including both the first and second round of funding.

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

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

**6.4 Amendment to Item 3 of the General Issues Committee Report 15-011, respecting Report PED15053, Hamilton Tax Increment Grant Program (HTIGP) – 290 Barton Street West, Hamilton**

**(Wilson/Nann)**

WHEREAS, Council at its meeting of May 27, 2015, approved Item 3 of the General Issues Committee Report 15-011, regarding Report PED15053 - Hamilton Tax Increment Grant Program (HTIGP) – 290 Barton Street West, Hamilton;

WHEREAS, the ownership of the property known as 290 Barton Street West, Hamilton was conveyed with a change in corporate ownership from “290 Barton Street West (Hamilton) Limited” to “Dawn Victoria Homes (Brantford) Limited”, with the shareholders remaining the same for both corporations;

THEREFORE, BE IT RESOLVED:

- (a) That subsections (a) and (b) to Item 3 of the General Issues Committee Report 15-011, which was approved by Council on May 27, 2015, be **amended**, by deleting the name “290 Barton Street West (Hamilton) Limited” and replacing it with the name “**Dawn Victoria Homes (Brantford) Limited**” in lieu thereof, to read as follows:

3. **Hamilton Tax Increment Grant Program (HTIGP) – 290 Barton Street West, Hamilton (PED15053) (Ward 1) (Item 8.1)**

- (a) That a Hamilton Tax Increment Grant Program (HTIGP) application submitted by ***Dawn Victoria Homes (Brantford) Limited*** (Donald Husack), for the property at 290 Barton Street West, Hamilton, for a Hamilton Tax Increment Grant Program (HTIGP) grant estimated at \$319,897.42, over a maximum of a five-year period, and based upon the incremental tax increase attributable to the redevelopment of 290 Barton Street West, Hamilton be authorized and approved in accordance with the terms and conditions of the Program;
- (b) That the Mayor and City Clerk be authorized and directed to execute the Grant Agreement, attached as ***Revised*** Appendix “A” to Report PED15053, in a form satisfactory to the City Solicitor.
- (b) That Item 3 of the General Issues Committee Report 15-011, be further be ***amended*** further by adding a new sub-section (c) to read as follows:
  - (c) ***That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any Grant Amending Agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Hamilton Tax Increment Grant Program, as approved by City Council, are maintained, in a form satisfactory to the City Solicitor.***

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

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

**6.5 Amendment to Item 5 to the Emergency and Community Services Committee Report 20-011, respecting Report HSC19060(a), Subsidy Transfer to Indwell's Affordable Housing Project at 225 East Avenue North**

**(Nann/Jackson)**

WHEREAS, Council, at its meeting of December 16, 2020, approved Item 5 of the Emergency and Community Services Committee Report 20-011, respecting Report HSC19060(a), Subsidy Transfer to Indwell's Affordable Housing Project at 225 East Avenue North;

WHEREAS, subsequent to Council's approval, Indwell's Affordable Housing Project was split into two separate municipal addresses at 225 East Avenue North and 247 East Avenue North;

WHEREAS, the content of Appendix "C" to Emergency and Community Services Committee Report 20-011 (Appendix "A" to Report HSC19060(a)) are inconsistent with the contents of Report HSC19060(a);

WHEREAS, amendments to Appendix "C" to Emergency and Community Services Committee Report 20-011 (Appendix "A" to Report HSC19060(a)) are required to correct the inconsistencies to indicate that 84 of the 95 units at Indwell's affordable housing at 225 East Avenue North and 247 East Avenue North will receive rent supplements, and in order for:

- (i) Indwell's affordable housing project at 225 East Avenue North and 247 East Avenue North to receive the rent supplement, the affordability requirements must apply to all 95 units in the project, regardless of whether or not they receive a rent supplement; and
- (ii) the rent supplement agreement regarding Indwell's affordable housing at 225 East Avenue North and 247 East Avenue North will contain obligations that need to be performed prior the agreement commencement date;

THEREFORE, BE IT RESOLVED:

- (a) That Appendix "C" to the Emergency and Community Services Committee Report 19-011, (Appendix "A" to Report HSC19060(a)) respecting Report HSC19060(a), Subsidy Transfer to Indwell's Affordable Housing Project at 225 East Avenue North **and 247 East Avenue North**, which was approved by Council on December 16, 2020, **be amended** as follows:
  - (i) Term Sheet for Rent Supplement Agreement, **amended** to reflect two separate municipal addresses at 225 East Avenue North **and 247 East Avenue North**:
  - 225 East Avenue North **and 247 East Avenue North**
  - (ii) Paragraph 4 – **amended** to indicate that only **84 of the** 95 units are to receive rent supplement assistance and to reflect two separate

municipal addresses at 225 East Avenue North **and 247 East Avenue North**:

4. The RSA and rent supplement assistance will only apply to the **84 of the 95** units at 225 East Avenue North and **247 East Avenue North** and that they cannot be applied to any other Indwell premises unless the General Manager, Healthy and Safe Communities Department ("GM"), in his sole discretion consents, and under such other terms and conditions as the GM and City Solicitor in their sole discretion require.
- (ii) Paragraph 9 – **amended** by deleting the words "covered by rent supplements" to read as follows:
9. At all times during the term of the RSA the rents for 95 units will at no time be above 60% AMR for 50 of the units and 100% AMR for 45 units which may be adjusted prior to by the GM in his sole discretion when the final construction and operating budgets are produced.
- (iii) Paragraph 12 – amended by replacing the words "The agreement will commence upon the first of the month in which the first tenant moves in" with **"The payment of the rent supplement pursuant to these terms will begin the month the first tenant moves in"**, to read as follows:
12. **The payment of the rent supplement pursuant to these terms will begin the month the first tenant moves in.**
- (b) That subsections (a), (b), (c), (d) and (e) of Item 5 of the Emergency and Community Services Report 20-011, be **amended** to reflect two separate municipal addresses at 225 East Avenue North **and 247 East Avenue North** as follows:
- (a) That the General Manager of the Healthy and Safe Communities Department be authorized and directed to enter into, execute and administer an agreement with Indwell Community Homes "Indwell" to provide rent supplements for their affordable housing project at 225 East Avenue North **and 247 East Avenue North** in accordance with the terms and conditions contained in the Term Sheet attached as Appendix "C" to Emergency & Community Services Committee Report 20-011, **as Amended**, in a form satisfactory to the City Solicitor;
  - (b) That \$111,700 associated with the former St. Matthew's House Part VII-Housing Services Act social housing subsidy be transferred from the Hamilton Housing Allowance to a rent supplement for Indwell's affordable housing project at 225 East Avenue North **and 247 East Avenue North**, effective January 1, 2021;

- (c) That \$34,278 in Part VII-Housing Services Act social housing subsidy associated with the 18 units relinquished as part of CityHousing Hamilton's Roxborough development be transferred to Indwell's affordable housing project at 225 East Avenue North **and 247 East Avenue North**, effective January 1, 2021;
- (d) That \$134,097 in Part VII-Housing Services Act social housing subsidy associated with the 75 units CityHousing Hamilton is relinquishing as its reduction in targets at Vanier Towers be transferred to Indwell's affordable housing project at 225 East Avenue North **and 247 East Avenue North**, effective January 1, 2021; and,
- (e) That the value of the rent supplements provided to Indwell's affordable housing project at 225 East Avenue North **and 247 East Avenue North** be increased annually by the Ontario Rental Increase Guideline established each year by the Province on Ontario.

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

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

#### **6.6 Registered Plan of Subdivision 62M-1278 - Joint Service Agreement**

**(Merulla/Farr)**

WHEREAS the lands owned by Community Housing Hamilton ("CHH") at 41 Reid Avenue South (the "CHH Lands") are intended to be developed with over 100 rental units;

WHEREAS this development by CHH is in partnership with a residential development within the adjacent lands comprising Registered Plan of Subdivision 62M-1278 (the "Private Lands");

WHEREAS the City, CHH, and the owner of the Private Lands previously entered into a joint services agreement for a temporary stormwater management system for

the CHH Lands and the Private Lands, intended to be replaced by a permanent stormwater system; and

WHEREAS the proposed permanent stormwater management system for the CHH Lands and the Private Lands requires a modification to City of Hamilton By-law 06-026;

THEREFORE, IT BE RESOLVED:

That City of Hamilton By-law 06-026 be **amended** by adding sub-section 15 to Section 5 with the inclusion of Schedule "C" (attached hereto), as follows:

- (15) In the event that plans, drawings, conditions, agreements or other requirements are approved pursuant to section 41 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, in respect of any development of lands and premises included in Schedule "C" and:
- (a) there is full compliance with such approved plans, drawings, conditions, agreements or other requirements; and,
  - (b) such approved plans, drawings, conditions, agreements, or other requirements authorize the disposal of storm and/or surface water from the lands and premises in a manner that conflicts with the requirements of subsections (2) or (9),

the provisions of subsections (2) or (9) shall not apply to the said lands and premises to the minimum extent necessary to resolve such conflict.

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

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

**6.7 Amendment to City of Hamilton Policy respecting the Appointment of Citizens to the City's Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees**

**(Wilson/Johnson)**

WHEREAS, Section 23 (iv) of *City of Hamilton Policy respecting the Appointment of Citizens to the City's Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees* states that if a "vacancy occurs within 12 months of the end of the Term of Council, the vacancy will not be filled, and the quorum of the Agency, Board, Commission, Advisory (Volunteer) Committee or Sub-Committee will be adjusted accordingly;" and

WHEREAS, Section 9 of *City of Hamilton Policy respecting the Appointment of Citizens to the City's Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees* also states that "[a]pplications shall be kept on file by the City Clerk's Office for the Term of Council. In the event of a vacancy, the Selection Committee or Interview Sub-Committee may consider interviewing applicants whose applications are on file for that term, and the appointment would be for the balance of that Term of Council only."

THEREFORE, BE IT RESOLVED:

- (a) That Section 23 (iv) of *City of Hamilton Policy respecting the Appointment of Citizens to the City's Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees* be amended to add the words "**and there are insufficient applicants on file to fill the vacancy,**" to read as follows:
  - (iv) If the vacancy occurs within 12 months of the end of the Term of Council, **and there are insufficient applicants on file to fill the vacancy,** the vacancy will not be filled, and the quorum of the Agency, Board, Commission, Advisory (Volunteer) Committee or Sub-Committee will be adjusted accordingly.

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

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



YES - Ward 9 Councillor Brad Clark

#### **6.8 Roxborough Access to Home Ownership Grant Program**

**(Merulla/Farr)**

WHEREAS on September 28, 2019 Hamilton City Council voted to support a mixed income Community Improvement Plan area known as the Roxborough Community Improvement Project Area (CIPA);

WHEREAS the project was created to provide range of housing options in both form, tenure and affordability;

WHEREAS the rising real estate markets as a result of the pandemic have created challenges for large proportions of the City;

WHEREAS the ability to accommodate 'aging in place' and 'complete community' options within the planned area would be considered consistent with the intent or the CIPA;

WHEREAS the provision of different densities and building forms within the CIPA are being considered;

THEREFORE, be it resolved:

That city staff be directed to evaluate and if necessary revise provisions to the Roxborough Access to Home Ownership Grant Program to accommodate proposed modifications in land use. Staff are to report back in Q1, 2022 with any required amendments to the satisfaction of the General Manager of Finance and Corporate services, and the General Manager of Healthy and Safe Communities.

#### **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

YES - Ward 4 Councillor Sam Merulla

YES - Ward 5 Councillor Russ Powers

YES - Ward 6 Councillor Tom Jackson

YES - Ward 7 Councillor Esther Pauls

YES - Ward 8 Councillor John-Paul Danko

YES - Mayor Fred Eisenberger

YES - Ward 15 Councillor Judi Partridge

NOT PRESENT - Ward 14 Councillor Terry Whitehead

YES - Ward 13 Councillor Arlene VanderBeek

NOT PRESENT - Ward 12 Councillor Lloyd Ferguson

YES - Ward 11 Councillor Brenda Johnson

YES - Ward 10 Councillor Maria Pearson

CONFLICT - Ward 9 Councillor Brad Clark

**NOTICES OF MOTION****7.1 Registered Plan of Subdivision 62M-1278 - Joint Service Agreement****(Merulla/Farr)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting Registered Plan of Subdivision 62M-1278 - Joint Service Agreement.

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

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

Refer to Item 6.6 for further disposition of this item.

**7.2 Amendment to City of Hamilton Policy respecting the Appointment of Citizens to the City's Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees****(Wilson/Johnson)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting an Amendment to City of Hamilton Policy respecting the Appointment of Citizens to the City's Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees.

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

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

YES - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
YES - Ward 13 Councillor Arlene VanderBeek  
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark

Refer to Item 6.7 for further disposition of this item.

<b>EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 21-013 (CONTINUED)</b>
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**(Wilson/Johnson)**

That Item 12 of the Emergency and Community Services Committee Report 21-013 respecting the LGBTQ Advisory Committee – Citizen Committee Report, Appointment of Additional Committee Members be **amended** by deleting the recommendation in its entirety and replacing it with the following:

**12. LGBTQ Advisory Committee – Citizen Committee Report, Appointment of Additional Committee Members**

~~That the LGBTQ Advisory Committee – Citizen Committee Report, respecting Appointment of Additional Committee Members, be received.~~

***That membership vacancies for the LGBTQ Advisory Committee be filled using the existing applicants on file.***

**Result: Motion on Item 12 of the Emergency and Community Services Report 21-013, As Amended, CARRIED by a vote of 16 to 0, as follows:**

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

**Result: Motion on the balance of the Emergency and Community Services Committee Report 21-013, CARRIED by a vote of 14 to 0, as follows:**

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

**(Jackson/Pauls)**

That the Committee of the Whole Rise and Report.

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

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

<b>NOTICES OF MOTION (CONTINUED)</b>
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**7.3 Roxborough Access to Home Ownership Grant Program**

**(Merulla/Farr)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Roxborough Access to Home Ownership Grant Program.

**Result: Motion CARRIED by a 2/3rds 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  
YES - Ward 5 Councillor Russ Powers  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 8 Councillor John-Paul Danko  
YES - Mayor Fred Eisenberger  
YES - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
YES - Ward 13 Councillor Arlene VanderBeek  
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
NOT PRESENT - Ward 10 Councillor Maria Pearson  
CONFLICT - Ward 9 Councillor Brad Clark

Refer to Item 6.8 for further disposition of this item.

#### **7.4 Support of legal challenge to Bill 21 in the Province of Quebec**

Mayor Eisenberger introduced the following Notice of Motion:

WHEREAS Fatemah Anvari recently lost her position as teacher in the province of Quebec for being found to be wearing a hijab in class;

WHEREAS under Quebec's Bill 21 frontline civil servants who display religious symbols while working can be fired or reassigned;

WHEREAS it is noted that Bill 21 violates the basic principles of the Canadian Charter of Rights and Freedoms;

WHEREAS this is a clear demonstration of Islamophobia and poses a threat to the freedoms of many within the Province of Quebec;

THEREFORE BE IT RESOLVED:

That the City of Hamilton join the efforts of cities across Canada to mount a legal challenge to Bill 21 in the Province of Quebec, and that staff be directed to look at all means available to provide support to this legal challenge.

<b>STATEMENTS BY MEMBERS</b>
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Members of Council used this opportunity to discuss matters of general interest.

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

That the listing of Council Communication Updates from November 19, 2021 to December 9, 2021, and December 14, 2021, be received.

**Result: Motion CARRIED by a vote of 10 to 0, as follows:**

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

**PRIVATE AND CONFIDENTIAL**

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

**10.1 Closed Session Minutes – November 24, 2021****(Partridge/Powers)**

That the Closed Session Minutes dated November 24, 2021 be approved, as presented, and remain confidential.

**Result: Motion CARRIED by a vote of 10 to 0, as follows:**

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

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

<b>BY-LAWS AND CONFIRMING BY-LAW</b>
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**(Jackson/Pauls)**

That Bills No. 21-226 to No. 21-251, 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:

- 226 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic  
Schedule 5 (Stop Control)  
Ward: 5
- 227 To Amend City of Hamilton By-law No. 08-070, being a By-law Respecting Gypsy Moth Infestation  
Ward: City Wide
- 228 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 129 and 131 Wellington Street North, Hamilton  
ZAD-21-048  
Ward: 2
- 229 Respecting Removal of Part Lot Control, Part of Block 1, Registered Plan of Subdivision No. 62M-1240, municipally known as 3 and 5 Bradbury Road  
PLC-22-001  
Ward: 9
- 230 To Adopt Official Plan Amendment No. 31 to the Rural Hamilton Official Plan respecting The Pleasantview Lands consisting of Part of Lots 23, 24, 25, 26, 27, and 28, Concession 2 and Part of Lots 22, 23, 24, 25, 26, 27, 28 and 29, Concession 2 as generally bounded by Patterson Road to the north, Old Guelph Road and the Canadian National Rail Line to the south, Highway 6 to the east, and Valley Road/York Road to the west  
Ward: 13
- 231 To Amend Zoning By-law No. 05-200 to Add and Apply Zoning to Lands in the former Town of Dundas consisting of Part of Lots 23, 24, 25, 26, 27 and 28, Concession 2 and Part of Lots 22, 23, 24, 25, 26, 27, 28 and 29, Concession 2 as generally bounded by Patterson Road to the north, Old Guelph Road and the Canadian National Rail Line to the south, Highway 6 to the east, and Valley Road/York Road to the west  
CI-21-C  
Ward: 13
- 232 To Impose Storm, Sanitary Sewer and Watermain Charges Upon Owners of Land Abutting Chambers Drive from North Limit of Chambers Drive to approximately 50 metres Easterly, in the City of Hamilton  
Ward: 12

- 233 To Impose a Sanitary Sewer Charge Upon Owners of Land Abutting Upper Mount Albion Road from Times Square Boulevard to Highland Road, in the City of Hamilton  
Ward: 9
- 234 A By-law to Establish the 2022 Water and Wastewater/Storm Fees and Charges for Services, Activities and use of Property Provided by the City of Hamilton  
Ward: City Wide
- 235 To Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues for 2022  
Ward: City Wide
- 236 To Authorize an Interim Tax Levy for 2022  
Ward: City Wide
- 237 To Adopt Official Plan Amendment No. 157 to the Urban Hamilton Official Plan Respecting 311 and 313 Stone Church Road East, Hamilton  
Ward: 7
- 238 To Amend Zoning By-law No. 05-200, Respecting Lands Located at 311 and 313 Stone Church Road East  
ZAC-21-009  
Ward: 7
- 239 To Adopt Official Plan Amendment No. 158 to the Urban Hamilton Official Plan Respecting 1290 South Services Road and 5 & 23 Vince Mazza Way, Stoney Creek  
Ward: 10
- 240 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 1290 South Service Road and 5 & 23 Vince Mazza Way, Stoney Creek  
ZAC-21-008  
Ward: 10
- 241 To Establish City of Hamilton Land Described as Part 1 on Plan 62r-21786 and Block 6 on Plan 62M-1081 as Part of Clappison Avenue  
Ward: 15
- 242 To Amend By-law No. 15-058, A By-law Respecting Building Permits and Related Matters  
Ward: City Wide
- 243 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 20 Reid Avenue North, 11-17 Reid Avenue South, 22-116 Lang Street and 2-24 Hayes Avenue, Hamilton  
ZAR-21-034  
Ward: 4
- 244 A By-law to Deem a Part of a Subdivision Not To Be Registered, Blocks 11 & 12, Inclusive, of Registered Plan No. 62M-1042  
Ward: 11



- 245 To Amend By-law No. 21-121, Being a By-law to Regulate Off-Road Vehicles  
Ward: City Wide
- 246 To Amend the Water and Wastewater Infrastructure Support Community Improvement Plan  
Ward: City Wide
- 247 Hamilton 90 Carling Street Municipal Housing Project Facilities By-law  
Ward: 1
- 248 To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking  
Schedule 5 (Parking Meters)  
Schedule 6 (Time Limit Parking)  
Schedule 8 (No Parking Zones)  
Schedule 12 (Permit Parking Zones)  
Schedule 13 (No Stopping Zones)  
Ward: 2, 3, 4, 7, 13
- 249 To Amend Zoning By-law No 6593, Respecting Lands Located at 311 and 313 Stone Church Road East
- 250 Being a By-law to amend By-law No. 06-026, The Sewer and Drain By-law
- 251 To Confirm the Proceedings of City Council

**Result: Motion CARRIED by a vote of 10 to 0, as follows:**

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

**(Powers/Johnson)**

That, there being no further business, City Council be adjourned at 2:47 p.m.

**Result: Motion CARRIED by a vote of 10 to 0, as follows:**

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

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland  
City Clerk