



CITY COUNCIL MINUTES 22-020

9:30 a.m.
September 14, 2022
Council Chamber
Hamilton City Hall
71 Main Street West

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

Absent: Councillors T. Whitehead and S. Merulla – Personal

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

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

5. COMMUNICATIONS

Added:

- 5.10 Correspondence from John Kozlowski respecting By-law 12-151 affecting Section 24 of East lawn cemetery in Hamilton.

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

- 5.11 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing notifying the City of Hamilton, pursuant to ss. 17(40.1) of the *Planning Act*, that the Minister has suspended the 120-day timeline for the amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan, which were adopted on June 8, 2022.

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

Change to the disposition:

- 5.8 Correspondence from Tim Gilbert, Gilbert's LLP respecting Chedoke Creek Remediation and Council Meeting No. 22-071.

Recommendation: Be received and referred to ***Legal Services for a response.***

8. NOTICES OF MOTION

- 8.1 Amendment to the 2022 Council / Committee Calendar

11. BY-LAWS AND CONFIRMING BY-LAW

- 238 To Amend Zoning By-law No. 90-145-Z Respecting Lands Located at 619 Centre Road, in the Former Town of Flamborough, now in the City of Hamilton
Ward: 15
ZAH-22-043
- 239 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 619 Centre Road, in the Former Town of Flamborough, now in the City of Hamilton
Ward: 15
ZAH-22-043

(Clark/Jackson)

That the agenda for the September 14, 2022 meeting of Council be approved, as ***amended.***

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
YES - Deputy Mayor - 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 disqualifying interest with Item 5.2, Correspondence from the City of Kingston requesting support for their resolution respecting Vacancy Decontrol and Item 5.3, Correspondence from the City of Kingston requesting support for their resolution respecting a Request to Provincial Government to release Landlord and Tenant Board Information, as she is a landlord of rental properties.

Councillor A. VanderBeek declared a disqualifying interest with Item 5.2, Correspondence from the City of Kingston requesting support for their resolution respecting Vacancy Decontrol and Item 5.3, Correspondence from the City of Kingston requesting support for their resolution respecting a Request to Provincial Government to release Landlord and Tenant Board Information, as she is a landlord of rental properties.

CEREMONIAL ACTIVITIES

3.1 International Children's Games

Mayor Eisenberger introduced Mr. Ed Dunn, President of the International Children's Games Hamilton, who has been involved with International Children's Games Hamilton Inc. since 1994, when he was Chair of Administration for the games and the City of Hamilton hosted the first games to be held in North America. The 1994 games were a great success and the opening ceremonies were held at that time in Copps Coliseum. Mr. Dunn continued on the committee until Johnny K retired and then became President of the International Children's Games Hamilton in 2012.

Mr. Dunn introduced Team Hamilton, the athletes, the coaches, the committee who represented the City of Hamilton in the 2022 International Children's Games in Coventry England.

Mr. Dunn noted that he truly believes that peace in the world will come from the young generation which we truly need now! and how very proud he is of the young athletes, who showed the world what wonderful young people we have in this City. We always emphasized that these games are not just about getting medals but really about doing your best and transmitting the message of friendship and peace to the whole world. Every participant becomes an ambassador of great values, as they represent not just themselves, but also their city and country.

Team Hamilton received 5 medals at the games, with all of the athletes doing extremely well in all of the competitions.

Mr. Dunn acknowledged the late Johnny Kiriakopoulos, a dedicated member of the International Children's Games Hamilton and the International Committee, who brought the games to Hamilton in 1994.

Mayor Eisenberger extended our deepest congratulations to the athletes, committee and coaches on behalf of Council and the City of Hamilton.

3.2 2022 Trillium Awards

Mayor Eisenberger on behalf of the City of Hamilton, congratulated all the 2022 Trillium Award winners.

The Hamilton Trillium Awards Program was established in 1956 and each year, it takes hundreds of volunteers to make the Trillium Awards Program possible.

On behalf of the City of Hamilton, we thank all the dedicated and passionate people who make the Trillium Awards such a huge success 66 years and counting!

APPROVAL OF MINUTES OF PREVIOUS MEETING
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4. August 12, 2022 (Item 4.1) , August 15, 2022 (Item 4.2) and August 19, 2022 (Item 4.3)

(Pearson/Johnson)

That the Minutes of the August 12, 2022, August 15, 2022 and August 19, 2022 meetings of Council be approved, as presented.

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

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

(Powers/Partridge)

That Council Communications 5.1 to 5.11 be approved, as ***amended***, as follows:

- 5.1 Correspondence from the Honourable Kinga Surma, Minister of Infrastructure in response to the Mayor's letter respecting intergovernmental partnerships to improve digital infrastructure and address the digital divide.

Recommendation: Be received.

- 5.2 Correspondence from the City of Kingston requesting support for their resolution respecting Vacancy Decontrol.

Recommendation: Be ***endorsed***.

- 5.3 Correspondence from the City of Kingston requesting support for their resolution respecting a Request to Provincial Government to release Landlord and Tenant Board Information.

Recommendation: Be ***endorsed***.

- 5.4 Correspondence from Paul Dube, Ombudsman of Ontario respecting a closed meeting complaint respecting the March 15, 2022, Heritage Permit Review Sub Committee meeting and the March 29, 2022, Agriculture and Rural Affairs Advisory Committee meeting.

Recommendation: Be received.

- 5.5 A petition to stop the implementation of a speed bump on Belmont Ave.

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

- 5.6 Correspondence from Joseph Minor respecting PFAS contaminated fish in Hamilton.

Recommendation: Be received ***and referred to the Chief Administrative Officer of the Niagara Peninsula Conservation Authority for their review.***

- 5.7 Correspondence from the Township of Ashfield-Colborne-Wawanosh requesting support for their resolution respecting Ontario Wildlife Damage Compensation Program.

Recommendation: Be received.

- 5.8 Correspondence from Tim Gilbert, Gilbert's LLP respecting Chedoke Creek Remediation and Council Meeting No. 22-071.

Recommendation: Be received and referred to Legal Services for a response.

- 5.9 Correspondence from Grant Bivol, NPCA Clerk respecting the Niagara Peninsula Conservation Authority Board of Directors resolution respecting their Land Securement Strategy 2022-2032.

Recommendation: Be received and referred to the **City Manager** and General Managers of Planning and Economic Development and **Finance and Corporate Services** for appropriate action.

- 5.10 Correspondence from John Kozlowski respecting By-law 12-151 affecting Section 24 of East lawn cemetery in Hamilton.

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

- 5.11 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing notifying the City of Hamilton, pursuant to ss. 17(40.1) of the *Planning Act*, that the Minister has suspended the 120-day timeline for the amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan, which were adopted on June 8, 2022.

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

Due to declared conflicts, Items 5.2 and 5.3, as **Amended**, were voted on separately, as follows:

- 5.2 Correspondence from the City of Kingston requesting support for their resolution respecting Vacancy Decontrol.

Recommendation: Be **endorsed**.

- 5.3 Correspondence from the City of Kingston requesting support for their resolution respecting a Request to Provincial Government to release Landlord and Tenant Board Information.

Recommendation: Be **endorsed**.

Result: Motion on Items 5.2 and 5.3 of the Communication Items, as Amended, CARRIED by a vote of 12 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
YES - Deputy Mayor - 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
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 14 to 0, as follows:

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

(Powers/VanderBeek)

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

CITYHOUSING HAMILTON SHAREHOLDER REPORT 22-003**(Farr/Jackson)**

That CityHousing Hamilton Shareholder Report 22-003, being the meeting held on Monday, August 15, 2022, be received.

Result: Motion on CityHousing Hamilton Shareholder Report 22-003, CARRIED by a vote of 14 to 0, as follows:

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

PLANNING COMMITTEE REPORT 22-014**(Johnson/Ferguson)**

That Planning Committee Report 22-014, being the meeting held on Tuesday, September 6, 2022, be received and the recommendations contained therein be approved.

(Pearson/Johnson)

That 10.1 of Item (a) (5) be lifted from the Information Section, added as Item 10 of Planning Committee Report 22-014 and ***amended*** as follows:

- 10. Applications for Amendments to the Urban Hamilton Official Plan, Stoney Creek Zoning By-law No. 3692-92, and Hamilton Zoning By-law No. 05-200, and Draft Plan of Subdivision for Lands Located at 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterford Crescent (Stoney Creek) (PED22150) (Ward 10) (Item 10.1)**

That Report PED 22150 respecting Applications for Amendments to the Urban Hamilton Official Plan, Stoney Creek Zoning By-law No. 3692-92, and Hamilton Zoning By-law No. 05-200, and Draft Plan of Subdivision for Lands Located at 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterford Crescent (Stoney Creek) (Ward 10) (Item 10.1) be DEFERRED to the ***new term of Council***.

Result: Item 10 of Planning Committee Report 22-014, As Amended, CARRIED by a vote of 14 to 0, as follows:

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

Result: Motion on the balance of Planning Committee Report 22-014, CARRIED by a vote of 14 to 0, as follows:

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

GENERAL ISSUES COMMITTEE REPORT 22-017**(Powers/Jackson)**

That General Issues Committee Report 22-017, being the meeting held on Wednesday, September 7, 2022, be received and the recommendations contained therein be approved.

Result: Motion on General Issues Committee Report 22-017, CARRIED by a vote of 14 to 0, as follows:

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

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 22-015**(Pearson/VanderBeek)**

That Audit, Finance and Administration Committee Report 22-015, being the meeting held on Thursday, September 8, 2022, be received and the recommendations contained therein be approved.

Result: Motion on Audit, Finance and Administration Committee Report 22-015, CARRIED by a vote of 14 to 0, as follows:

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

PUBLIC WORKS COMMITTEE REPORT 22-013

(Nann/Powers)

That Public Works Committee Report 22-013, being the meeting held on Friday, September 9, 2022, be received and the recommendations contained therein be approved.

Result: Motion on the Public Works Committee Report 22-013, CARRIED by a vote of 14 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson

YES - Ward 2 Councillor Jason Farr

YES - Ward 3 Councillor Nrinder Nann

NOT PRESENT - Ward 4 Councillor Sam Merulla

YES - Deputy Mayor - 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

(Powers/Partridge)

That Council rise from Committee of the Whole.

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

YES - Ward 1 Councillor Maureen Wilson

YES - Ward 2 Councillor Jason Farr

YES - Ward 3 Councillor Nrinder Nann

NOT PRESENT - Ward 4 Councillor Sam Merulla

YES - Deputy Mayor - 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

7.1 Amendment to the 2023 Council / Committee Calendar**(Johnson/Danko)**

WHEREAS Council on April 13, 2022 approved the 2023 Council / Committee Calendar;

WHEREAS, it is necessary to amend the 2023 Council / Committee Calendar by moving the July 2023 Council and Committee week (July 3, 2023 to July 7, 2023) to the following week (July 10, 2023 to July 14, 2023), due to the Canada Day statutory holiday being taken on July 3, 2023;

WHEREAS, there are two Board of Health meetings scheduled in May 2023 and there are no meetings scheduled in the month of June 2023; and

WHEREAS, there are two Board of Health meetings scheduled in October 2023 and there are no meetings scheduled in the month on November 2023;

THEREFORE, BE IT RESOLVED:

- (a) That the 2023 Council / Committee Calendar be ***amended*** by:
 - (i) moving the July 2023 Council / Committee week to ***July 10, 2023 to July 14, 2023***;
 - (ii) rescheduling the May 29, 2023 Board of Health meeting to ***June 12, 2023***; and
 - (iii) rescheduling the October 30, 2023 Board of Health meeting be rescheduled to ***November 13, 2023***.

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

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

7.2 Amendment to the 2022 Council / Committee Calendar**(Danko/Johnson)**

WHEREAS, Queen Elizabeth II's funeral is scheduled on September 19, 2022; and

WHEREAS, the Board of Health and Public Works Committee meetings are currently scheduled on that date;

THEREFORE, BE IT RESOLVED:

That the 2022 Council / Committee Calendar be ***amended*** by moving the September 19, 2022 meetings of Board of Health and Public Works Committee to ***September 26, 2022***.

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

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

7.3 Amendment to the City of Hamilton Traffic By-law 01-215 to Identify Sewage and Water Vehicles as "Authorized Emergency Vehicles"**(Johnson/Clark)**

- (a) That staff be directed to prepare an amendment to the City of Hamilton Traffic By-law 01-215 to identify sewage and water vehicles as "Authorized Emergency Vehicles" for an exemption from Section 56(2) of By-law 01-215, allowing these vehicles to travel on non-designated truck routes, within rural areas only; and
- (b) That the Hamilton Police Services Board be apprised of the amendment to the City of Hamilton Traffic By-law 01-215 to identify sewage and water vehicles as "Authorized Emergency Vehicles".

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

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

NOTICES OF MOTION

8.1 Amendment to the 2022 Council / Committee Calendar

(Danko/Johnson)

That the rules of order be waived to allow for the introduction of a Motion respecting an Amendment to the 2022 Council / Committee Calendar.

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

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

For further disposition of this matter, refer to Item 7.2

8.2 Amendment to the City of Hamilton Traffic By-law 01-215 to Identify Sewage and Water Vehicles as “Authorized Emergency Vehicles”

(Johnson/Clark)

That the rules of order be waived to allow for the introduction of a Motion respecting an Amendment to the City of Hamilton Traffic By-law 01-215 to Identify Sewage and Water Vehicles as “Authorized Emergency Vehicles”.

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

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

For further disposition of this matter, refer to Item 7.3

8.3 Connection to Municipal Services for 418 Upper Centennial Parkway, Stoney Creek

Councillor Clark introduced the following Notice of Motion:

WHEREAS, 418 Upper Centennial Parkway is located 20 meters (0.02 kilometers) outside the east urban boundary of the Upper Stoney Creek Settlement Area and therefore does not qualify for municipal sewer and water connection;

WHEREAS, a precedent has been set with other properties located outside the urban boundary that have been permitted to connect to municipal services at their cost; and

WHEREAS, a municipal waterline currently runs near the property;

THEREFORE, BE IT RESOLVED:

That the Director, Growth Management with the City's Planning and Economic Development Department be directed to issue a Water Permit for the connection of 418 Upper Centennial Parkway, Stoney Creek to the City Municipal Water, in a manner acceptable to the City of Hamilton, and subject to the following conditions:

- (i) That the municipal waterline that runs near 418 Upper Centennial Parkway, Stoney Creek, be evaluated to determine whether available water capacity exists for the proposed connection;
- (ii) That the owner of 418 Upper Centennial Parkway, Stoney Creek, applies and receives written permission from the City of Hamilton to enter into a Special Water Service Agreement for the water connection, as required by City's Waterworks By-law R84-026;
- (iii) That the Special Water Service Agreement, if approved, be executed and registered on title for 418 Upper Centennial Parkway, Stoney Creek;
- (iv) That the owner of 418 Upper Centennial Parkway, Stoney Creek, agrees to pay the proportionate share of any future watermain construction within the Upper Centennial Parkway including abandonment of the proposed service connection.
- (v) That the owner of 418 Upper Centennial Parkway, Stoney Creek pay to the City of Hamilton all fees and charges set forth in the applicable City of Hamilton by-laws;
- (vi) That the water meter for the 418 Upper Centennial Parkway, Stoney Creek, water connection be installed in a sub-surface chamber as close to the existing municipal waterline as practical;
- (vii) That all costs for the permit(s), design and construction of the water connection in accordance with City standards, including any required supporting studies, reviews, or inspections be the responsibility of the owner of 418 Upper Centennial Parkway, Stoney Creek;
- (viii) That the direction provided by this Motion expire on December 31st, 2025 if the Water Permit has not been issued.

STATEMENTS BY MEMBERS

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

COUNCIL COMMUNICATION UPDATES**(Powers/Johnson)**

That the listing of Council Communication Updates from August 5, 2022 to September 8, 2022, be received.

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

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

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 – August 19, 2022**(Danko/Partridge)**

That the Closed Session Minutes dated August 19, 2022 be approved, as presented, and remain confidential.

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

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

BY-LAWS AND CONFIRMING BY-LAW

(Powers/Ferguson)

That Bills No. 22-231 to No. 22-240, 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:

- 231 To Establish City of Hamilton Land Described as Parts 1, 2 and 6 inclusive on Plan 62R-21744 as a Public Highway to Form Part of Sonoma Lane
Ward: 10
- 232 To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking
Schedule 6 (Time Limit Parking)
Schedule 8 (No Parking Zones)
Schedule 10 (Alternate Side Parking Zones)
Schedule 12 (Permit Parking Zones)
Schedule 15 (Commercial Vehicle Loading Zones)
Ward: 1, 2, 3, 6, 7, 9, 11, 12
- 233 Respecting Removal of Part Lot Control, Blocks 86-95, Registered Plan No. 62M1280, and further described as Parts 1-92 of Deposited Reference Plan 62R-21836 for lands municipally known as 141-229 Cittadella Boulevard & 158-244 Rockledge Drive, Glanbrook
PLC-22-006
Ward: 9
- 234 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 1552 Concession 2 Road West, Flamborough
ZAR-20-040
Ward: 12
- 235 Being a By-law to Regulate Nuisance Parties in the City of Hamilton
Ward: City Wide
- 236 To Amend By-law No. 17-225, a By-law to Establish a System of Administrative Penalties
Table 29 (By-law No. 22-235 Nuisance Party By-law)
Ward: City Wide
- 237 Respecting Removal of Part Lot Control from Part of Lot 10, Registered Plan No. 62M-1142
PLC-22-014
Ward: 11

- 238 To Amend Zoning By-law No. 90-145-Z Respecting Lands Located at 619 Centre Road, in the Former Town of Flamborough, now in the City of Hamilton
Ward: 15
ZAH-22-043
- 239 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 619 Centre Road, in the Former Town of Flamborough, now in the City of Hamilton
Ward: 15
ZAH-22-043
- 240 To Confirm the Proceedings of City Council

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

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

(Clark/Ferguson)

That, there being no further business, City Council be adjourned at 11:36 a.m.

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

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

Respectfully submitted,

Mayor Fred Eisenberger

Janet Pilon
Acting City Clerk