



## CITY COUNCIL MINUTES 22-007

9:30 a.m.

March 30, 2022

Council Chamber

Hamilton City Hall

71 Main Street West

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

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.

### CEREMONIAL ACTIVITY

#### 3.1 Hamilton Mundialization Photography Contest – “Hamilton 175”

Mayor Eisenberger on behalf of the City of Hamilton and the City of Hamilton and the Hamilton Mundialization Committee are pleased to announce the winners of the photo competition to celebrate the City of Hamilton, Ontario, Canada and its ten twin cities, Shawinigan (QC), Mangalore (India), Kaga (Japan), Fukuyama (Japan), Racalmuto (Italy), Valle Peligna (Italy), Ma'anshan (China), Flint (MI), Sarasota (FL) and Monterrey (Mexico).

The theme of the photo competition, “Hamilton 175”, captures the essence of change or the passage of time that has promoted international peace and harmony. All photos have been taken by a resident of Hamilton or one of its twin cities, in any one of the 11 named municipalities, during the year 2021.

An independent judges' panel comprising local community members reviewed the photographs based on technical quality, artistic composition, texture and light, and overall representation of the theme.

Entries were submitted in the categories of Waterfronts and Nature.

Chris Bergantinos of Ward 12 (Councillor Ferguson) in Hamilton is the primary winner of the Nature category

- Photo title: 'A Little Piece of History'

Ayaka Konakade from Kaga, Japan is the secondary winner of the Nature category

- Photo title: 'Komorebi'

Carol Fitzsimmons of Ward 7 (Councillor Danko) in Hamilton is the winner of the Waterfronts category

- Photo title: 'Stillness'

Chris Bergantinos is the overall winner of the photo contest.

Thank you to everyone who submitted photos and congratulations to our winners!

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

## **5. COMMUNICATIONS**

5.24 Correspondence from respecting the Heritage Listing of Grace Lutheran Church (1107 Main Street West, Hamilton)

- (a) Rabbi Daniel Green, Adas Isreal Congregation of Hamilton
- (b) David Falletta, Bousfields Inc.

Recommendation: Be received and referred to the consideration of Item 1(g) of Planning Committee Report 22-004.

5.25 Correspondence respecting the Enhanced Parks By-law - Encampment Enforcement:

- (a) Mary Cep
- (b) Joshua Weresch
- (c) Hamilton Social Medicine Response Team (HAMSMaRT)

Recommendation: Be received and referred to the consideration of Item 15 of Planning Committee Report 22-004

5.26 Correspondence from the Lakewood Beach Community Council respecting the Public Beach in their Area.

Recommendation: Be received and referred to Items 2 and (g)(i) of Board of Health Report 22-003.

**6. COMMITTEE REPORTS – STAFF REPORTS**

- 6.9 (a) Encampment Process: Staffing Feasibility / Service Levels Impacts (PED22088) (City Wide)

**CHANGE TO THE ORDER OF ITEMS:**

Item 7.4 an Amendment to Item 7 of the Economic Development and Planning Committee Report 10-005, respecting Delegated Authority To Incorporate City Reserve Lands into Public Highway (PED10051) (City Wide) is to be moved up on the agenda to be considered prior to Public Works Committee Report 22-004.

**NOTICES OF MOTION:**

- 8.1 Mayor’s Ukrainian Humanitarian Crisis and Response Advisory Committee
- 8.2 Demolition Permit Authorization to facilitate the Jamesville Re-Development for Renewed Affordable Housing

**(VanderBeek/Nann)**

That the agenda for the March 30, 2022 meeting of Council be approved, *as amended*.

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

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

**DECLARATIONS OF INTEREST**

Councillor M. Pearson declared a non-disqualifying interest to Item 5.8, Correspondence from the County of Prince Edward requesting support for their resolution requesting that the Government of Ontario take steps to address the ever-increasing problem of "Renovictions" and other bad-faith evictions and extend rent control to all tenancies including those first occupied after November 2018 (currently exempt from rent control restrictions), as she and her husband are rental property landlords.

Councillor M. Pearson declared a non-disqualifying interest to Item 5.15, Correspondence from the Honourable Peter Bethlenfalvy, Minister of Finance respecting the City of Hamilton's request for the authority to impose a tax on vacant residential units, under Part IX.1 of the Municipal Act, also referred to as a Vacant Home Tax, as she and her husband are rental property landlords.

Councillor S. Merulla declared a non-disqualifying interest to Item 5.8, Correspondence from the County of Prince Edward requesting support for their resolution requesting that the Government of Ontario take steps to address the ever-increasing problem of "Renovictions" and other bad-faith evictions and extend rent control to all tenancies including those first occupied after November 2018 (currently exempt from rent control restrictions), as he and his wife are rental property landlords.

Councillor S. Merulla declared a non-disqualifying interest to Item 5.15, Correspondence from the Honourable Peter Bethlenfalvy, Minister of Finance respecting the City of Hamilton's request for the authority to impose a tax on vacant residential units, under Part IX.1 of the Municipal Act, also referred to as a Vacant Home Tax, as he and his wife are rental property landlords.

Councillor A. VanderBeek declared a non-disqualifying interest to Item 5.8, Correspondence from the County of Prince Edward requesting support for their resolution requesting that the Government of Ontario take steps to address the ever-increasing problem of "Renovictions" and other bad-faith evictions and extend rent control to all tenancies including those first occupied after November 2018 (currently exempt from rent control restrictions), as she and her husband are rental property landlords.

Councillor A. VanderBeek declared a non-disqualifying interest to Item 5.15, Correspondence from the Honourable Peter Bethlenfalvy, Minister of Finance respecting the City of Hamilton's request for the authority to impose a tax on vacant residential units, under Part IX.1 of the Municipal Act, also referred to as a Vacant Home Tax, as she and her husband are rental property landlords.

Councillor B. Clark declared a disqualifying interest to Item 4 of Planning Committee Report 22-004, respecting Appeal of Urban Hamilton Official Plan Amendment and Zoning By-law Amendment Applications to the Ontario Land Tribunal (OLT) for Lack of Decision for Lands Located at 299-307 John Street South and 97 St. Joseph's Drive, Hamilton (PED22038) (Ward 2), due to his son's business interest with, the principal of the applicant's planning consultant.

Councillor B. Clark declared a disqualifying interest to Item 7 of Planning Committee Report 22-004, respecting Application to Amend Hamilton Zoning By-law No. 05-200 for Lands Located at 1040 Garner Road West, Ancaster (PED22059) (Ward 12) due to his son's business interest with, the principal of the applicant's planning consultant.

Councillor B. Clark declared a disqualifying interest to Item 11 of Planning Committee Report 22-004, respecting Discontinuation of Special Municipal Review Program for

Cannabis Retail Store Applications (PED22054) (City Wide) due to his son's business interest with, the principal of the applicant's planning consultant.

Councillor B. Clark declared a disqualifying interest to Item 19 of Planning Committee Report 22-004, respecting Instructions - Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-18-004) and Zoning By-law Amendment Application (ZAC-18-009) for Lands Located at 299-307 John Street South and 97 St. Joseph's Drive, Hamilton (LS22007/PED22038(a)) (Ward 2) due to his son's business interest with, the principal of the applicant's planning consultant.

Councillor L. Ferguson declared a disqualifying interest to Item 18 of Planning Committee Report 22-004 respecting Taxi Fees - Amendment to By-law No. 07-170, a By-law to Licence and Regulate Various Businesses, as he is an investor in the taxi industry.

Councillor L. Ferguson declared a disqualifying interest to Item 4 of the General Issues Committee (2022 Operating Budget) Report 22-002, respecting 2022 Council Referred Business Case – Accessible Taxicabs (PED18072(a)), as he is an investor in the taxi industry.

Councillor J. Farr declared a disqualifying interest to Item 21 of the General Issues Committee (2022 Operating Budget) Report 22-002, respecting Living Wage Supplementary Information (FCS20013(b)), as his son has applied to the City of Hamilton for a summer student position.

Councillor J. Farr declared a disqualifying interest to Item 22 of the General Issues Committee (2022 Operating Budget) Report 22-002, respecting Summer Student General Labour – Recruitment Challenges (HUR22001(a)), as his son has applied to the City of Hamilton for a summer student position.

Councillor S. Merulla declared a disqualifying interest to Item 21 of the General Issues Committee (2022 Operating Budget) Report 22-002, respecting Living Wage Supplementary Information (FCS20013(b)), as his daughter is an occasional employee with the City of Hamilton.

Councillor S. Merulla declared a disqualifying interest to Item 22 of the General Issues Committee (2022 Operating Budget) Report 22-002, respecting Summer Student General Labour – Recruitment Challenges (HUR22001(a)), as his daughter is an occasional employee with the City of Hamilton.

Councillor E. Pauls declared a disqualifying interest to Item 21 of the General Issues Committee (2022 Operating Budget) Report 22-002, respecting Living Wage Supplementary Information (FCS20013(b)), as her granddaughter has applied to the City of Hamilton for a summer student position.

Councillor E. Pauls declared a disqualifying interest to Item 22 of the General Issues Committee (2022 Operating Budget) Report 22-002, respecting Summer Student General Labour – Recruitment Challenges (HUR22001(a)), as her granddaughter has applied to the City of Hamilton for a summer student position.

Councillor E. Pauls declared a disqualifying interest to Item 24(b)(i) of the General Issues Committee (2022 Operating Budget) Report 22-002, respecting 2022 Tax Supported

Operating Budget – Recommendations (FCS22002(a)), Boards and Agencies, Hamilton Police Services operating budget, as her son is employed by the Hamilton Police Service.

Councillor E. Pauls declared a disqualifying interest to Item 24(k)(ii) of the General Issues Committee (2022 Operating Budget) Report 22-002, respecting 2022 Tax Supported Operating Budget – Recommendations (FCS22002(a), Capital Financing, Police Services budget (2022 Tax Supported Operating Budget Book – Appendix “O” to Report 22-002, page 153), as her son is employed by the Hamilton Police Service.

**APPROVAL OF MINUTES OF PREVIOUS MEETING**

**4. February 23, 2022 (Item 4.1), March 2, 2022 (Item 4.2) and March 21, 2022 (Item 4.3)**

**(Johnson/Pearson)**

That the Minutes of the February 23, 2022, March 2, 2022 and March 21, 2022 meetings of Council be approved, as presented.

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

- YES - Ward 1 Councillor Maureen Wilson
- YES – Deputy Mayor - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor 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**

**(Farr/Merulla)**

That Council Communications 5.1 to 5.26 be approved, as presented, as follows:

- 5.1 Correspondence from Norfolk County requesting support for their resolution respecting the Year of the Garden Proclamation.

Recommendation: Be endorsed.

- 5.2 Correspondence from Lisa Burnside, Chief Administrative Officer, Hamilton Conservation Authority respecting the *Conservation Authorities Act* Amendments - Programs & Services Inventory.

Recommendation: Be received.

- 5.3 Correspondence from Chrissy Sadowski, Autism Ontario respecting Autism Ontario's change to their model from Chapters to Regions, with their new South Region which includes Niagara, Norfolk, Hamilton, Haldimand and Brant.

Recommendation: Be received.

- 5.4 Correspondence from Scott Hunt, President and Theresa Malar, Executive Director of the Hamilton Aquatic Club Board of Directors advocating for youth programming in Hamilton.

Recommendation: Be received.

- 5.5 Correspondence from the Honourable Greg Rickford, Minister of Northern Development, Mines, Natural Resources and Forestry respecting the outbreak of the LDD moth (previously referred to as gypsy moth) in southern Ontario and some areas of the northeast region of the province.

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

- 5.6 Correspondence from the Town of Bracebridge requesting support for their resolution respecting Hospital Capital Funding.

Recommendation: Be received.

- 5.7 Correspondence from Joshua Weresch respecting the Re-development of downtown core and shelter inclusion.

Recommendation: Be received.

- 5.8 Correspondence from the County of Prince Edward requesting support for their resolution requesting that the Government of Ontario take steps to address the ever-increasing problem of "Renovictions" and other bad-faith evictions and extend rent control to all tenancies including those first occupied after November 2018 (currently exempt from rent control restrictions).

Recommendation: Be received.

- 5.9 Correspondence from the Hamilton Oshawa Port Authority respecting the amalgamation of the Hamilton Port Authority and the Oshawa Port Authority under the name of the Hamilton-Oshawa Port Authority.

Recommendation: Be received and referred to the consideration of Item 7.1

- 5.10 Correspondence from the Niagara Peninsula Conservation Authority respecting resolutions appointing the Chair and Vice Chair for 2022 at their Annual General Meeting held on February 18, 2022.

Recommendation: Be received.

- 5.11 Correspondence from the Town of Collingwood requesting support for their resolution terminating their membership in the Ontario Municipal Water Association (OMWA). Link to the Transparency and the Public Trust: Report of the Collingwood Judicial Inquiry: [https://www.collingwoodinquiry.ca/report/pdf/CJI-Complete\\_Report-2-web.pdf](https://www.collingwoodinquiry.ca/report/pdf/CJI-Complete_Report-2-web.pdf)

Recommendation: Be received.

- 5.12 Correspondence from the Ministry of Northern Development, Mines, Natural Resources and Forestry seeking input about the use of floating accommodations on waterways over Ontario's public lands.

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

- 5.13 Correspondence from the Township of Woolwich requesting support for their resolution requesting that the Government of Ontario provide stable, reliable and predictable funding for mental health organizations in their 2022 budget.

Recommendation: Be received.

- 5.14 Correspondence from Andrea Michaluk respecting deafness and discrimination.

Recommendation: Be received and referred to the Advisory Committee for Persons with Disabilities for review.

- 5.15 Correspondence from the Honourable Peter Bethlenfalvy, Minister of Finance respecting the City of Hamilton's request for the authority to impose a tax on vacant residential units, under Part IX.1 of the *Municipal Act*, also referred to as a Vacant Home Tax.

Recommendation: Be received.

- 5.16 Correspondence from the Municipality of South Huron requesting support for their resolution support of AMO's request for a two-month extension concerning the draft regulations regarding firefighter certification to afford an appropriate amount of time for the Ministry official to brief municipal leaders and for councils to be able to thoughtfully reply back on the draft regulations to your Ministry.

Recommendation: Be received.

- 5.17 Correspondence from Dave Pyke respecting the Posting of Safe/Unsafe for Swimming Signs.

Recommendation: Be received and referred to Items 2 and (g)(i) of Board of Health Report 22-003.

- 5.18 Correspondence from Chrissy Sadowski respecting World Autism Day on April 2, 2022.



Recommendation: Be received.

- 5.19 Correspondence from Marvin Rotrand, National Director, League for Human Rights, B'nai Brith Canada respecting May as Jewish Heritage Month.

Recommendation: Be received.

- 5.20 Correspondence from Ika Washington, Communications and Marketing, Manager, Sickle Cell Awareness Group of Ontario respecting World Sick Cell Day on June 19,2022.

Recommendation: Be received.

- 5.21 Correspondence from David Sheng, Board Member, Stand with Asian Coalition respecting May 10, 2022, as the "Day of Action Against Anti-Asian Racism".

Recommendation: Be received.

- 5.22 Correspondence from the City of Waterloo requesting support for their resolution respecting Ontario Must Build it Right the First Time.

Recommendation: Be endorsed.

- 5.23 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting Phase 2 Consultation on Urban River Valleys to Grow the Greenbelt: Proposed amendments to the Greenbelt Plan (2017) and Greenbelt Area Boundary Regulation (O. Reg 59/05) and Ideas for Adding more Urban River Valleys to the Greenbelt.

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

- 5.24 Correspondence from respecting the Heritage Listing of Grace Lutheran Church (1107 Main Street West, Hamilton)

- (a) Rabbi Daniel Green, Adas Isreal Congregation of Hamilton
- (b) David Falletta, Bousfields Inc.

Recommendation: Be received and referred to the consideration of Item 1(g) of Planning Committee Report 22-004.

- 5.25 Correspondence respecting the Enhanced Parks By-law - Encampment Enforcement:

- (a) Mary Cep
- (b) Joshua Weresch
- (c) Hamilton Social Medicine Response Team (HAMSMaRT)

Recommendation: Be received and referred to the consideration of Item 15 of Planning Committee Report 22-004

- 5.26 Correspondence from the Lakewood Beach Community Council respecting the Public Beach in their Area.

Recommendation: Be received and referred to Items 2 and (g)(i) of Board of Health Report 22-003.

**Result: Motion on the Communication Items, CARRIED by a vote of 14 to 0, as follows:**

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

**(Farr/Jackson)**

That Council move into Committee of the Whole for consideration of the Committee Reports.

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

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

YES - Ward 9 Councillor Brad Clark

<b>HAMILTON UTILITIES CORPORATION SHAREHOLDER REPORT 22-001</b>
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**(Farr/Merulla)**

That Hamilton Utilities Corporation Shareholder Report 22-001, being the meeting held on Wednesday, March 2, 2022, be received.

**Result: Motion on the Hamilton Utilities Corporation Shareholder Report 22-001, CARRIED by a vote of 14 to 0, as follows:**

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

<b>GENERAL ISSUES COMMITTEE (2022 OPERATING BUDGET) REPORT 22-002</b>
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**(Farr/Ferguson)**

That General Issues Committee (2022 Operating Budget) Report 22-002, being meetings held from January - March 2022, be received and the recommendations contained therein be approved.

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

**2. Review of Area Rating Methodologies (FCS21078(a)) (City Wide) (Item 7.1) (January 14, 2022)**

That Report FCS21078(a), respecting the Review of Area Rating Methodologies, be received.

**Result: Motion on Item 2 of the General Issues Committee (2022 Operating Budget) Report 22-002 CARRIED by a vote of 11 to 4, as follows:**

NO - Ward 1 Councillor Maureen Wilson  
 YES – Deputy Mayor - Ward 2 Councillor Jason Farr  
 NO - Ward 3 Councillor Nrinder Nann  
 YES - Ward 4 Councillor Sam Merulla

YES - Ward 5 Councillor 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  
YES - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark

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

**4. 2022 Council Referred Business Case – Accessible Taxicabs (PED18082(a)) (City Wide) (Item 7.2) (February 10, 2022)**

- (a) That the 2022 Council referred business case involving Financial Incentives for Taxi Operators to Provide Accessible Taxicab Trips, be referred to the 2023 Budget process for consideration; and,
- (b) That the Accessible Taxicab Trips pilot program be extended for one year to end on April 1, 2023, with operations ending December 31, 2022, at an estimated cost of \$60,000, to be funded from the Working Funds – General Reserve (Account# 112400).

**Result: Motion on Item 4 of the General Issues Committee (2022 Operating Budget) Report 22-002, CARRIED by a vote of 14 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
YES – Deputy Mayor - Ward 2 Councillor Jason Farr  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 4 Councillor Sam Merulla  
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  
CONFLICT - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark

Due to declared conflicts Item 21, was voted on separately, as follows:

**21. Living Wage - Supplementary Information (FCS20013(b)) (City Wide) (Item 7.3) (February 25, 2022)**

That Report FCS20013(b), respecting Living Wage - Supplementary Information, be received.

**Result: Motion on Item 21 of the General Issues Committee (2022 Operating Budget) Report 22-002, CARRIED by a vote of 11 to 1, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
CONFLICT – Deputy Mayor - 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  
CONFLICT - Ward 7 Councillor Esther Pauls  
YES - Ward 8 Councillor John-Paul Danko  
YES - Mayor Fred Eisenberger  
NO - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
YES - Ward 13 Councillor Arlene VanderBeek  
YES - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark

Due to declared conflicts Item 22, was voted on separately, as follows:

**22. Summer Student General Labour – Recruitment Challenges (HUR22001(a)) (City Wide) (Item 7.4) (February 25, 2022)**

That Report HUR22001(a), respecting Summer Student General Labour – Recruitment Challenges, be received.

**Result: Motion on Item 22 of the General Issues Committee (2022 Operating Budget) Report 22-002, CARRIED by a vote of 10 to 2, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
CONFLICT – Deputy Mayor - 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  
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  
NO - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
NO - Ward 9 Councillor Brad Clark

Upon Council's request, Item 23(d) was voted on separately, as follows:

**23. Area Rating Review (FCS21078(b)) (City Wide) (Item 6.2) (March 23, 2022)**

(d) That the area rating of Parkland Purchases be eliminated once the existing internal debt has been paid off;

**Result: Motion on Item 23(d) of the General Issues Committee (2022 Operating Budget) Report 22-002, CARRIED by a vote of 14 to 1, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
YES – Deputy Mayor - Ward 2 Councillor Jason Farr  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 4 Councillor Sam Merulla  
YES - Ward 5 Councillor 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  
YES - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark

Due to a declared conflict Item 24(b)(i), was voted on separately, as follows:

**24. 2022 Tax Supported Operating Budget – Recommendations (FCS22002(a)) (City Wide) (Item 6.3) (March 23, 2022)**

(b) Boards and Agencies

(i) That the Hamilton Police Services operating budget of \$183,542,540 in Appendix "N" attached to Report 22-002, be approved;

**Result: Motion on Item 24(b)(i) of the General Issues Committee (2022 Operating Budget) Report 22-002, CARRIED by a vote of 13 to 1, as follows:**

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

YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 4 Councillor Sam Merulla  
YES - Ward 5 Councillor 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

Due to a declared conflict Item 24(k)(ii), was voted on separately, as follows:

**24. 2022 Tax Supported Operating Budget – Recommendations (FCS22002(a))  
(City Wide) (Item 6.3) (March 23, 2022)**

(k) Capital Financing

(ii) That the Capital Financing portion of the Police Services budget (2022 Tax Supported Operating Budget Book – Appendix “O” to Report 22-002, page 153) of \$1,269,000, inclusive of amendments as per Appendix “P”, as amended, attached to Report 22-002, be approved; and,

**Result: Motion on Item 24(k)(ii) of the General Issues Committee (2022 Operating Budget) Report 22-002, CARRIED by a vote of 13 to 1, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
YES – Deputy Mayor - Ward 2 Councillor Jason Farr  
NO - Ward 3 Councillor Nrinder Nann  
YES - Ward 4 Councillor Sam Merulla  
YES - Ward 5 Councillor 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 (2022 Operating Budget) Report 22-002, CARRIED by a vote of 15 to 0, as follows:**

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

**BOARD OF HEALTH REPORT 22-003**

**(Wilson/Pearson)**

That Board of Health Report 22-003, being the meeting held on Monday, March 21, 2022, be received and the recommendations contained therein be approved.

**Result: Motion on the Board of Health Report 22-003, CARRIED by a vote of 15 to 0, as follows:**

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



## MOTIONS

**7.4 Amendment to Item 7 of the Economic Development and Planning Committee Report 10-005, respecting Delegated Authority To Incorporate City Reserve Lands into Public Highway (PED10051) (City Wide)**

**(Partridge/Nann)**

WHEREAS it is recommended that the City discontinue it's previous process of only having authority as approved by Planning and Economic Development Committee Report 10-005 as approved by Council on March 10, 2010 for Reserve lands only and to continue to prepare reports to Council to incorporate legacy widenings and City widenings into public highway on a case by case basis, as it creates time delays as this is subject to standing committee and Council meeting schedules and is cumbersome during the summer months, when Council meetings are less frequent and development activity is most active.

THEREFORE, BE IT RESOLVED:

That Item 7 of the Economic Development and Planning Committee Report 10-005, respecting Report PED10051 - Delegated Authority To Incorporate City Reserve Lands into Public Highway, which was approved by Council on March 10, 2010, be deleted in it's entirety, as follows:

~~**7. Delegated Authority To Incorporate City Reserve Lands into Public Highway (PED10051) (City Wide) (Item 5.7)**~~

~~***That the General Manager of Public Works be authorized and directed to prepare by-laws under the provisions of subsection 31(2) of the Municipal Act, as amended, and place before Council for enactment, to incorporate City reserve lands into public highway, provided:***~~

~~***(a) The land encumbered by the reserve is under an application to subdivide or develop that has been approved the City;***~~

~~***(b) The incorporating by-laws are in a standard form satisfactory to the City Solicitor;***~~

~~***(c) The General Manager of Planning and Economic Development has confirmed that all outstanding requirements with respect to the reserve lands have been completed to the satisfaction of the City.***~~

**Result: Motion CARRIED by a vote of 16 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
 YES - Deputy Mayor - Ward 2 Councillor Jason Farr  
 YES - Ward 3 Councillor Nrinder Nann  
 YES - Ward 4 Councillor Sam Merulla  
 YES - Ward 5 Councillor 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
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

**PUBLIC WORKS COMMITTEE REPORT 22-004**

**(Nann/Powers)**

That Public Works Committee Report 22-004, being the meeting held on Monday, March 21, 2022, be received and the recommendations contained therein be approved.

**Result: Motion on the Public Works Committee Report 22-004, CARRIED by a vote of 16 to 0, as follows:**

- YES - Ward 1 Councillor Maureen Wilson
- YES – Deputy Mayor - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor 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
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

**PLANNING COMMITTEE REPORT 22-004**

**(Farr/Johnson)**

That the consideration of Planning Committee Report 22-004, be deferred until after consideration of Item 6.9, Encampment Process: Staffing Feasibility / Service Levels Impacts (PED22088) (City Wide).

**Result: Motion CARRIED by a vote of 16 to 0, as follows:**

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

YES - Ward 5 Councillor 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  
YES - 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 REPORT 22-006</b>
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**(Farr/Merulla)**

That General Issues Committee Report 22-006, being the meeting held on Wednesday, March 23, 2022, be received and the recommendations contained therein be approved.

Upon Council's request, Item 4 was voted on separately, as follows:

- 4. Light Rail Transit (LRT) Agreements Update (PED21176(a)) (City Wide) (Item 8.4)**
  - (a) That the City Manager be authorized and directed to execute the Communications Protocol for the Hamilton Light Rail Transit (LRT) project, attached as Appendix "A" to Report 22-006. as a Schedule to the Hamilton LRT Memorandum of Understanding;
  - (b) That the City Manager be given delegated authority to negotiate and execute a protocol respecting property interests to and from the City of Hamilton and any ancillary documents, in accordance with key terms set out in the Protocol respecting Property Interests to and from the City of Hamilton term sheet, attached as Appendix "B" to Report 22-006, in a form satisfactory to the City Solicitor, as a Schedule to the Hamilton LRT Memorandum of Understanding; and,
  - (c) That the City Manager be given delegated authority to negotiate and execute a Governance Terms of Reference and any ancillary documents in accordance with the City of Hamilton and Metrolinx Governance Framework, attached as Appendix "C" to Report 22-006, in a form satisfactory to the City Solicitor, as a Schedule to the Hamilton LRT Memorandum of Understanding.

**Result: Motion on the Item 4 of the General Issues Committee Report 22-006, CARRIED by a vote of 12 to 4, as follows:**

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

YES - Ward 5 Councillor 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  
NO - Ward 14 Councillor Terry Whitehead  
YES - Ward 13 Councillor Arlene VanderBeek  
YES - Ward 12 Councillor Lloyd Ferguson  
NO - Ward 11 Councillor Brenda Johnson  
NO - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark

Upon Council's request, Item 10 was voted on separately, as follows:

**10. Entertainment Venues Municipal Capital By-Law (PED18168(h)) (Ward 2) (Item 10.6)**

- (a) That the lands known as the FirstOntario Centre, located at 101 York Boulevard, Hamilton, be declared a municipal capital facility operating as a sport, recreational and entertainment complex for public use, to be exempted from taxation for municipal and school purposes;
- (b) That the lands in the known as the Hamilton Convention Centre, located at 1 Summers Lane, Hamilton, be declared a municipal capital facility operating as a convention and entertainment complex for public use, to be exempted from taxation for municipal and school purposes;
- (c) That the lands in the known as the FirstOntario Concert Hall, located at 1 Summers Lane, Hamilton, be declared a municipal capital facility operating as a concert hall and entertainment complex for public use, to be exempted from taxation for municipal and school purposes;
- (d) That the Mayor and City Clerk be authorized and directed to execute Municipal Capital Facilities Agreements, and any ancillary documents, substantially in the form attached as Appendix "A" to Report PED18168(h), with such amendments deemed reasonable and necessary to the satisfaction of the City Solicitor, effective on or prior to the lease commencement dates of the FirstOntario Centre, Hamilton Convention Centre, and FirstOntario Concert Hall;
- (e) That the By-law, attached as Appendix "B" to Report PED18168(h), to establish Municipal Capital Facility Designation for the FirstOntario Centre, be passed;
- (f) That the By-law, attached as Appendix "C" to Report PED18168(h), to establish Municipal Capital Facility Designation for the FirstOntario Concert Hall, be passed;

- (g) That the By-law, attached as Appendix "D" to Report PED18168(h), to establish Municipal Capital Facility Designation for the Hamilton Convention Centre, be passed;
- (h) That, upon approval by Council, staff be directed to give written notice of the following By-laws to the secretary of the school boards having jurisdiction, and the Municipal Property Assessment Corporation; and,
  - (i) MCF By-law – Arena
  - (ii) MCF By-law – Concert Hall
  - (iii) MCF By-law – Convention Centre
- (i) That the Clerk be directed to give written notice of the By-law approving this staff report in respect of recommendation (d) to the Minister of Finance;
- (j) That staff be directed to review what, if any, portions of the agreement between the City of Hamilton and the Hamilton Urban Precinct Group LP, with regard the lands known as the FirstOntario Centre, the Hamilton Convention Centre and the FirstOntario Concert Hall may be publicly released, and report back to the General Issues Committee; and,
- (k) That staff be directed to report back annually on the operations of the Hamilton Urban Precinct Group LP, with regard the lands known as the FirstOntario Centre, the Hamilton Convention Centre and the FirstOntario Concert Hall, and report back to the General Issues Committee.

**Result: Motion on Item 10 of the General Issues Committee Report 22-006, CARRIED by a vote of 14 to 2, as follows:**

NO - Ward 1 Councillor Maureen Wilson  
YES – Deputy Mayor - Ward 2 Councillor Jason Farr  
NO - Ward 3 Councillor Nrinder Nann  
YES - Ward 4 Councillor Sam Merulla  
YES - Ward 5 Councillor 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  
YES - Ward 14 Councillor Terry Whitehead  
YES - Ward 13 Councillor Arlene VanderBeek  
YES - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark

**Result: Motion on the balance of the General Issues Committee Report 22-006, CARRIED by a vote of 16 to 0, as follows:**

- YES - Ward 1 Councillor Maureen Wilson
- YES – Deputy Mayor - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor 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
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

**(Pearson/Farr)**

That Council recess for 30 minutes, until 1:00 p.m.

**Result: Motion CARRIED by a vote of 16 to 0, as follows:**

- YES - Ward 1 Councillor Maureen Wilson
- YES – Deputy Mayor - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor 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
- YES - 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 22-007</b>
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**(Pearson/Wilson)**

That Audit, Finance and Administration Committee Report 22-007, being the meeting held on Thursday, March 24, 2022, be received and the recommendations contained therein be approved.

**(Farr/Partridge)**

That Item 1 of the Audit, Finance and Administration Committee Report 22-007, respecting correspondence from Trent Jarvis, Hamilton Waterfront Trust, respecting an update to the Audit, Finance and Administration Committee in April or May of 2022 (Item 5.2), be amended by adding '**and the Executive Director**' to sub-section (b) and by deleting sub-section (c) in its entirety, to read as follows:

1. **Correspondence from Trent Jarvis, Hamilton Waterfront Trust, respecting an update to the Audit, Finance and Administration Committee in April or May of 2022 (Item 5.2)**
  - (a) That the correspondence from Trent Jarvis, Hamilton Waterfront Trust, respecting an update to the Audit, Finance and Administration Committee in April or May of 2022, be received; and,
  - (b) That staff be directed to develop a scope of work and report back to the Audit, Finance and Administration Committee on April 21, 2022 on an independent third party audit review to verify the financial strength of the Hamilton Waterfront Trust on a going forward basis, with an invitation to the Chair **and the Executive Director** of the Hamilton Waterfront Trust and to attend; ~~and,~~
  - ~~(c) That the Executive Director of the Hamilton Waterfront Trust be requested to attend the April 7, 2022 Audit, Finance and Administration Committee meeting to present.~~

**Result: Item 1 of the Audit, Finance and Administration Committee Report 22-007, As Amended, CARRIED by a vote of 16 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
 YES – Deputy Mayor - Ward 2 Councillor Jason Farr  
 YES - Ward 3 Councillor Nrinder Nann  
 YES - Ward 4 Councillor Sam Merulla  
 YES - Ward 5 Councillor 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  
 YES - 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 and Administration Committee Report 22-007, CARRIED by a vote of 16 to 0, as follows:**

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

- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor 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
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

**EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 22-004**

**(Clark/Merulla)**

That Emergency and Community Services Committee Report 22-004, being the meeting held on Thursday, March 24, 2022, be received and the recommendations contained therein be approved.

**Result: Motion on the Emergency and Community Services Committee Report 22-004, CARRIED by a vote of 15 to 0, as follows:**

- YES - Ward 1 Councillor Maureen Wilson
- YES – Deputy Mayor - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor 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
- 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
- YES - Ward 9 Councillor Brad Clark

**STAFF REPORTS**

**6.9(a) Encampment Process: Staffing Feasibility / Service Levels Impacts (PED22088) (City Wide)**

**(Farr/Merulla)**

That staff in the Licensing and By-law Services Division be authorized to create a dedicated team of 4 full-time temporary Municipal Law Enforcement (MLE) Officer



positions on a pilot basis until December 31, 2022 to enforce City by-laws related to encampments, at an estimated total cost of \$416,673.73, to be funded through the Tax Stabilization Reserve.

**Result: Motion, CARRIED by a vote of 11 to 4, as follows:**

NO - Ward 1 Councillor Maureen Wilson  
 YES – Deputy Mayor - Ward 2 Councillor Jason Farr  
 NO - Ward 3 Councillor Nrinder Nann  
 YES - Ward 4 Councillor Sam Merulla  
 YES - Ward 5 Councillor Russ Powers  
 YES - Ward 6 Councillor Tom Jackson  
 YES - Ward 7 Councillor Esther Pauls  
 NO - Ward 8 Councillor John-Paul Danko  
 NO - Mayor Fred Eisenberger  
 YES - Ward 15 Councillor Judi Partridge  
 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  
 YES - Ward 9 Councillor Brad Clark

<b>PLANNING COMMITTEE REPORT 22-004 CONTINUED</b>
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**(Johnson/Partridge)**

That Planning Committee Report 22-004, being the meeting held on Tuesday, March 22, 2022, be received and the recommendations contained therein be approved.

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

**4. Appeal of Urban Hamilton Official Plan Amendment and Zoning By-law Amendment Applications to the Ontario Land Tribunal (OLT) for Lack of Decision for Lands Located at 299-307 John Street South and 97 St. Joseph's Drive, Hamilton (PED22038) (Ward 2) (Item 7.4)**

That Report PED22038 respecting the Appeal of Urban Hamilton Official Plan Amendment and Zoning By-law Amendment Applications to the Ontario Land Tribunal (OLT) for Lack of Decision for Lands Located at 299-307 John Street South and 97 St. Joseph's Drive, Hamilton, be received.

**Result: Motion on Item 4 of the Planning Committee Report 22-004, CARRIED by a vote of 14 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
 YES – Deputy Mayor - Ward 2 Councillor Jason Farr  
 YES - Ward 3 Councillor Nrinder Nann  
 YES - Ward 4 Councillor Sam Merulla  
 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
- 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
- CONFLICT - Ward 9 Councillor Brad Clark

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

**7. Application to Amend Hamilton Zoning By-law No. 05-200 for Lands Located at 1040 Garner Road West, Ancaster (PED22059) (Ward 12) (Item 9.1)**

- (a) That Zoning By-law Amendment Application ZAC-21-030, by Urban Solutions Planning and Land Development c/o Matt Johnston on behalf of Garner Investments Inc., Owner, for a change in zoning from the Prestige Business Park (M3, 376, 678) Zone to the Prestige Business Park (M3, 376, 678, 771) Zone to modify the restaurant requirements applicable to the subject lands, as shown on Appendix “A” attached to Report PED22059, be APPROVED on the following basis:
  - (i) That the draft By-law, attached as Appendix “B” to Report PED22059 which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to the Growth Plan for the Greater Golden Horseshoe (2019, as amended);
  - (iii) That the proposed change in zoning complies with the Urban Hamilton Official Plan.
- (b) That the public submissions were received and considered by Committee in approving the application.

**Result: Motion on Item 7 of the Planning Committee Report 22-004, CARRIED by a vote of 14 to 0, as follows:**

- YES - Ward 1 Councillor Maureen Wilson
- YES – Deputy Mayor - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- 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  
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  
CONFLICT - Ward 9 Councillor Brad Clark

Due to a declared conflict, Item 11, was voted on separately as follows:

**11. Discontinuation of Special Municipal Review Program for Cannabis Retail Store Applications (PED22054) (City Wide) (Item 10.3)**

- (a) That effective September 30, 2022, Staff be directed to discontinue the special municipal review program for Cannabis Retail Store applications as previously directed by Council through Report PED18249(a) on January 14, 2019;
- (b) That the responsibility for enforcing City By-laws with respect to Cannabis, be assumed through the City's regular By-Law enforcement and business licensing programs; and,
- (c) That subject to the approval of Recommendation (a) and (b), Licensing and By-law Services work with the City's Communication team to develop a local awareness campaign to educate residents and business owners on how to be notified and comment on new cannabis applications.

**Result: Motion on Item 11 of the Planning Committee Report 22-004, CARRIED by a vote of 14 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
YES - Deputy Mayor - Ward 2 Councillor Jason Farr  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 4 Councillor Sam Merulla  
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  
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  
CONFLICT - Ward 9 Councillor Brad Clark

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

**15. Enhanced Parks By-law - Encampment Enforcement (Item 11.3)**

WHEREAS, on August 9, 2021, City Council voted to return to enforcing the prohibition of Camping in our City parks and public places and through our Parks Bylaw. A prohibition no different than any other municipality across the Province.

WHEREAS, the number of encampments more than doubled from approximately 20 to over 40 following the August 9th resolution with many encampments entrenched in public parks for months.

WHEREAS, on September 9, 2021, the Emergency and Community Services Committee received Information Report PED21188/HSC20038(c)—Encampment Response Update (copy attached) which outlined the Encampment Process implemented by City Staff;

WHEREAS, City Council is concerned that persons continue to camp in City parks in contravention of the Parks Bylaw and for extended periods - contrary to neighbouring municipalities where Park Bylaw enforcement is direct and takes a few days maximum if not sooner; and,

WHEREAS, City Council believes Hamilton should not be the only city with a Parks Bylaw enforcement process that results in both an increase in the number of encampments and the length of time encampments are located in a park or public space and should therefore facilitate the implementation of the Encampment Process to incorporate more precise timelines and direction into the Process consistent with similar processes implemented in other Ontario municipalities;

THEREFORE, BE IT RESOLVED:

- (a) That Staff be directed to complete their activities under the Encampment Process, including notifying the Hamilton Police Service that a Trespass Notice has been issued, within 12 to 72 hours after staff receive the first complaint regarding unauthorized camping in a City park or public place;
- (b) That Staff be directed to enforce the Encampment Process 7 days per week; and,
- (c) That staff be directed to report on staff and feasibility service levels for encampment enforcement at the March 30th Council meeting.

**Result: Motion on Item 15 of the Planning Committee Report 22-004, CARRIED by a vote of 11 to 4 as follows:**

NO - Ward 1 Councillor Maureen Wilson  
YES – Deputy Mayor - Ward 2 Councillor Jason Farr  
NO - Ward 3 Councillor Nrinder Nann  
YES - Ward 4 Councillor Sam Merulla  
YES - Ward 5 Councillor Russ Powers

YES - Ward 6 Councillor Tom Jackson  
YES - Ward 7 Councillor Esther Pauls  
NO - Ward 8 Councillor John-Paul Danko  
NO - Mayor Fred Eisenberger  
YES - Ward 15 Councillor Judi Partridge  
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  
YES - Ward 9 Councillor Brad Clark

Due to a declared conflict, Item 19, was voted on separately as follows:

**19. Instructions - Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-18-004) and Zoning By-law Amendment Application (ZAC-18-009) for Lands Located at 299-307 John Street South and 97 St. Joseph's Drive, Hamilton (LS22007/PED22038(a)) (Ward 2) (14.2)**

- (a) That the directions to staff in closed session respecting Report LS22007/PED22038(a) be released to the public, following approval by Council; and,
- (b) That the balance of Report LS22007/PED22038(a) remain confidential.

**Result: Motion on Item 19 of the Planning Committee Report 22-004, CARRIED by a vote of 14 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
YES – Deputy Mayor - Ward 2 Councillor Jason Farr  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 4 Councillor Sam Merulla  
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  
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  
CONFLICT - Ward 9 Councillor Brad Clark

Upon Council's request, Item 1(g)(a) was voted on separately, as follows:

**1. Hamilton Municipal Heritage Committee Report 22-002 (Item 7.1)**

**(g) Inventory and Research Working Group Notes – January 24, 2022 (Added Item 10.4)**

**(a) 1107 Main Street West (Grace Lutheran Church) (Item 1)**

That 1107 Main Street West, Grace Lutheran Church, be added to the Municipal Heritage Register and to the staff work plan for heritage designation under the Ontario Heritage Act.

**Result: Motion on Item 1(g)(a) of the Planning Committee Report 22-004, DEFEATED by a vote of 0 to15, as follows:**

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

**1. Hamilton Municipal Heritage Committee Report 22-002 (Item 7.1)**

**(Wilson/Powers)**

WHEREAS, the City of Hamilton received Urban Hamilton Official Plan Amendment application UHOPA-20-012 and Zoning By-law Amendment application ZAC-20-016 on February 13, 2020 to permit the development of a 15 storey mixed use building at the lands located at 1107 Main Street West;

WHEREAS, the subject property is included in the City's Inventory of Heritage Buildings and the City's Places of Worship Inventory;

WHEREAS, a Cultural Heritage Impact Assessment was completed by Metropolitan Design dated January 2020 and submitted in support of the applications and was revised to address staff comments and comments of the Policy and Design Working Group of the Hamilton Municipal Heritage Committee;

WHEREAS, an additional Cultural Heritage Impact Assessment (CHIA) was completed by Parslow Heritage Consultancy Inc. dated November 2021 and was submitted in support of the applications and determined that while Grace Lutheran Church has established heritage value the commemoration and salvage of heritage features is the appropriate method of recognizing the contributions of the church to the community of Ainslie Wood Westdale;

WHEREAS, Cultural Heritage Planning staff reviewed the CHIA and found the assessment to be comprehensive and required minor revisions to the CHIA;

WHEREAS, the Policy and Design Working Group and the Inventory and Research Working Group of the Hamilton Municipal Heritage Committee were not supportive of the recommendations of the CHIA and recommended that the Hamilton Municipal Heritage Committee add the property to the Heritage Register and the City's Workplan for Designation under Part IV of the *Ontario Heritage Act*;

WHEREAS, the Hamilton Municipal Heritage Committee at its meeting on February 25, 2022 approved the Inventory and Research Working Group Notes including adding the lands located at 1107 Main Street West to the Heritage Register and the City's Workplan for Designation under Part IV of the *Ontario Heritage Act*;

WHEREAS, the proposed development includes retaining the façade of Grace Lutheran Church to be incorporated into a community garden located on site;

WHEREAS, the owner will be required to submit and implement a Documentation and Salvage Report to consider incorporating additional materials and features into the development and providing documentation of the existing heritage features;

THEREFORE, BE IT RESOLVED:

That Item 1(g)(a) of the Planning Committee Report 22-004, respecting the Inventory and Research Working Group Notes – January 24, 2022, 1107 Main Street West (Grace Lutheran Church), ***be amended*** to read as follows:

**1. Hamilton Municipal Heritage Committee Report 22-002 (Item 7.1)**

**(g) Inventory and Research Working Group Notes – January 24, 2022  
(Added Item 10.4)**

(a) 1107 Main Street West (Grace Lutheran Church) (Item 1)

**(i) That the lands located at 1107 Main Street West be added to the Heritage Register;**

**(ii) That the inclusion of 1107 Main Street West on the City's Workplan for Designation under Part IV of the Ontario Heritage Act, be referred back to Planning Committee until such time as Council has made a decision on the applications for an Official Plan Amendment and Zoning By-law Amendment; and,**

- (iii) That as part of the review of the applications for an Official Plan Amendment and Zoning By-law Amendment, that staff be directed to report back on options on how the recommendations of the November, 2021 CHIA will be implemented.**

**Result: Motion on Item 1(g)(a) of the Planning Committee Report 22-004, As Amended, CARRIED by a vote of 15 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
YES – Deputy Mayor - Ward 2 Councillor Jason Farr  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 4 Councillor Sam Merulla  
YES - Ward 5 Councillor 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  
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  
YES - Ward 9 Councillor Brad Clark

**Result: Motion on the balance of the Planning Committee Report 22-004, CARRIED by a vote of 15 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
YES – Deputy Mayor - Ward 2 Councillor Jason Farr  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 4 Councillor Sam Merulla  
YES - Ward 5 Councillor 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  
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  
YES - Ward 9 Councillor Brad Clark

**(Farr/Pearson)**

That Council rise from Committee of the Whole to consider the Committee Reports.



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

YES - Ward 1 Councillor Maureen Wilson  
 YES – Deputy Mayor - Ward 2 Councillor Jason Farr  
 YES - Ward 3 Councillor Nrinder Nann  
 YES - Ward 4 Councillor Sam Merulla  
 YES - Ward 5 Councillor 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  
 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  
 YES - Ward 9 Councillor Brad Clark

**MOTIONS - Continued****7.1 Hamilton Port Authority – City of Hamilton Liaison Committee Name Change****(Pauls/Partridge)**

WHEREAS, the Hamilton Port Authority and the Oshawa Port Authority have amalgamated in one port authority, named the Hamilton-Oshawa Port Authority;

WHEREAS, the name of the Hamilton Port Authority – City of Hamilton Liaison Committee should be changed to reflect the new name.

THEREFORE, BE IT RESOLVED:

- (a) That the Hamilton Port Authority – City of Hamilton Liaison Committee be renamed the Hamilton-Oshawa Port Authority – City of Hamilton Liaison Committee; and
- (b) That the Terms of Reference, as amended to reflect the name change, attached as Appendix “A”, be approved.

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

YES - Ward 1 Councillor Maureen Wilson  
 YES – Deputy Mayor - Ward 2 Councillor Jason Farr  
 YES - Ward 3 Councillor Nrinder Nann  
 YES - Ward 4 Councillor Sam Merulla  
 YES - Ward 5 Councillor 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  
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  
YES - Ward 9 Councillor Brad Clark

**7.2 Amendment to Appendix “B” to Item 4 of the Audit, Finance and Administration Committee Report 21-022, respecting Investing in City Roads and Sidewalks Infrastructure with Canada Community - Building Funds, which was approved by Council on December 15, 2021**

**(VanderBeek/Powers)**

- (a) That Appendix “B” to Item 4 of the Audit, Finance and Administration Committee Report 21-022 (attached hereto), respecting Investing in City Roads and Sidewalks Infrastructure with Canada Community - Building Funds – Capital Project List, which was approved by Council on December 15, 2021, **be amended**, by deleting both the Sydenham Road Cycling Facility and Carey Street resurfacing projects from the list of projects, and renumbering the remaining projects accordingly;
- (b) That sub-section (a) to Item 4 of the Audit, Finance & Administration Committee, respecting Investing in City Roads and Sidewalks Infrastructure with Canada Community - Building Funds – Capital Project List, which was approved by Council on December 15, 2021, **be amended**, by adding the words “**as amended**”, to read as follows:
- (a) That the Canada Community Building Fund investment of \$30 M be allocated to the list of projects in Appendix “B”, **as amended**, to Audit, Finance & Administration Committee Report 21-022;

Main Motion, **As Amended**, reads as follows:

**4. Investing in City Roads and Sidewalks Infrastructure with Canada Community - Building Funds**

- (a) That the Canada Community Building Fund investment of \$30 M be allocated to the list of projects in Appendix “B”, **as amended**, to Audit, Finance & Administration Committee Report 21-022;
- (b) That three Public Works temporary full time equivalents be hired for up to 24 months at an estimated cost of \$850,000 and funded from Unallocated Capital Levy Reserve 108020 to deliver the Canada Community-Building Fund projects; and,
- (c) That the Procurement Policy 4.9 Consulting and Professional Services requirements be waived to allow for the direct award of Roster Assignments above the \$150,000 threshold for consultancy work pertaining to the Canada Community-Building Fund projects.

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

YES - Ward 1 Councillor Maureen Wilson  
YES – Deputy Mayor - Ward 2 Councillor Jason Farr  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 4 Councillor Sam Merulla  
YES - Ward 5 Councillor 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  
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  
YES - Ward 9 Councillor Brad Clark

**7.3 Bill C-25, An Act to amend the *Federal-Provincial Fiscal Arrangements Act* Funding for Ward 13****(VanderBeek/Powers)**

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

WHEREAS, the City of Hamilton received \$32.7 million in one-time funding under Bill C-25 and allotted \$2 million to each ward to invest in City roads and sidewalks infrastructure on July 9, 2021;

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

WHEREAS, the City of Hamilton staff will make best efforts to deliver all projects under the Investing in City Roads and Sidewalks Infrastructure with Canada Community-Building Funds initiative as expeditiously as possible;

THEREFORE, BE IT RESOLVED;

That up to \$2.0 million of the estimated \$2.0 million of the one-time funding allocated to Ward 13, under Bill C-25, be invested in sidewalk and road repairs (resurfacing) for:

- (a) Osler Drive – South Street to Grant Boulevard; and,
- (b) East Street North – Hunter Street to York Road.

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

YES - Ward 1 Councillor Maureen Wilson  
YES – Deputy Mayor - Ward 2 Councillor Jason Farr  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 4 Councillor Sam Merulla  
YES - Ward 5 Councillor 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  
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  
YES - Ward 9 Councillor Brad Clark

Mayor Eisenberger relinquished the Chair to Deputy Mayor Farr in order to introduce the following motions:

#### **7.5 Encampment Matter Reporting**

##### **(Eisenberger/Jackson)**

That any matters listed on any of the Standing Committee Outstanding Business Lists, be referred to the General Issues Committee.

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

YES - Ward 1 Councillor Maureen Wilson  
YES – Deputy Mayor - Ward 2 Councillor Jason Farr  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 4 Councillor Sam Merulla  
YES - Ward 5 Councillor 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  
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  
YES - Ward 9 Councillor Brad Clark

**7.6 Mayor's Ukrainian Humanitarian Crisis and Response Advisory Committee****(Eisenberger/Merulla)**

WHEREAS, an estimated 3.8 million Ukrainian citizens have been forced to flee from their homeland due to the unjust war initiated by Russia on February 24, 2022;

WHEREAS, many Ukrainians are now seeking temporary refuge until such time they can safely return to their homeland;

WHEREAS, it is anticipated that tens of thousands of displaced Ukrainians will make their way to Canada, hundreds of whom will settle in the City of Hamilton;

WHEREAS, the Provincial and Federal Governments are financially responsible for newcomer and refugee settlement services;

WHEREAS the Federal Government has created the Canada-Ukraine Authorization for Emergency Travel (CUAET), that allows visitors to temporarily reside and work in Canada for up to three years;

WHEREAS, the Federal CUAET process differs from past newcomer and refugee support programs, and has not established what level of funding will flow through to settlement service organizations or the Port of Entry funding model;

WHEREAS, the Provincial Government has yet to announce a financial support program for displaced Ukrainians; and

WHEREAS, the City of Hamilton and its partner organizations led by Hamilton Immigration Partnership Council (HIPC) and the robust Canadian Ukrainian Hamilton community, has the experience and expertise required to assist newcomers;

THEREFORE, BE IT RESOLVED

- (a) That Council approve the creation of the Mayor's Ukrainian Humanitarian Crisis and Response Advisory Committee;
- (b) That the committee membership be comprised of key community organizations, stakeholders and city departments with the objective of providing the necessary supports to Hamilton's displaced Ukrainians;
- (c) That the General Manager of Healthy and Safe Communities, relevant HSC divisional Directors, the Senior HIPC Project Manager, and the Mayor's Ukrainian Humanitarian Crisis and Response Advisory Committee work with Federal and Provincial government partners on a comprehensive settlement plan to welcome these Ukrainians to the City of Hamilton;
- (d) That the settlement plan include but not be limited to, the necessary Provincial and Federally funded supports for housing, health, education, translation and labour services; and

- (e) That staff report back to the General Issues Committee with a progress update, the number of displaced Ukrainians that could be supported and any resource requirements.

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

YES - Ward 1 Councillor Maureen Wilson  
YES – Deputy Mayor - Ward 2 Councillor Jason Farr  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 4 Councillor Sam Merulla  
YES - Ward 5 Councillor 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  
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  
YES - Ward 9 Councillor Brad Clark

Mayor Eisenberger assumed the Chair for the remainder of the meeting.

**7.7 Demolition Permit Authorization to facilitate the Jamesville Re-Development for Renewed Affordable Housing**

**(Farr/Merulla)**

WHEREAS, there is a housing crisis across Canada and here at home and new affordable units are desperately needed fast;

WHEREAS, On October 22, 2020, the CityHousing Hamilton Corporation (“CHH”) approved the plan to redevelop and intensify 405 James St N., the site bounded by James St. N., Ferrie St. W., MacNab St. N. and Strachan St. W. (known as “Jamesville”);

WHEREAS, the redevelopment of Jamesville would transform the 91-townhouse site into a mixed-income community that includes a 46-unit CHH building and up to 120 supportive housing units owned by Indwell Community Homes (“Indwell”), integrated within a mixed-use development that includes private market rental and/or ownership residential units built and marketed across the spectrum of affordability;

WHEREAS, the Successful Proponent known as the Jamesville Redevelopment Limited Partnership (“JRLP”) was secured through a competitive Request for Proposals (RFP) process and was approved by the CHH Resolution;

WHEREAS, CHH made application to the City for an ERG on 405 James ST N (ERG-19-06) on August 19, 2019 and the developer has agreed to take responsibility for both the demolition and the environmental remediation of the site; and

WHEREAS, the unique timing, partnership arrangement, and public policy rationale for the Jamesville redevelopment requires several Council directives be considered in order to expedite the demolition and redevelopment;

THEREFORE, be it resolved:

- (a) That the Chief Building Official be authorized to issue demolition permits for the 13 townhouse dwellings located at 405 James Street North, Hamilton, also known as, 2-8 Strachan Street West, 10-22 Strachan Street West, 24-38 Strachan Street West, 405-411 James Street North, 413-425 James Street North, 427-441 James Street North, 443-457 James Street North, 459-471 James Street North, 15-29 Ferrie Street West, 312-322 MacNab Street North, 324-338 MacNab Street North, 340-354 MacNab Street North and 356-372 MacNab Street North, in accordance with By-law 09-208, as amended by By-law 13-185, pursuant to Section 33 of The Planning Act as amended, without having to comply with conditions 6(a), (b), and (c) of the Demolition Control By-law 09-208; and
- (b) That Staff be directed to prepare and bring forward a report to General Issues Committee and Council for the consideration of the applicable ERG application (ERG-19-06), along with any necessary program amendments to the ERASE Redevelopment Grant Program required to facilitate site remediation for the Jamesville affordable housing Development

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

YES - Ward 1 Councillor Maureen Wilson  
YES – Deputy Mayor - Ward 2 Councillor Jason Farr  
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  
YES - 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  
YES - Ward 9 Councillor Brad Clark

<b>NOTICES OF MOTION</b>
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**8.1 Mayor's Ukrainian Humanitarian Crisis and Response Advisory Committee****(Eisenberger/Merulla)**

That the rules of order be waived to allow for the introduction of a Motion respecting the Mayor's Ukrainian Humanitarian Crisis and Response Advisory Committee.

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

YES - Ward 1 Councillor Maureen Wilson  
YES – Deputy Mayor - Ward 2 Councillor Jason Farr  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 4 Councillor Sam Merulla  
YES - Ward 5 Councillor 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  
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  
YES - Ward 9 Councillor Brad Clark

For further disposition of this matter, refer to Item 7.6

**8.2 Demolition Permit Authorization to facilitate the Jamesville Re-Development for Renewed Affordable Housing****(Farr/Merulla)**

That the rules of order be waived to allow for the introduction of a Motion respecting a Demolition Permit Authorization to facilitate the Jamesville Re-Development for Renewed Affordable Housing.

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

YES - Ward 1 Councillor Maureen Wilson  
YES – Deputy Mayor - 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  
YES - 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  
YES - Ward 9 Councillor Brad Clark

For further disposition of this matter, refer to Item 7.7

**STATEMENTS BY MEMBERS**

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

**COUNCIL COMMUNICATION UPDATES**

**(Farr/Pearson)**

That the listing of Council Communication Updates from February 18, 2022 to March 24, 2022, be received.

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

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

**PRIVATE AND CONFIDENTIAL**

Council determined that discussion of Item 11.1 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

**11.1 Closed Session Minutes – February 23, 2022**

**(Pearson/Jackson)**

That the Closed Session Minutes dated February 23, 2022 be approved, as presented, and remain confidential.

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

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

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

That Bills No. 22-053 to No. 22-066, 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:

- 053 A By-law to Amend Zoning By-law No. 05-200 respecting lands located at 3331 Homestead Drive (Glanbrook)  
ZAC-18-003  
Ward: 11
- 054 To Authorize a Tax Exemption for Space Leased at 101 York Boulevard by Hamilton Urban Precinct Entertainment Group L.P. or an Associated Entity for the Purposes of the Provision of Municipal Capital Facilities as defined in Section 110 of the *Municipal Act, 2001*  
Ward: 2
- 055 To Authorize a Tax Exemption for Space Leased at 1 Summers Lane by Hamilton Urban Precinct Entertainment Group L.P. or an Associated Entity for the Purposes of the Provision of Municipal Capital Facilities as defined in Section 110 of the *Municipal Act, 2001* Concert Hall  
Ward: 2
- 056 To Authorize a Tax Exemption for Space Leaded at 1 Summers Lane by Hamilton Urban Precinct Entertainment Group L.P. or an Associated Entity for the Purposes of the Provision of Municipal Capital Facilities as defined in Section 110 of the *Municipal Act, 2001* Convention Centre  
Ward: 2

- 057 To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking  
Schedule 8 (No Parking Zones)  
Schedule 12 (Permit Parking Zones)  
Schedule 13 (No Stopping Zones)  
Ward: 4, 5, 7, 9, 12, 15
- 058 To Amend By-law No. 03-296, Being a By-law to Provide for the Removal of Snow and Ice from Roofs and Sidewalks  
Ward: City Wide
- 059 To Amend By-law No.16-184, being a By-law to Regulate Enclosures for Privately-Owned Outdoor Pools  
Ward: City Wide
- 060 To Designate Property Located at 77 Gage Avenue North, City of Hamilton, as Property of Cultural Heritage Value  
Ward: 3
- 061 To Designate Property Located at 1099 King Street East, City of Hamilton as Property of Cultural Heritage Value  
Ward: 3
- 062 To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 1040 Garner Road West, Ancaster  
ZAC-21-030  
Ward: 12
- 063 To Adopt Official Plan Amendment No. 32 to the Rural Hamilton Official Plan Respecting 1348 Concession 2 West, 1372 Concession 2 West and 173 Highway 52 (Flamborough)  
Ward: 12
- 064 To Amend Zoning By-law No. 05-200, Respecting Lands Located at 173 Highway 52, 1348 Concession 2 West and 1372 Concession 2 West, Hamilton  
RHOPA-21-017 and ZAR-21-040  
Ward: 12
- 065 To Impose a Sanitary Sewer Charge Upon Owners of Land Abutting Springbrook Avenue from Approximately 24.5 metres South of Lockman Drive to Approximately 17 metres South of Regan Drive, in the City of Hamilton  
Ward: 12
- 066 To Confirm the Proceedings of City Council

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

YES - Ward 1 Councillor Maureen Wilson  
YES – Deputy Mayor - Ward 2 Councillor Jason Farr  
NOT PRESENT - Ward 3 Councillor Nrinder Nann  
NOT PRESENT - Ward 4 Councillor Sam Merulla  
NOT PRESENT - Ward 5 Councillor Russ Powers  
YES - Ward 6 Councillor Tom Jackson

NOT PRESENT - Ward 7 Councillor Esther Pauls  
YES - Ward 8 Councillor John-Paul Danko  
YES - Mayor Fred Eisenberger  
YES - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
YES - Ward 13 Councillor Arlene VanderBeek  
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

**(Johnson/Pearson)**

That, there being no further business, City Council be adjourned at 5:33 p.m.

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

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

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland  
City Clerk