



CITY COUNCIL MINUTES 22-009

9:30 a.m.
April 13, 2022
Council Chamber
Hamilton City Hall
71 Main Street West

Present: Acting Mayor N. Nann
Councillors M. Wilson, J. Farr, 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.

Absent: Mayor F. Eisenberger - Personal

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

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

4. COMMUNICATIONS

- 4.8 Correspondence from Lakewood Beach Community Council respecting their delegation at the Planning Committee meeting of April 5, 2022.

Recommendation: Be received.

- 4.9 Correspondence from the Honourable Steve Clark, Ministry of Municipal Affairs and Housing respecting the status of the emergency orders.

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

4.10 Correspondence respecting the Strategic Land Acquisition Plan Along the Hamilton Light Rail Transit (LRT) Corridor motion:

- (a) Gabriel Nicholson
- (b) Graham Cubitt, Chair, Hamilton is Home Coalition

Recommendation: Be received and referred to the consideration of Item 9 of General Issues Committee Report 22-007.

4.11 A petition signed by 171 individuals requesting that Council take action on the increased pedestrian deaths this year.

Recommendation: Be received.

7. NOTICES OF MOTION

7.1 Lincoln M. Alexander Parkway (LINC) and Red Hill Valley Parkway (RHVP) Mobility Feasibility Study

10. PRIVATE AND CONFIDENTIAL

10.1 **REVISED** Confidential Appendix "C" to Item 5, Audit, Finance and Administration Committee Report 22-008, respecting Report AUD22004, Grightmire Arena Lessons Learned Audit

(Whitehead/Johnson)

That the agenda for the April 13, 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 - Ward 2 Councillor Jason Farr
- YES - Acting Mayor - 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
- NOT PRESENT - 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

DECLARATIONS OF INTEREST

Councillor B. Clark declared a disqualifying interest to Item 2 of Planning Committee Report 22-005 respecting Applications for Official Plan Amendment and Zoning By-law Amendment for lands located at 222, 226 and 228 Barton Street East and 255, 257, 261, 263 and 265 Wellington Street North, Hamilton (PED22062) (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 3 of Planning Committee Report 22-005 respecting Applications for Amendments to the Urban Hamilton Official Plan and Zoning By-law No. 05-200 for Lands Located at 392, 398, 400, 402, 406, and 412 Wilson Street East and 15 Lorne Avenue (Ancaster) (PED22070) (Ward 12), due to his son's business interest with, the principal of the applicant's planning consultant.

Councillor M. Pearson declared a disqualifying interest to Communication Item 4.4 Correspondence from Garth Brown respecting the City of Hamilton's Strategic Plan to Create Affordable Housing Supply in the Secondary Rental Market (HSC22007), as she is a landlord of rental properties.

Councillor M. Pearson declared a disqualifying interest to Item 8 of Planning Committee Report 22-005 respecting Rental Housing Licensing Pilot Program and Transition Plan Update (PED21097(b)), as she is a landlord of rental properties.

Councillor M. Pearson declared a disqualifying interest to Item 2 of Emergency and Community Services Committee Report 22-005 respecting City of Hamilton's Strategic Plan to Create Affordable Housing Supply in the Secondary Rental Market (HSC22007), as she is a landlord of rental properties.

Councillor A. VanderBeek declared a disqualifying interest to Communication Item 4.4 Correspondence from Garth Brown respecting the City of Hamilton's Strategic Plan to Create Affordable Housing Supply in the Secondary Rental Market (HSC22007), as she is a landlord of rental properties.

Councillor A. VanderBeek declared a disqualifying interest to Item 8 of Planning Committee Report 22-005 respecting Rental Housing Licensing Pilot Program and Transition Plan Update (PED21097(b)), as she is a landlord of rental properties.

Councillor A. VanderBeek declared a disqualifying interest to Item 2 of Emergency and Community Services Committee Report 22-005 respecting City of Hamilton's Strategic Plan to Create Affordable Housing Supply in the Secondary Rental Market (HSC22007), as she is a landlord of rental properties.

Councillor S. Merulla declared a disqualifying interest to Communication Item 4.4 Correspondence from Garth Brown respecting the City of Hamilton's Strategic Plan to Create Affordable Housing Supply in the Secondary Rental Market (HSC22007), as he is a landlord of rental properties.

Councillor S. Merulla declared a disqualifying interest to Item 8 of Planning Committee Report 22-005 respecting Rental Housing Licensing Pilot Program and Transition Plan Update (PED21097(b)), as he is a landlord of rental properties.

Councillor S. Merulla declared a disqualifying interest to Item 2 of Emergency and Community Services Committee Report 22-005 respecting City of Hamilton's Strategic Plan to Create Affordable Housing Supply in the Secondary Rental Market (HSC22007), as he is a landlord of rental properties.

APPROVAL OF MINUTES OF PREVIOUS MEETING
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3. March 30, 2022 (Item 3.1) and April 8, 2022 (Item 3.2)

(Johnson/Ferguson)

That the Minutes of the March 30, 2022 and April 8, 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 - Ward 2 Councillor Jason Farr
 YES - Acting Mayor - 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
 NOT PRESENT - 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

COMMUNICATIONS

(Farr/Jackson)

That Council Communications 4.1 to 4.11 be approved, **as amended**, as follows:

- 4.1 Correspondence from the Town of Georgina requesting support for their resolution imposing limitations upon the purchase of goods that can easily be traced to have originated from Russia.

Recommendation: Be received.

- 4.2 Correspondence from the City of Cambridge requesting support for their resolution requesting that the Province of Ontario impose an immediate temporary moratorium on all new gravel applications, including expansions to existing licenced sites.

Recommendation: Be received.

- 4.3 Correspondence from Karen Hayes respecting the Applications for Amendments to the Urban Hamilton Official Plan and Zoning By-law No. 05-200 for Lands Located at 392, 398, 400, 402, 406, and 412 Wilson Street East and 15 Lorne Avenue (Ancaster) (PED22070) (Ward 12).

Recommendation: Be received and referred to the consideration of Item 3 of Planning Committee Report 22-005.

- 4.4 Correspondence from Garth Brown respecting the City of Hamilton's Strategic Plan to Create Affordable Housing Supply in the Secondary Rental Market (HSC22007).

Recommendation: Be received and referred to the consideration of Item 2 of Emergency and Community Services Committee Report 22-005.

- 4.5 Correspondence from Brianne McIntosh, Project Coordinator, IBI Group respecting UPHOPA-20-08 & ZAC-20-013, Adjacent Property Comments.

Recommendation: Be received and referred to the consideration of Item 2 of Planning Committee Report 22-005.

- 4.6 Correspondence from the Municipality of Clarington requesting support for their resolution respecting their Comprehensive Zoning By-law Review Project, Zone Clarington.

Recommendation: Be received.

- 4.7 Correspondence from the Town of Plympton-Wyoming requesting support for their resolution respecting Funding Supports for Infrastructure Projects - Bridge/Culvert Replacements in Rural Municipalities.

Recommendation: Be received.

- 4.8 Correspondence from Lakewood Beach Community Council respecting their delegation at the Planning Committee meeting of April 5, 2022.

Recommendation: Be received.

- 4.9 Correspondence from the Honourable Steve Clark, Ministry of Municipal Affairs and Housing respecting the status of the emergency orders.

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

- 4.10 Correspondence respecting the Strategic Land Acquisition Plan Along the Hamilton Light Rail Transit (LRT) Corridor motion:

- (a) Gabriel Nicholson
- (b) Graham Cubitt, Chair, Hamilton is Home Coalition

Recommendation: Be received and referred to the consideration of Item 9 of General Issues Committee Report 22-007.

- 4.11 A petition signed by 171 individuals requesting that Council take action on the increased pedestrian deaths this year.

Recommendation: Be received ***and referred to the consideration of Items 7 and 8 of Public Works Committee Report 22-005.***

Due to declared conflicts, Item 4.4 was voted on separately, as follows:

- 4.4 Correspondence from Garth Brown respecting the City of Hamilton's Strategic Plan to Create Affordable Housing Supply in the Secondary Rental Market (HSC22007).

Recommendation: Be received and referred to the consideration of Item 2 of Emergency and Community Services Committee Report 22-005.

Result: Motion on Item 4.4 of the Communication Items, CARRIED by a vote of 12 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Acting Mayor - 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
YES - Ward 8 Councillor John-Paul Danko
NOT PRESENT - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
CONFLICT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
CONFLICT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Acting Mayor - 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
NOT PRESENT - 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

(Farr/Merulla)

That Council move into Committee of the Whole for consideration of 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 - Acting Mayor - 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
- NOT PRESENT - 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

BOARD OF HEALTH REPORT 22-004

(Wilson/Johnson)

That Board of Health Report 22-004, being the meeting held on Monday, April 4, 2022, be received and the recommendations contained therein be approved.

Result: Motion on the Board of Health Report 22-004, CARRIED by a vote of 15 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Acting Mayor - 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
- NOT PRESENT - 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 22-005

(Powers/VanderBeek)

That Public Works Committee Report 22-005, being the meeting held on Monday, April 4, 2022, be received and the recommendations contained therein be approved.

Result: Motion on the Public Works Committee Report 22-005, CARRIED by a vote of 15 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Acting Mayor - 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
- NOT PRESENT - 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 22-005

(Johnson/Farr)

That Planning Committee Report 22-005, being the meeting held on Tuesday, April 5, 2022, be received and the recommendations contained therein be approved.

Due to a declared conflict, Item 2, was voted on separately, as follows:

- 2. Applications for Official Plan Amendment and Zoning By-law Amendment for lands located at 222, 226 and 228 Barton Street East and 255, 257, 261, 263 and 265 Wellington Street North, Hamilton (PED22062) (Ward 2) (Item 9.4)**
 - (a) That Amended Official Plan Amendment Application UHOPA-20-008 by Urban Solutions Planning and Land Development Consultants Inc. c/o Sergio Manchia, on behalf of 467052 Ontario Limited c/o Steve Joyce, Owner, to redesignate a portion of the subject lands from “Low Density Residential” and a portion of the subject lands from “Local Commercial” to “Mixed Use” with a Special Policy Area in the City of Hamilton Official Plan, to permit a seven

storey mixed use building with commercial uses on the ground floor, professional offices and professional medical offices on the second floor and residential dwelling units on the upper storeys, for lands located at 222, 226 and 228 Barton Street East and 255, 257, 261, 263 and 265 Wellington Street North, as shown on Appendix "A" attached to Report PED22062, be APPROVED on the following basis:

- (i) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED22062, be adopted by City Council;
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan for the Greater Golden Horseshoe 2019, as amended;
- (b) That Amended Zoning By-law Amendment Application ZAC-20-013 by Urban Solutions Planning and Land Development Consultants Inc. c/o Sergio Manchia, on behalf of 467052 Ontario Limited c/o Steve Joyce, Owner, for a change in zoning from the "JJ/S-378" (Restricted Light Industrial) District, Modified, "H" (Community Shopping and Commercial, Etc.) District, "H/S-1259" (Community Shopping and Commercial, Etc.) District, Modified and "D" (Urban Protected Residential – One and Two Family Dwellings, Etc.) District to a site specific Mixed Use Medium Density – Pedestrian Focus (C5a, 774, H124) Zone to permit a mixed use building with a maximum building height of 25 metres (seven storeys) with 845.64 square metres of ground floor commercial space, 749.52 square metres of office on the second floor, 79 residential dwelling units on the upper floors and a total of 86 parking spaces for lands located at 222, 226 and 228 Barton Street East and 255, 257, 261, 263 and 265 Wellington Street North, as shown on Appendix "A" attached to Report PED22062, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix "C" to Report PED22062, 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 A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and complies with the City of Hamilton Official Plan upon approval of Official Plan Amendment No. _____;
 - (iii) That Schedule "D" – Holding Provisions, of Zoning By-law No. 05-200; be amended by adding the following Holding Provisions as follows:

H124. Notwithstanding Section 10.5a of this By-law, within lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone on Map No. 952 on Schedule "A" – Zoning Maps, and described as 222, 226 and 228 Barton Street East and 255, 257, 261, 263 and 265 Wellington Street North, Hamilton, no development shall be permitted until such time as:

1. The Owner submit and receive completion of a signed Record of Site Condition being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MOECP) or enters into a conditional building permit agreement with respect to completing a Record of Site Condition. This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECP, and submission of the City of Hamilton's current RSC administration fee;
 2. The Owner agrees in a signed Site Plan Agreement to implement all required noise mitigation measures identified in the Environmental Noise Feasibility Study dated November 22, 2019 by RWDI and updated July 26, 2021, to the satisfaction of the Director of Planning and Chief Planner;
 3. The Owner agrees in a signed Site Plan Agreement, to provide notice to any subsequent owner, as well as any prospective purchasers or tenants that the dwellings are located in a Class 4 Area, and to agree to register this notice and any / all warning clauses on title, and include them in any purchase and sale and in any lease or rental agreement, to the satisfaction of the Director of Planning and Chief Planner;
- (c) That Council deem the lands at 222, 226 and 228 Barton Street East and 255, 257, 261, 263 and 265 Wellington Street North (see Appendix "A" attached to Report PED22062) as a Class 4 Area pursuant to the Ministry of the Environment, Conservation and Parks' (MECP) Noise Guidelines NPC-300 (Stationary and Transportation Sources – Approval and Planning), and that the Class 4 Area designation apply only to the development proposal attached as Appendix "E" to Report PED22062 with the requirement that all noise mitigation and warning clauses be secured through the Holding Provision attached to the implementing Zoning By-law as specified in Section (b)(iii) b, and c. outlined above;
- (d) That upon finalization of the amending By-law, the subject lands be redesignated from "Single and Double" and "Commercial" to "Commercial and Apartments" in the Beasley Neighbourhood Plan.
- (e) That the public submissions regarding this matter were received and considered by the Committee in approving the application.

Result: Motion on Item 2 of Planning Committee Report 22-005, CARRIED by a vote of 14 to 0, as follows:

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

YES - Acting Mayor - 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
NOT PRESENT - 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
CONFLICT - Ward 9 Councillor Brad Clark

3. Applications for Amendments to the Urban Hamilton Official Plan and Zoning By-law No. 05-200 for Lands Located at 392, 398, 400, 402, 406, and 412 Wilson Street East and 15 Lorne Avenue (Ancaster) (PED22070) (Ward 12) (9.5)

(Ferguson/VanderBeek)

That Report PED22070, respecting the Applications for Amendments to the Urban Hamilton Official Plan and Zoning By-law No. 05-200 for Lands Located at 392, 398, 400, 402, 406, and 412 Wilson Street East and 15 Lorne Avenue (Ancaster) (Ward 12), be referred back to staff for further discussions with staff, the owner(s) and the Ward Councillor with a report back to Planning Committee on May 3, 2022, for Council's consideration on May 11, 2022.

Result: Motion on Item 3 of Planning Committee Report 22-005, As Amended, CARRIED by a vote of 14 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Acting Mayor - 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
NOT PRESENT - 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
CONFLICT - Ward 9 Councillor Brad Clark

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

8. Rental Housing Licensing Pilot Program and Transition Plan Update (PED21097(b)) (Wards 1, 8 and parts of Ward 14) (Item 10.1)

That Report PED21097(b) respecting Rental Housing Licensing Pilot Program and Transition Plan Update, be received.

Result: Motion on Item 8 of Planning Committee Report 22-005, CARRIED by a vote of 12 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Acting Mayor - 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
YES - Ward 8 Councillor John-Paul Danko
NOT PRESENT - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
CONFLICT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
CONFLICT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Result: Motion on the balance of the Planning Committee Report 22-005, CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Acting Mayor - 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
NOT PRESENT - 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

GENERAL ISSUES COMMITTEE REPORT 22-007

(Farr/Clark)

That General Issues Committee Report 22-007, being the meeting held on Wednesday, April 6, 2022, be received and the recommendations contained therein be approved.

(Wilson/Nann)

That Item 9 of the General Issues Report 22-007, respecting Strategic Land Acquisition Plan Along the Hamilton Light Rail Transit (LRT) Corridor, be **amended** to include the directions within Communication Item 4.10 (b), as follows:

9. Strategic Land Acquisition Plan Along the Hamilton Light Rail Transit (LRT) Corridor (Item 11.1)

- (a) That staff, in collaboration with the federal and provincial Governments and Metrolinx, be directed to establish a strategic land disposition and or acquisition plan along the Hamilton LRT corridor for the purpose of planning to deliver future municipal services including, but not limited to, parks, as well as non-profit affordable housing ***with an emphasis on the importance of designating lands for affordable housing along the LRT corridor to senior levels of government*** and report back to the General Issues Committee; ***and***
- (b) ***That staff engage the Hamilton is Home Coalition on the proposed spectrum of affordable home ownership and rental opportunities along the LRT corridor within the next 90 days.***

Result: Motion on Item 9 of the General Issues Committee Report 22-007, As Amended, CARRIED by a vote of 14 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Acting Mayor - 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
NOT PRESENT - 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

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

- 4. Economic Development Action Plan - Communications (CM22003) (City Wide) (Item 10.1)**
- (a) That the Economic Development Action Plan (EDAP) strategy include both owned (non-paid) and advertising (paid) efforts, as shown below:
- (i) Owned Media Efforts:
- (1) A comprehensive landing page on the City's website that will provide historical details and context of the EDAP, the plan itself, and 18 news stories designed to make the plan relevant to a resident audience;
 - (2) Sharing stories and EDAP content on all multiple City social media channels;
 - (3) Shareable content to be delivered directly to stakeholders electronically and is shareable through email, social media, and print; and,
 - (4) Tailored video and graphic content for use on City social media channels;
- (ii) Paid Advertising:
- (1) A hard-copy media insert that will provide a full listing of the summary stories in a news format, to be distributed to print media consumers across the municipality; and,
 - (2) Provision of print copies of the EDAP summary stories at numerous City customer service desks;
- (b) That the estimated amount \$35,000, to be funded from the Economic Development Investment Reserve Account No. 112221, to cover production and distribution of print materials, be approved; and,
- (c) That, for longer-term efforts to raise awareness as the Economic Development Action Plan implementation progresses, Communication staff be directed to provide ongoing updates, primarily through media and social media efforts.

Result: Motion on Item 4 of the General Issues Committee Report 22-007, CARRIED by a vote of 13 to 1, as follows:

NO - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Acting Mayor - 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
NOT PRESENT - 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

Upon Council's request, Item 11 (a) was voted on separately, as follows:

11. Red Hill Valley Parkway Inquiry Update (LS19036(k)) (City Wide) (Item 14.4)

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

Result: Motion on Item 11 (a) of the General Issues Committee Report 22-007, CARRIED by a vote of 8 to 6, as follows:

NO - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
NO - Acting Mayor - 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
NOT PRESENT - 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
NO - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NO - Ward 9 Councillor Brad Clark

Upon Council's request, Item 11 (b) was voted on separately, as follows:

11. Red Hill Valley Parkway Inquiry Update (LS19036(k)) (City Wide) (Item 14.4)

(b) That Report LS19036(k) - Red Hill Valley Parkway Inquiry Update, remain confidential.

Result: Motion on Item 11 (b) of the General Issues Committee Report 22-007, CARRIED by a vote of 12 to 2, as follows:

YES - Ward 1 Councillor Maureen Wilson

YES - Ward 2 Councillor Jason Farr
YES - Acting Mayor - 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
NOT PRESENT - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NO - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NO - Ward 9 Councillor Brad Clark

Result: Motion on the balance of the General Issues Committee Report 22-007, CARRIED by a vote of 14 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Acting Mayor - 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
NOT PRESENT - 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

(Danko/Pauls)

That Council recess until 12:45 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 - Acting Mayor - 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
NOT PRESENT - 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

SOLE VOTING MEMBER OF THE HAMILTON FARMER'S MARKET REPORT 22-002

(Farr/Jackson)

That Sole Voting Member of the Hamilton Farmer's Market Report 22-002, being the meeting held on Wednesday, April 6, 2022, be received and the recommendations contained therein be approved.

Result: Motion on the Sole Voting Member of the Hamilton Farmer's Market Report 22-002, CARRIED by a vote of 12 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Acting Mayor - Ward 3 Councillor Nrinder Nann
YES - 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
NOT PRESENT - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 22-008

(Pearson/Wilson)

That the consideration of the Audit, Finance and Administration Committee Report 22-008, being the meeting held on Thursday, April 7, 2022, be deferred until after Council rises from Closed Session.

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 - Acting Mayor - Ward 3 Councillor Nrinder Nann
YES - 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
 NOT PRESENT - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 22-005

(Clark/Jackson)

That Emergency and Community Services Committee Report 22-005, being the meeting held on Thursday, April 7, 2022, be received and the recommendations contained therein be approved.

Due to declared conflicts, Item 2 was voted on separately, as follows:

- 2. City of Hamilton's Strategic Plan to Create Affordable Housing Supply in the Secondary Rental Market (HSC22007) (City Wide) (Item 10.1)**
 - (a) That the City of Hamilton's Strategic Plan to Create Affordable Housing Supply in the Secondary Rental Market attached as Appendix "A" to Emergency and Community Services Committee Report 22-005, be endorsed; and,
 - (b) That the General Manager of the Healthy and Safe Communities Department, or designate, be authorized and directed to administer the Secondary Dwelling Units Program and provide support to residents applying to the Secondary Dwelling units Program including: entering into any agreements on such terms as they consider appropriate; approving payments, and taking other actions needed to ensure success, in a form satisfactory to the City Solicitor.

Result: Motion on Item 2 of the Emergency and Community Services Committee Report 22-005, CARRIED by a vote of 9 to 3, as follows:

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

YES - Ward 11 Councillor Brenda Johnson
 CONFLICT - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

Result: Motion on the balance of the Emergency and Community Services Committee Report 22-005, CARRIED by a vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Acting Mayor - Ward 3 Councillor Nringer 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
 NOT PRESENT - 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

MOTIONS

Acting Mayor Nann relinquished the Chair to Councillor Farr in order to move the following motion:

6.1 Amendment to Item 2 of the General Issues Committee Report 19-017, respecting Report HUR19019 - Equity, Diversity and Inclusion Framework

(Nann/Wilson)

That Item 2 of the General Issues Committee Report 19-017, respecting Report HUR19019 - Equity, Diversity and Inclusion Framework, which was approved by Council at its meeting of September 25, 2019, **be amended** by deleting sub-section (i) in its entirety, to read as follows:

- 2. Equity, Diversity and Inclusion Framework (HUR19019) (City Wide) (Item 10.2)**
 - (a) That the City Manager to be identified as the Equity, Diversity and Inclusion Champion for the City of Hamilton;
 - (b) That Human Resources staff be directed to develop and implement an Equity, Diversity and Inclusion Steering Committee comprised of representatives from all departments and across all levels of the organization, who will be responsible to:

- (i) Confirm appropriate definitions to guide Equity, Diversity and Inclusion (EDI) work;
 - (ii) Identify appropriate framework for EDI lens for the City of Hamilton;
 - (iii) Establish Standards of Practice;
 - (iv) Review and revise the draft Equity, Diversity, and Inclusion Handbook to be consistent and in alignment with the framework;
 - (v) Complete an updated internal environmental scan on annual basis;
 - (vi) Identify key initiatives and project priorities and develop appropriate workplans and milestones for such; and,
 - (vii) Engage in appropriate internal and external consultations on above;
- (c) That Human Resources staff be directed to source, through a competitive procurement process, suitable training from an external provider of Equity, Diversity and Inclusion training, relating to such elements including, but not limited, to anti-racism, anti-oppression, unconscious bias, and inclusionary best practices;
- (d) That Human Resources staff be directed to establish a schedule for the above mandatory training to be delivered to Council members, the Senior Leadership Team, all Supervisor and above employees, and Union Executive Leadership in 2020;
- (e) That Human Resources staff be directed to source options for systems/process enhancements to support Equity, Diversity and Inclusion metric dashboard requirements;
- (f) That an amount not to exceed \$100,000, to be funded from Tax Stabilization Reserve Account #110046, to facilitate the Equity, Diversity and Inclusion 2020 training and community engagement components, be approved;
- (g) That staff be directed to report back to the General Issues Committee by June 17, 2020 with a status update respecting the implementation of the Equity, Diversity and Inclusion process; and,
- (h) That the matter respecting the Equity, Diversity and Inclusion Framework be considered complete and removed from the General Issues Committee's outstanding business list.

~~(i) That an Equity, Diversity and Inclusion Sub-committee, comprised of members of Council, to work in collaboration with the Equity, Diversity and Inclusion Steering (EDI) Committee and staff be established to develop the EDI framework.~~

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 - Acting Mayor - Ward 3 Councillor Nringer 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
NOT PRESENT - 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

Acting Mayor Nann assumed the Chair.

6.2 Amending By-law for the Removal of Strachan Street Free Running Area, and Temporary Inclusion of Jackie Washington Rotary Park Leash Free - Free Running Area (Ward 2)

(Farr/Merulla)

WHEREAS, the City of Hamilton Recreational Trails Master Plan (2016) recommends pathway and boulevard upgrades along Strachan Street East and the City of Hamilton Cycling Master Plan Review and Update (2018) proposes 660m of paved Multi-Use Recreational Trail along Strachan Street East between James Street North and Ferguson Avenue and as such, the Strachan Street East Multi-Use Recreational Trail constructed in 2021;

WHEREAS, as a result of the Strachan Street East Multi-Use Recreational Trail alignment, the Strachan Street General Open Space is no longer in compliance with the Leash Free Parks Program Policy (PW03067) and requires removal of the leash free designation at this site (a portion of the East end of 51-134 Strachan Street);

WHEREAS, Council enacted a by-law for responsible animal ownership being City of Hamilton By-law 12-031, as amended;

WHEREAS, this By-law provides for the addition of a Leash Free Park to subsection 7.4(a) of By-law 12-031, as amended;

WHEREAS, an amendment to By-law 12-031, as amended, is required to remove Strachan Street General Open Space as an approved leash free park – free running area;

WHEREAS, a replacement leash free park location is to be constructed at Central Park (171 Bay Street North, Ward 2);

WHEREAS, a temporary leash free park to serve Ward 2 constituents is required until Central Park is complete, and a portion of Jackie Washington Rotary Park located at 371 Wellington Street North meets most of the criteria for a leash free – free running area as set out in the Leash Free Parks Program Policy (PW03067);

WHEREAS, the community was provided an opportunity to express interest, questions and concerns through Engage Hamilton, regarding a portion of Jackie Washington Rotary Park as a potential leash free park location, and 88% of the 225 respondents were either in favour or indifferent to this proposal; and,

WHEREAS, an amendment to By-law 12-031, as amended, is required to include a leash free – free running location (named Ward 2 Temporary Leash Free – Free Running Area) in Jackie Washington Rotary Park;

THEREFORE, BE IT RESOLVED:

- (a) That By-law 12-031, as amended, be further amended to:
 - (i) Remove Strachan Street General Open Space Leash Free – Free Running Area; and
 - (ii) Include the leash free-free running area in Jackie Washington Rotary Park as the Ward 2 Temporary Leash Free – Free Running Area, as indicated in Appendix “A” (Map of proposed Temporary Leash Free – Free Running Area in Jackie Washington Rotary Park);
- (b) That the City Solicitor be authorized and directed to prepare the appropriate by-law to amend By-law 12-031, as amended, a By-law for Responsible Animal Ownership, in the City of Hamilton, to remove Strachan Street General Open Space Leash Free – Free Running Area and include the Ward 2 Temporary Leash Free – Free Running Area in Jackie Washington Rotary Park.

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 - Acting Mayor - 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

NOT PRESENT - 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

6.3 Lincoln M. Alexander Parkway (LINC) and Red Hill Valley Parkway (RHVP) Mobility Feasibility Study

(Merulla/Jackson)

WHEREAS, at the February 6, 2019 Public Works Committee meeting, staff were given direction to report back to the Public Works Committee to present the results of the Request for Proposals, for a functional design of the Lincoln M. Alexander Parkway and the Red Hill Valley Parkway, for consideration, prior to awarding the project;

WHEREAS, in June 2020, Information Report (PED20063/PW18008(b)) was considered by Public Works Committee confirming the study consultant award for the Lincoln M. Alexander Parkway and the Red Hill Valley Parkway Mobility Feasibility Study;

WHEREAS, the Mobility Feasibility Study is being undertaken to satisfy the requirements of the Municipal Class Environmental Assessment Process for Master Plans;

WHEREAS, the Mobility Feasibility Study commenced in January 2021 and to date the consultant has completed the main technical elements of the study including the analysis of existing and future traffic and transportation conditions, initial external stakeholder engagement and preliminary need and justification;

WHEREAS, on May 26, 2004, City Council approved Public Works, Infrastructure and Environment Committee (PWIE) Report No 04-012 which included the resolution that Council approve the Haudenosaunee - Hamilton Red Hill Agreements which include Section 7.12 and states that if the City of Hamilton proposes to add to the paved portion of the Roadway, or to make any substantial change to the Roadway, after its initial construction, it will deliver its proposal to the Red Hill Valley Joint Stewardship Board (JSB);

WHEREAS, the preliminary work completed through the Mobility Feasibility Study provides for a foundation for informing a proposal to the JSB per the 2003 JSB agreement.

THEREFORE, BE IT RESOLVED:

That Council authorizes staff to make a proposal to the Red Hill Valley Joint Stewardship Board for the expansion of the Red Hill Valley Parkway pursuant to Paragraph 7.12 of the Joint Stewardship Agreement, to be submitted as a formal

application in compliance with the application requirements set forth in Paragraphs 7.2, 7.3, 7.4 and 7.5 of that Agreement.

(Danko/Jackson)

That the motion respecting the Lincoln M. Alexander Parkway (LINC) and Red Hill Valley Parkway (RHVP) Mobility Feasibility Study, be **amended** by adding the following wording “**congestion and safety improvement alternatives, including**”, to read as follows:

That Council authorizes staff to make a proposal to the Red Hill Valley Joint Stewardship Board for the **congestion and safety improvement alternatives, including** expansion of the Red Hill Valley Parkway pursuant to Paragraph 7.12 of the Joint Stewardship Agreement, to be submitted as a formal application in compliance with the application requirements set forth in Paragraphs 7.2, 7.3, 7.4 and 7.5 of that Agreement.

Result: Amendment DEFEATED by a vote of 4 to 10, as follows:

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

Result: Main Motion, CARRIED by a vote of 12 to 2, as follows:

NO - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
NO - Acting Mayor - 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
NOT PRESENT - 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

NOTICES OF MOTION

7.1 Lincoln M. Alexander Parkway (LINC) and Red Hill Valley Parkway (RHVP) Mobility Feasibility Study

(Merulla/Jackson)

That the rules of order be waived to allow for the introduction of a Motion respecting the Lincoln M. Alexander Parkway (LINC) and Red Hill Valley Parkway (RHVP) Mobility Feasibility Study.

Result: Motion CARRIED by a 2/3rds vote of 11 to 4, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
NO - Acting Mayor - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NO - Ward 5 Councillor Russ Powers
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
NO - Ward 8 Councillor John-Paul Danko
NOT PRESENT - 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
NO - 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 6.3

STATEMENTS BY MEMBERS

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

COUNCIL COMMUNICATION UPDATES

(Farr/Jackson)

That the listing of Council Communication Updates from March 25, 2022 to April 7, 2022, be received.

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

YES - Ward 1 Councillor Maureen Wilson

YES - Ward 2 Councillor Jason Farr
 YES - Acting Mayor - 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
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 NOT PRESENT - 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

(Pearson/VanderBeek)

That Matthew Alter from Cassels be permitted to attend the Closed Session portion of the meeting with respect to the **REVISED** Confidential Appendix "C" to Item 5 of the Audit, Finance and Administration Committee Report 22-008, respecting Report AUD22004, Grighmire Arena Lessons Learned Audit.

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

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Acting Mayor - 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
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 NOT PRESENT - 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 move into Closed Session to consider the **REVISED** Confidential Appendix "C" to Item 5, Audit, Finance and Administration Committee Report 22-008, Respecting Report AUD22004, Grighmire Arena Lessons Learned Audit Pursuant to Section 9.1, Sub-Section (f) of the City's Procedural By-Law 21-021, As Amended, and Section 239(2), Sub-Section (f) of the *Ontario Municipal Act, 2001*, As Amended, as the subject matter pertains to advice

that is subject to Solicitor-Client privilege, including communications necessary for that purpose.

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

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Acting Mayor - 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
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 NOT PRESENT - 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

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 22-008 - CONTINUED
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(Pearson/VanderBeek)

That Audit, Finance and Administration Committee Report 22-008, being the meeting held on Thursday, April 7, 2022, be received and the recommendations contained therein be approved.

(Pearson/VanderBeek)

WHEREAS, the wording of **REVISED** Confidential Appendix C, was amended to maintain the substance of the advice we received from external counsel but not the advice itself, so privilege no longer needs to be waived.

THEREFORE, BE IT RESOLVED:

That Item 5 of Audit, Finance and Administration Committee Report 22-008, respecting Grightmire Arena Lessons Learned Audit (AUD22004) (City Wide), be **amended** by amending sub-section (d) and adding '**REVISED**' when referencing Confidential Appendix "C", as follows:

5. Grightmire Arena Lessons Learned Audit (AUD22004) (City Wide) (Item 14.2)

- (a) That Report AUD22004 and Confidential Appendices "A" and "B" to Report AUD22004 respecting Grightmire Arena Lessons Learned Audit be received and remain confidential and restricted from public disclosure;
- (b) That Management Responses as detailed in Confidential **Appendix "A" and REVISED Confidential** Appendix "C" to Report AUD22004 be received;

- (c) That the General Manager of Public Works and the General Manager of Finance and Corporate Services be directed to implement the Management Responses (attached as Confidential **Appendix "A" and REVISED Confidential Appendix "C"** to Report AUD22004) and report back to the Audit, Finance and Administration Committee on a quarterly basis on the nature and status of actions taken in response to the audit report; and,
- (d) ~~That Council waive the right to privilege for paragraphs 112, 135-137, 142, 144-145, 149, 155, 157-158, and 161 in REVISED Confidential Appendix "C" to Report AUD22004, respecting J. L. Grightmire Arena Lessons Learned Audit, and~~ That **REVISED Confidential Appendix "C"** to Report AUD22004 be made public as part of the agenda for the April 21, 2022 Audit, Finance and Administration Committee meeting.

Result: Motion on Item 5 of the Audit, Finance and Administration Committee Report 22-008, As Amended, CARRIED by a vote of 10 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Acting Mayor - 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
 NOT PRESENT - 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 Audit, Finance and Administration Committee Report 22-008, CARRIED by a vote of 10 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Acting Mayor - 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
 NOT PRESENT - 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

(Farr/VanderBeek)

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

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Acting Mayor - 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
NOT PRESENT - 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/Partridge)

That Bills No. 22-068 to No. 22-089, 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:

- 068 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
Ward: 3, 4, 12, 14

- 069 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 386 Wilcox Street
ZAR-22-009
Ward: 3

- 070 To Adopt Official Plan Amendment No. 165 to the Urban Hamilton Official Plan Respecting Waterdown Community Node Secondary Plan (Flamborough)
Ward: 15

- 071 To Amend By-law No. 05-200, Respecting Mixed Use Medium Density and Institutional Lands Located within the Waterdown Community Node Secondary Plan, Hamilton
CI-21-F
Ward: 15
- 072 To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Modifications to the Urban Residential (Single Detached) “R1” and Core Area Residential “R5” Zones with the Waterdown Node Secondary Plan Area
Ward: 15
- 073 To Amend Zoning By-law No. 05-200 with Respect to a Temporary Use By-law for Outdoor Commercial Patios
Ward: City Wide
- 074 To Amend Zoning By-law No. 05-200 with Respect to a Temporary Use By-law for Temporary Tents
Ward: City Wide
- 075 To Amend Zoning By-law No. 05-200 With Respect to Commercial Entertainment and Recreation on Outdoor Commercial Patios in the City of Hamilton
Ward: City Wide
CI 22-D
- 076 To Amend Zoning By-law No. 87-57 with Respect to Commercial Entertainment and Recreation on Outdoor Commercial Patios in the former Town of Ancaster
CI 22-D
Ward: City Wide
- 077 To Amend Zoning By-law No. 3581-86 (Dundas) with Respect to Commercial Entertainment and Recreation on Outdoor Commercial Patios in the former Town of Dundas
CI 22-D
Ward: City Wide
- 078 To Amend Zoning By-law No. 90-145-Z with Respect to Commercial Entertainment and Recreation on Outdoor Commercial Patios in the former Town of Flamborough
Ward: City Wide
CI 22-D
- 079 To Amend Zoning By-law No. 464 with Respect to Commercial Entertainment and Recreation on Outdoor Commercial Patios in the former Town of Glanbrook
Ward: City Wide
CI 22-D
- 080 To Amend Zoning By-law No. 6593 with Respect to Commercial Entertainment and Recreation on Outdoor Commercial Patios in the Former City of Hamilton
Ward: City Wide
CI 22-D

- 081 To Amend Zoning By-law No. 3692-92 with Respect to Commercial Entertainment and Recreation on Outdoor Commercial Patios in the former City of Stoney Creek
Ward: City Wide
CI 22-D

- 082 To Adopt Official Plan Amendment No. 166 to the Urban Hamilton Official Plan Respecting Housekeeping Amendments
Ward: City Wide

- 083 To Adopt Official Plan Amendment No. 33 to the Rural Hamilton Official Plan Respecting Housekeeping Amendments
Ward: City Wide

- 084 To Amend Zoning By-law No. 05-200 Respecting Modifications and Updates to the Administration, Definitions, General Provisions, Parking, Commercial and Mixed Use Zones, Industrial Zones, Rural Zones, Zoning Maps, Special Exceptions, Holding Provisions, and Special Figures
Ward: City Wide
CI 22-C

- 085 To Amend Zoning By-law No. 87-57 Respecting Modifications to the Existing Residential “ER” Zone in the former Town of Ancaster Zoning By-law
CI 22-C
Ward: 12

- 086 To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 105 Braeheid Avenue, Flamborough
CI 22-C
Ward: 15

- 087 To Amend Zoning By-law No. 6593, as amended by By-law No. 21-249, Respecting Lands Located at 311 and 313 Stone Church Road East
CI 22-C
Ward: 7

- 088 To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands known as Green Millen Shores Estates (Frances Avenue, Southshore Crescent, Lakefront Drive, Waterview Drive, Lakewalk Drive), Stoney Creek
CI 22-C
Ward: 10

- 089 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 - Ward 2 Councillor Jason Farr
- YES - Acting Mayor - 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
NOT PRESENT - 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 5:00 p.m.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Acting Mayor - 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
NOT PRESENT - 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,

Acting Mayor Nrinder Nann

Janet Pilon
Acting City Clerk