



## CITY COUNCIL MINUTES 23-016

9:30 a.m.  
September 13, 2023  
Council Chamber  
Hamilton City Hall  
71 Main Street West

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**Present:** Mayor A. Horwath  
Deputy Mayor J. Beattie  
Councillors C. Cassar; B. Clark; J.P. Danko; M. Francis; T. Hwang; C. Kroetsch; T. Jackson; T. McMeekin; N. Nann; E. Pauls; M. Spadafora; M. Tadeson, A. Wilson and M. Wilson

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

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

### 5. COMMUNICATIONS

- 5.8 Correspondence from the Ministry of Municipal Affairs and Housing respecting a Proposal to return lands in Ajax to the Greenbelt.

Recommendation: Be received and ***referred to the September 14, 2023 Planning Committee (Special) meeting.***

### 8. NOTICES OF MOTION

- 8.1 Feasibility of a Judicial Review of the Government of Ontario's Decision to Remove Lands from the Greenbelt Plan within the City of Hamilton

8.2 Swansea Tenants Association Committee – Thanksgiving Dinner (Ward 6)

## 12. BY-LAWS AND CONFIRMING BY-LAW

- 171 To Establish City of Hamilton Land Described as Part of Block 14 on Plan 62M-444, designated as Part 2 on Plan 62R-22066 as Part of McCollum Road  
Ward: 10
- 172 To Establish City of Hamilton Land Described as Block 86 on Plan 62M-1198 as Part of Halo Street  
Ward: 7
- 173 To Establish City of Hamilton Land Described as Part of Lot 21 on Registered Plan 493, designated as Part 3 on Plan 62R-21610 as Part of Wentworth Street North  
Ward: 3
- 174 Being a By-law to Permanently Close a Portion of Public Unassumed Alley Abutting 31 Crooks Street, Hamilton, established by Registered Plan 284, in the City of Hamilton, designated as Part 2 on Reference Plan 62R-21637, being Part of PIN 17148-0244 (LT), City of Hamilton  
Ward: 1
- 175 Being a By-law to Permanently Close a Portion of Public Unassumed Alley Abutting 35 Crooks Street, Hamilton, established by Registered Plan 284, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-21637, being Part of PIN 17148-0244 (LT), City of Hamilton  
Ward: 1

### (Nann/Tadeson)

That the agenda for the September 13, 2023 meeting of Council be approved, as amended.

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

- YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
NOT PRESENT - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES - Ward 1 Councillor Maureen Wilson

<b>DECLARATIONS OF INTEREST</b>
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Councillor M. Wilson declared a disqualifying interest respecting Item 8 of the Planning Committee Report 23-013 respecting Appeal to the Ontario Land Tribunal for Lands Located at 186 Hunter Street East, Hamilton, for Lack of Decision on Urban Hamilton Official Plan Amendment UHOPA-22-006 an Zoning By-Law Amendment Application ZAC-22-014 (LS22032(a)) (Ward 2) (Added Item 15.1), as her husband has a business relationship with the applicant.

Councillor B. Clark declared a disqualifying interest respecting Item 3 of the Planning Committee Report 23-013 respecting Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-23-1010 and Zoning By-Law Amendment Application ZAC-23-025 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 509 Southcote Road, Ancaster (PED23127) (Ward 12) (Item 9.3), as his son has a retail interest with Urban Solutions, the planning body for the applicant.

Councillor E. Pauls declared a disqualifying interest respecting Sub-section (f) of Item 7.3, respecting Ward 2 Community Grants (Ward 2), as her daughter-in-law is a paramedic.

<b>APPROVAL OF MINUTES OF PREVIOUS MEETING</b>
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**4. August 18, 2023 (Item 4.1)**

**(McMeekin/Hwang)**

That the Minutes of the August 18, 2023 meeting of Council be approved, as presented.

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

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
 YES - Ward 12 Councillor Craig Cassar  
 YES - Ward 9 Councillor Brad Clark  
 YES - Ward 8 Councillor John-Paul Danko  
 YES - Ward 5 Councillor Matt Francis  
 YES - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Ward 3 Councillor Nrinder Nann  
 YES - Ward 7 Councillor Esther Pauls  
 NOT PRESENT - Ward 14 Councillor Mike Spadafora  
 YES - Ward 11 Councillor Mark Tadeson  
 YES - Ward 13 Councillor Alex Wilson  
 YES - Ward 1 Councillor Maureen Wilson

<b>COMMUNICATIONS</b>
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**(Beattie/Cassar)**

That Council Communications 5.1 to 5.8 be approved, as presented, as follows:

- 5.1 Correspondence from Izabel Langlais respecting HATS tiny house shelters Hamilton Congrats.
- Recommendation: Be received.
- 5.2 Correspondence from the Township of Severn requesting support for their resolution respecting Climate Emergency Just Transition Transfer (JTT).
- Recommendation: Be received.
- 5.3 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting Building Faster Fund.
- Recommendation: Be received.
- 5.4 Correspondence from Kelly Oucharek respecting safety concerns in Hamilton Parks.
- Recommendation: Be received and referred to the General Managers of Planning and Economic Development and Healthy and Safe Communities for appropriate action.
- 5.5 Correspondence from the Ministry of Natural Resources and Forestry respecting the Proposed Oil, Gas and Salt Resources Act regulation changes for speak projects and well security.
- Recommendation: Be received and referred to the General Manager of Public Works for appropriate action.
- 5.6 A Petition urging the local authorities to reconsider their decision and reroute the city bus from not going on Glover Road.
- Recommendation: Be received and referred to the General Manager of Public Works for appropriate action.
- 5.7 Correspondence from Ontario's Big City Mayors (OBCM) and Mayors and Regional Chairs of Ontario (MARCO) calling for an urgent meeting of all orders of government to discuss Municipal/Regional Funding to Support Newcomers Including Refugees and Asylum Seekers.
- Recommendation: Be endorsed.

- 5.8 Correspondence from the Ministry of Municipal Affairs and Housing respecting a Proposal to return lands in Ajax to the Greenbelt.

Recommendation: Be received and Recommendation: Be received and referred to the September 14, 2023 Planning Committee (Special) meeting.

**Result: Motion on the Communication Items, as presented, CARRIED by a vote of 16 to 0, as follows:**

- YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 1 Councillor Maureen Wilson

**(Beattie/Cassar)**

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

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

- YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 1 Councillor Maureen Wilson

**PLANNING COMMITTEE REPORT 23-013**
**(Danko/Hwang)**

That Planning Committee Report 23-013, being the meeting held on Tuesday, September 5, 2023, be received and the recommendations contained therein be approved.

Due to a declared conflict, Item 3 was voted on separately, as follows:

**3. Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-23-010 and Zoning By-law Amendment Application ZAC-23-025 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 509 Southcote Road, Ancaster (PED23127) (Ward 12) (Item 9.3)**

That Report PED23127, respecting Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-23-010 and Zoning By-law Amendment Application ZAC-23-025 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 509 Southcote Road, Ancaster, be received.

**Result: Motion on Item 3 of the Planning Committee Report 23-013, CARRIED by a vote of 15 to 0, as follows:**

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
 YES - Ward 12 Councillor Craig Cassar  
 CONFLICT - Ward 9 Councillor Brad Clark  
 YES - Ward 8 Councillor John-Paul Danko  
 YES - Ward 5 Councillor Matt Francis  
 YES - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Ward 3 Councillor Nrinder Nann  
 YES - Ward 7 Councillor Esther Pauls  
 YES - Ward 14 Councillor Mike Spadafora  
 YES - Ward 11 Councillor Mark Tadeson  
 YES - Ward 13 Councillor Alex Wilson  
 YES - Ward 1 Councillor Maureen Wilson

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

**8. Appeal to the Ontario Land Tribunal for Lands Located at 186 Hunter Street East, Hamilton, for Lack of Decision on Urban Hamilton Official Plan Amendment UHOPA-22-006 and Zoning By-law Amendment Application ZAC-22-014 (LS22032(a)) (Ward 2) (Added Item 15.1)**

(a) That the directions to staff in closed session respecting Report LS22032(a) and Appendices "A", "B", "C" and "D" be approved and remain confidential until made public coincident with staff's presentation of the City's position to the Ontario Land Tribunal; and,

(b) That the balance of Report LS22032(a) remain confidential.

**Result: Motion on Item 8 of the Planning Committee Report 23-013, CARRIED by a vote of 15 to 0, as follows:**

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
CONFLICT - Ward 1 Councillor Maureen Wilson

**Result: Motion on the balance of the Planning Committee Report 23-013, CARRIED by a vote of 16 to 0, as follows:**

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES - Ward 1 Councillor Maureen Wilson

<b>GENERAL ISSUES COMMITTEE REPORT 23-024</b>
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**(Beattie/Cassar)**

That General Issues Committee Report 23-024, being the meeting held on Wednesday, September 6, 2023, be received and the recommendations contained therein be approved.

**(M. Wilson/Kroetsch)**

That Item 6 of General Issues Committee Report 23-024, be **amended**, by adding Sub-sections (b) and (c) as follows:

6. **Updates to the Commercial District Revitalization Grant Program Respecting Graffiti and Vandalism Supports for Commercial Properties and Businesses (PED23140) (Wards 1, 2, 3, 4, 5, 7, 8, 11, 12, 13, 15) (Item 10.4)**
  - (a) That the terms for the Commercial District Revitalization Grant Program, being Appendix "E" to the Revitalizing Hamilton's Commercial Districts Community Improvement Plan, be amended as contained in Appendix "C" to General Issues Committee Report 23-024.
  - (b) ***That staff be directed to amend the Commercial District Revitalization Grant Program's application forms so as to request that applicants self-identify if they believe the act of graffiti and/or vandalism for which they are seeking a grant was hate-motivated; and***
  - (c) ***That staff track these responses for reporting purposes and make available, in an aggregated format, to the public and organizations.***

**Result: Amendment to Item 6 of the General Issues Committee Report 23-024, CARRIED by a vote of 16 to 0, as follows:**

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
 YES - Ward 12 Councillor Craig Cassar  
 YES - Ward 9 Councillor Brad Clark  
 YES - Ward 8 Councillor John-Paul Danko  
 YES - Ward 5 Councillor Matt Francis  
 YES - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Ward 3 Councillor Nrinder Nann  
 YES - Ward 7 Councillor Esther Pauls  
 YES - Ward 14 Councillor Mike Spadafora  
 YES - Ward 11 Councillor Mark Tadeson  
 YES - Ward 13 Councillor Alex Wilson  
 YES - Ward 1 Councillor Maureen Wilson

Upon Council's request, Sub-sections (d) to (g) of Item 1 of the General Issues Committee Report 23-024 were voted on separately, as follows:

1. **Addressing Needs of Unsheltered Individuals and Those Relying on Hamilton's Emergency Shelter System (HSC23041) (City Wide) (Item 8.1)**
  - (d) That up to \$5.925M for 2024 emergency response expenditures be referred to the 2024 tax operating budget for Council consideration to address the needs experienced by unsheltered individuals and



individuals requiring assistance from Hamilton's emergency shelter system items;

- (i) The continuation of shelter hotel overflow for families experiencing homelessness at an anticipated cost of \$4.64M annually
    - (1) \$4.45M for emergency hotel shelter overflow beds for families experiencing homeless.
    - (2) \$190K to fund temporary mobile case management team supporting families experiencing homelessness who are housed in hotel overflow beds.
  - (ii) The continuation of 20 additional beds in the women's emergency shelter system, through 46 West South as a temporary emergency shelter (run by Good Shepherd Centre Hamilton), from April 1, 2024 to December 31, 2024 at a cost of \$952K (annualized cost of \$1.267M)
  - (iii) \$333K to enhance diversion programs within shelters to prevent homelessness for an estimated 600 individuals
- (e) That up to \$2.3M be referred to the 2024 Tax Operating budget for Council consideration to support individuals experiencing homelessness in securing successful tenancies and prevent homelessness as referenced in the plan to end chronic homelessness and the Housing Sustainability and Investment Roadmap;
- (i) \$2M increase to the Municipal Housing Benefit equivalent to Rent-Geared-to-Income to end homelessness for an estimated 332 households, in order to reflect the commitment to support 500 households in this way through the HSIR.
  - (ii) Up to \$1.2M to Indwell to provide continued high level supports for 24 units at City Housing Hamilton King William that will take individuals from encampments or the by name list until provincial commitment for these costs can be obtained.
- (f) That expansion of the Housing Services Division's 2024 budgeted complement by 5.0 permanent FTEs to be referred to the 2024 Tax Operating Budget to support execution of recommendations (d) through (e), with annual cost in 2024 of approximately \$502K;
- (i) 2.0 FTEs, Emergency Shelter Case Managers, to support expanded shelter capacity at an annual cost in 2024 of approximately \$199K for salaries, benefits and ancillary costs.
  - (ii) 3.0 FTEs, a Senior Project Manager, a Housing Support Worker, and a Housing Services Clerk, to design and administer

programs offering permanent housing solutions at an annual cost in 2024 of approximately \$303K

- (g) That Council approve in principle the concept of an advance multi-year municipal commitment of \$31M (e.g. \$10.33M per year over 3 years) towards the creation of 200 units supportive housing in order to maximize opportunities for affordable housing providers to leverage provincial and federal funds for projects in development and that Housing Secretariat report back to Council in Q3 on financing options and recommended parameters by which Council would delegate decision making authority to staff to work with providers, identify highest impact projects and administer and allocate these funds to enable flexibility and nimble decision-making;

**Result: Motion on Sub-sections (d) to (g) of Item 1 of the General Issues Committee Report 23-024, CARRIED by a vote of 10-6, as follows:**

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
 YES - Ward 12 Councillor Craig Cassar  
 YES - Ward 9 Councillor Brad Clark  
 NO - Ward 8 Councillor John-Paul Danko  
 NO - Ward 5 Councillor Matt Francis  
 YES - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 NO - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Ward 3 Councillor Nrinder Nann  
 NO - Ward 7 Councillor Esther Pauls  
 NO - Ward 14 Councillor Mike Spadafora  
 NO - Ward 11 Councillor Mark Tadeson  
 YES - Ward 13 Councillor Alex Wilson  
 YES - Ward 1 Councillor Maureen Wilson

**Result: Motion on the balance of the General Issues Committee Report 23-024, As Amended, CARRIED by a vote of 16 to 0, as follows:**

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
 YES - Ward 12 Councillor Craig Cassar  
 YES - Ward 9 Councillor Brad Clark  
 YES - Ward 8 Councillor John-Paul Danko  
 YES - Ward 5 Councillor Matt Francis  
 YES - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Ward 3 Councillor Nrinder Nann  
 YES - Ward 7 Councillor Esther Pauls  
 YES - Ward 14 Councillor Mike Spadafora

YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES - Ward 1 Councillor Maureen Wilson

<b>AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 23-013</b>
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**(Kroetsch/Hwang)**

That Audit, Finance and Administration Committee Report 23-013, being the meeting held on Thursday, September 7, 2023, be received and the recommendations contained therein be approved.

**Result: Motion on the Audit, Finance and Administration Committee Report 23-013, CARRIED by a vote of 16 to 0, as follows:**

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES - Ward 1 Councillor Maureen Wilson

<b>EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 23-011</b>
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**(Clark/Cassar)**

That Emergency and Community Services Committee Report 23-011, being the meeting held on Thursday, September 7, 2023, be received and the recommendations contained therein be approved.

**Result: Motion on the Emergency and Community Services Committee Report 23-011, CARRIED by a vote of 16 to 0, as follows:**

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch

YES - Ward 15 Councillor Ted McMeekin  
 YES - Ward 3 Councillor Nrinder Nann  
 YES - Ward 7 Councillor Esther Pauls  
 YES - Ward 14 Councillor Mike Spadafora  
 YES - Ward 11 Councillor Mark Tadeson  
 YES - Ward 13 Councillor Alex Wilson  
 YES - Ward 1 Councillor Maureen Wilson

<b>PUBLIC HEALTH COMMITTEE REPORT 23-009</b>
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**(M. Wilson/A. Wilson)**

That Public Health Committee Report 23-008, being the meeting held on Friday, September 8, 2023, be received and the recommendations contained therein be approved.

**Result: Motion on the Public Health Committee Report 23-009, CARRIED by a vote of 16 to 0, as follows:**

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
 YES - Ward 12 Councillor Craig Cassar  
 YES - Ward 9 Councillor Brad Clark  
 YES - Ward 8 Councillor John-Paul Danko  
 YES - Ward 5 Councillor Matt Francis  
 YES - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Ward 3 Councillor Nrinder Nann  
 YES - Ward 7 Councillor Esther Pauls  
 YES - Ward 14 Councillor Mike Spadafora  
 YES - Ward 11 Councillor Mark Tadeson  
 YES - Ward 13 Councillor Alex Wilson  
 YES - Ward 1 Councillor Maureen Wilson

<b>PUBLIC WORKS COMMITTEE REPORT 23-012</b>
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**(Nann/Pauls)**

That Public Works Committee Report 23-012, being the meeting held on Friday, September 8, 2023, be received and the recommendations contained therein be approved.

**(McMeekin/Clark)**

That the consideration of the Public Works Committee Report 23-012, be deferred until after the Closed Session portion to the meeting.

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

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
 YES - Ward 12 Councillor Craig Cassar  
 YES - Ward 9 Councillor Brad Clark  
 YES - Ward 8 Councillor John-Paul Danko

YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES - Ward 1 Councillor Maureen Wilson

## MOTIONS

**7.1 Amendment to Item 6(a)(viii)1 of Audit, Finance and Administration Committee Report 23-005 respecting the Integrity Commissioner Contract Extension (FCS22074 (a)) (City Wide)**

**(Clark/Cassar)**

WHEREAS, on April 12, 2023 Council approved the extension to Contract C2-06-19, Provision of Services of an Integrity Commissioner and Lobbyist Registrar for the City of Hamilton from June 1, 2023 until September 30, 2023 to facilitate an open, competitive Request for Proposals process for a new Integrity Commissioner;

WHEREAS, the Request for Proposals was issued and closed on July 24, 2023 and the City received four compliant proposals;

WHEREAS, the evaluation of the proposals received is taking an extended amount of time to complete; and

WHEREAS, it is now necessary to further extend Contract C2-06-19, Provision of Services of an Integrity Commissioner and Lobbyist Registrar for the City of Hamilton to November 30, 2023, to enable the Proposal Evaluation Committee to complete the Request for Proposals process and award the new Contract;

THEREFORE, BE IT RESOLVED:

That Item 6(a)(viii)1 of Audit, Finance and Administration Committee Report 23-005 respecting the Integrity Commissioner Contract Extension (FCS22074 (a)) (City Wide), be **amended** as follows:

**6. Governance Review Sub-Committee Report 23-001, March 27, 2023 (Added Item 10.4)**

- (a) That the Governance Review Sub-Committee Report 23-001 be received and the recommendations as follows, be approved:

**(viii) Integrity Commissioner Contract Extension (FCS22074 (a))  
(City Wide) (Outstanding Business List Item) (Item 10.6)**

1. That Council approve the extension to Contract C2-06-19, Provision of Services of an Integrity Commissioner and Lobbyist Registrar for the City of Hamilton from June 1, 2023 until **November** 30, 2023 and that the City Clerk be authorized to negotiate, enter into and execute the extension and any ancillary documents required to give effect thereto with Principles Integrity, in a form satisfactory to the City Solicitor;

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

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
 YES - Ward 12 Councillor Craig Cassar  
 YES - Ward 9 Councillor Brad Clark  
 YES - Ward 8 Councillor John-Paul Danko  
 YES - Ward 5 Councillor Matt Francis  
 YES - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Ward 3 Councillor Nrinder Nann  
 YES - Ward 7 Councillor Esther Pauls  
 YES - Ward 14 Councillor Mike Spadafora  
 YES - Ward 11 Councillor Mark Tadeson  
 YES - Ward 13 Councillor Alex Wilson  
 YES - Ward 1 Councillor Maureen Wilson

**7.2 Municipal Protected Areas Project Pilot Program – Ontario Nature**

**(Cassar/A. Wilson)**

WHEREAS biodiversity at the local, provincial and national scale is threatened by pollution, invasive species, climate change, habitat loss and habitat fragmentation;

WHEREAS at the 15<sup>th</sup> Conference of Parties of the United Nations Convention on Biological Diversity the Kunming-Montreal Global Biodiversity Framework Targets were established and directed that nations commit to protecting at least 30 percent of land and water by 2030 particularly in areas with importance for biodiversity and ecosystem function and services (known as the “30 by 30” target);

WHEREAS the City of Hamilton became a signatory to The Montreal Pledge – Cities United in Action for Biodiversity on June 15, 2023, which includes an action to “conserve existing natural environments through protected areas and other effective and equitable measures”;

WHEREAS the City has committed to developing a Biodiversity Action Plan in cooperation with local environmental non-governmental organizations and conservation authorities;

WHEREAS the City of Hamilton's Urban and Rural Official Plans identify that the City's Natural Heritage System includes approximately 36,750 hectares of Core Area lands to be preserved and enhanced to protect local biodiversity and ecological functions;

WHEREAS the City will be undertaking the rural and city-wide natural heritage review phase of the Municipal Comprehensive Review in 2024;

WHEREAS the City has been approached by Ontario Nature to participate in the Municipal Protected Areas Project pilot to assess natural lands which would contribute to Canada's 30 by 30 target for biodiversity protection and included in the Canadian Protected and Conserved Areas Database.

THEREFORE, IT IS RESOLVED:

- (a) That the City of Hamilton continue to engage with Ontario Nature regarding the potential feasibility for the City to participate in the Municipal Protected Areas Project pilot;
- (b) That staff from Planning and Economic Development be directed to determine an appropriate work program for Hamilton to participate in the Municipal Protected Areas Project pilot program that compliments the work being undertaken for the City's Rural and Natural Heritage Municipal Comprehensive Review; and,
- (c) That staff be directed to provide a recommendation report to Planning Committee in Q4 2023 outlining the potential staffing and financial needs associated with participation in the Municipal Protected Areas Project pilot.

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

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES - Ward 1 Councillor Maureen Wilson

### 7.3 Ward 2 Community Grants (Ward 2)

#### (Kroetsch/Hwang)

WHEREAS City Council approved a motion to allocate Ward 2 Community Grants on August 18, 2023;

WHEREAS the Ward 2 Community Grants program closed for Q1, Q2, and Q3 on July 31 with a total of 36 applications;

WHEREAS the Ward 2 Community Grants program reopened for Q4 on September 5, 2023 and will close on September 30, 2023;

WHEREAS City staff in Financial Planning, Administration and Policy and Community Engagement - Grants reviewed the recommendations from the Ward 2 Community Grants program and found that they were all eligible; and

WHEREAS the following \$40,000 in 9 individual grants is the second part of the fulfillment of this round of the Ward 2 Community Grants program with additional grant recommendations coming forward in a motion to the second City Council meeting in September 2023 from applications that are still under review.

THEREFORE, BE IT RESOLVED -

- (a) That up to \$5,000 be allocated from the Ward 2 Special Capital Reinvestment Discretionary Fund (#3302109200) to the Aeris Koper Contemporary Dance to facilitate Soul Stories, a program for older adults connected with Neighbour 2 Neighbour to share stories from their lives through art creation and performance.
- (b) That up to \$3,500 be allocated from the Ward 2 Special Capital Reinvestment Discretionary Fund (#3302109200) to the Hamilton Children's Choir for venue rentals, camp supplies, and advertising, so that their camp program is affordable and accessible.
- (c) That up to \$5,000 be allocated from the Ward 2 Special Capital Reinvestment Discretionary Fund (#3302109200) to the Hamilton Conservatory for the Arts for legal services incurred to ensure compliance of their Arts for All program under *Ontario's Not-for-Profit Corporations Act (2010)*, and to hire a consultant to support their long term vision, governance, and sustainability.
- (d) That up to \$4,500 be allocated from the Ward 2 Special Capital Reinvestment Discretionary Fund (#3302109200) to the Shakespearience Summer Program to cover the costs of theatre rentals and videography for a promotional video that will raise awareness about their no cost at risk youth focused programming.



- (e) That up to \$5,000 be allocated from the Ward 2 Special Capital Reinvestment Discretionary Fund (#3302109200) to the Student Overdose Prevention and Education Network for their Safe Tripz: Drug Testing Initiative program, to cover the cost of fentanyl testing strips, promotional materials, printing, and event tabling.
- (f) That up to \$5,000 be allocated from the Ward 2 Special Capital Reinvestment Discretionary Fund (#3302109200) to Supercrawl Productions for City of Hamilton paramedic and ambulance services at this year's festival.
- (g) That up to \$3,000 be allocated from the Ward 2 Special Capital Reinvestment Discretionary Fund (#3302109200) to Telling Tales Storytime at the Art Gallery of Hamilton for artist fees, printing, advertising, and web support for their interactive family literacy events held at the Art Gallery of Hamilton in July and August 2023.
- (h) That up to \$4,000 be allocated from the Ward 2 Special Capital Reinvestment Discretionary Fund (#3302109200) to the Tottering Biped Theatre's Summer Shakespeare Project for the contracted services of a performer from an equity seeking group.
- (i) That up to \$5,000 be allocated from the Ward 2 Special Capital Reinvestment Discretionary Fund (#3302109200) to the Red Beti Theatre for training of their General Manager and Artistic Producers in grant writing, fundraising, and organizational strategy development.
- (j) That any funds allocated and distributed through the Ward 2 Community Grants Program be exempt on a one-time basis and not be counted toward any formula that restricts regular funding from the City including the City Enrichment Fund or the One-Time Enhancement Grant (e.g. the City's 30% formula).
- (k) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

Due to a declared conflict, Sub-section (f) of the above motion (Ward 2 Community Grants (Ward 2), was voted on separately as follows.

- (f) That up to \$5,000 be allocated from the Ward 2 Special Capital Reinvestment Discretionary Fund (#3302109200) to Supercrawl Productions for City of Hamilton paramedic and ambulance services at this year's festival.

**Result: MOTION on Sub-section (f) of Item 7.3 respecting Ward 2 Community Grants (Ward 2), CARRIED by a vote of 14 to 0, as follows:**

- YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko

YES - Ward 5 Councillor Matt Francis  
 YES - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Ward 3 Councillor Nrinder Nann  
 CONFLICT - Ward 7 Councillor Esther Pauls  
 NOT PRESENT - Ward 14 Councillor Mike Spadafora  
 YES - Ward 11 Councillor Mark Tadeson  
 YES - Ward 13 Councillor Alex Wilson  
 YES - Ward 1 Councillor Maureen Wilson

**Result: Motion on the balance of Item 7.3 respecting Ward 2 Community Grants (Ward 2), CARRIED by a vote of 14 to 1, as follows:**

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
 YES - Ward 12 Councillor Craig Cassar  
 YES - Ward 9 Councillor Brad Clark  
 YES - Ward 8 Councillor John-Paul Danko  
 YES - Ward 5 Councillor Matt Francis  
 YES - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Ward 3 Councillor Nrinder Nann  
 NO - Ward 7 Councillor Esther Pauls  
 NOT PRESENT - Ward 14 Councillor Mike Spadafora  
 YES - Ward 11 Councillor Mark Tadeson  
 YES - Ward 13 Councillor Alex Wilson  
 YES - Ward 1 Councillor Maureen Wilson

#### **7.4 Feasibility of a Judicial Review of the Government of Ontario's Decision to Remove Lands from the Greenbelt Plan within the City of Hamilton**

**(Danko/M. Wilson)**

WHEREAS, on December 16, 2022, the Government of Ontario removed 795 hectares of land from the Greenbelt Plan within the City of Hamilton and these lands were selected and recommended for removal by the Minister of Municipal Affairs and Housing;

WHEREAS, the Provincial Housing Affordability Taskforce, the Auditor General for the Province of Ontario and the City of Hamilton have all independently concluded that Greenbelt lands are not required to meet Hamilton's provincially mandated housing growth targets;

WHEREAS, after a comprehensive investigation, the Auditor General for the Province of Ontario concluded that "the exercise to change the Greenbelt boundaries in Fall 2022 cannot be described as a standard or defensible process";

WHEREAS, the Auditor General for the Province of Ontario specifically recommends that “the government request that the Housing Ministry, in conjunction with the Ministry of Natural Resources and Forestry, the Ministry of the Environment, Conservation and Parks and the Ministry of Agriculture, Food and Rural Affairs, Indigenous communities and relevant stakeholders, such as impacted municipalities, re-evaluate the 2022 decision to change the Greenbelt boundaries”;

WHEREAS, the Integrity Commissioner for the Province of Ontario determined that the Greenbelt land removal process was marked by “unnecessary hastiness and deception”;

WHEREAS, the Minister of Municipal Affairs and Housing for the Government of Ontario was directly responsible for the selection and removal of lands from the Greenbelt and was found to have violated Sections 2 (Conflict of Interest) and 3 (Insider Information) of the Members’ Integrity Act and subsequently resigned from his cabinet position;

WHEREAS, the decision by the Government of Ontario to remove lands from the Greenbelt has been referred to the RCMP for criminal investigation;

WHEREAS, the Premier of the Province of Ontario has publicly stated that the Government of Ontario’s decision to remove lands from the Greenbelt was a result of a “flawed process”; and

WHEREAS, recent new information strongly suggests that the decision of the Government of Ontario to remove lands from the Greenbelt may not have been fair, reasonable or lawful.

THEREFORE, BE IT RESOLVED:

That City of Hamilton Legal Services staff be directed to review the feasibility of a Judicial Review of the Government of Ontario’s decision to remove lands from the Greenbelt Plan within the City of Hamilton.

**(Hwang/Tadeson)**

That the consideration of Item 7.4 respecting the Feasibility of a Judicial Review of the Government of Ontario’s Decision to Remove Lands from the Greenbelt Plan within the City of Hamilton, be deferred until after the Closed Session portion of the meeting.

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

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch

YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES - Ward 1 Councillor Maureen Wilson

<b>NOTICES OF MOTION</b>
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**8.1 Feasibility of a Judicial Review of the Government of Ontario's Decision to Remove Lands from the Greenbelt Plan within the City of Hamilton**

**(Danko/M. Wilson)**

That the Rules of Order be waived to allow for the introduction of a motion respecting the Feasibility of a Judicial Review of the Government of Ontario's Decision to Remove Lands from the Greenbelt Plan within the City of Hamilton.

**Result: Motion CARRIED by a 2/3rds vote of 16 to 0, as follows:**

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES - Ward 1 Councillor Maureen Wilson

For further disposition of this matter, refer to Item 7.4.

Councillor Jackson introduced the following Notice of Motion:

**8.2 Swansea Tenants Association Committee – Thanksgiving Dinner (Ward 6)**

WHEREAS, the Swansea Tenants Association Committee (all Volunteers) at 801 Upper Gage Avenue in Ward 6, have planned a Thanksgiving Dinner for 100 to 150 tenants on Saturday, October 14, 2023;

WHEREAS, the Swansea Tenants Association Committee will be delivering meals to shut ins and waiving the customary fee in order for more tenants to participate;

WHEREAS, the Policy and Guidelines For Eligible Expenses for Elected Officials states Sponsorships / Donations are limited to \$350 per named organization per year;

WHEREAS, this request exceeds the maximum for the following reasons:

(1) Providing support for an Event Organized by a Volunteer Association in a CityHousing Hamilton (CHH) building; (2) without this supportive funding many tenants would potentially not be able to afford the dinner and feel isolated during this special social event time in the building; and (3) it's a one-time Request.

THEREFORE, BE IT RESOLVED:

- (a) That for this one time exception, the maximum noted in the Policy and Guidelines For Eligible Expenses for Elected Officials, be waived;
- (b) That an upset limit of \$1,100 be allocated from the Ward 6 Operating Budget Dept ID #300045 to the Swansea Tenants Association Committee for the Thanksgiving Dinner for Swansea Tenants on Saturday, October 14, 2023; and
- (c) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

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

**(Tadeson/Nann)**

That Council recess until 1:00 p.m.

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

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
 YES - Ward 12 Councillor Craig Cassar  
 NOT PRESENT - Ward 9 Councillor Brad Clark  
 YES - Ward 8 Councillor John-Paul Danko  
 YES - Ward 5 Councillor Matt Francis  
 YES - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Ward 3 Councillor Nrinder Nann  
 YES - Ward 7 Councillor Esther Pauls  
 YES - Ward 14 Councillor Mike Spadafora  
 YES - Ward 11 Councillor Mark Tadeson  
 YES - Ward 13 Councillor Alex Wilson  
 NOT PRESENT - Ward 1 Councillor Maureen Wilson

**COUNCIL COMMUNICATION UPDATES****(Beattie/Hwang)**

That the listing of Council Communication Updates from August 11, 2023 to September 7, 2023, be received.

**Result: Motion on the Council Communication Updates from August 11, 2023 to September 7, 2023 CARRIED by a vote of 15 to 0, as follows:**

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
NOT PRESENT - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES - Ward 1 Councillor Maureen Wilson

**PRIVATE AND CONFIDENTIAL****(Jackson/A. Wilson)**

That Council move into Closed Session to discuss Item 11.1 respecting the Canadian Union of Public Employees Local 5167 Ratification of Collective Agreement (HUR23013) (City Wide), added Item 11.2 respecting the Legal Update on Environmental Defence Canada Judicial Review Application, added Item 11.3 respecting an Update on Negotiations with HPPFA – IAF Local 288 and ATU, added Item 11.4 Matter of Safety and Security and Item 9 of the Public Works Committee Report 23-012 pursuant to Section 9.3, Sub-section (a), (b), (d), (f) and (k) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-section (a), (b), (d), (f) and (k) of the Ontario Municipal Act, 2001, as amended, as the subject matters pertain to the security of the property of the City or a local board; personal matters about an identifiable individual, including City or local board employees; labour relations and employee negotiations and to a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

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

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis

NOT PRESENT - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES - Ward 1 Councillor Maureen Wilson

**11.1 Canadian Union of Public Employees Local 5167 Ratification of Collective Agreement (HUR23013) (City Wide)**

**(Kroetsch/Hwang)**

- (a) That the tentative agreement reached on August 18, 2023 between the City of Hamilton and the Canadian Union of Public Employees Local 5167 representing approximately 3,200 inside and outside employees, be ratified by Council; and
- (b) That Report HUR23013 respecting Canadian Union of Public Employees Local 5167 Ratification of Collective Agreement remain confidential.

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

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
NOT PRESENT - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
NOT PRESENT - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES - Ward 1 Councillor Maureen Wilson

**11.2 Legal Update on Environmental Defence Canada Judicial Review Application**

**(A. Wilson/Cassar)**

That the Legal Update on Environmental Defence Canada Judicial Review Application, be received and remain confidential.

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

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
NOT PRESENT - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
NOT PRESENT - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES - Ward 1 Councillor Maureen Wilson

**11.3 Update on Negotiations with HPFFA – IAF Local 288 and ATU**

**(McMeekin/Jackson)**

That the Update on Negotiations with HPFFA – IAF Local 288 and ATU, be received and remain confidential.

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

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
NOT PRESENT - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
NOT PRESENT - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES - Ward 1 Councillor Maureen Wilson

**11.4 Matter of Safety and Security**

**(M. Wilson/Nann)**

- (a) That the directions to staff in Closed Session, be approved; and
- (b) That the Matter of Safety and Security, remain confidential.



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

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
NOT PRESENT - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
NOT PRESENT - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES - Ward 1 Councillor Maureen Wilson

<b>PUBLIC WORKS COMMITTEE REPORT 23-012 (CONTINUED)</b>
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**(Nann/Pauls)**

That Public Works Committee Report 23-012, being the meeting held on Friday, September 8, 2023, be received and the recommendations contained therein be approved.

Upon Council's request, Item 9 was voted on separately as follows:

**9. Transit Maintenance & Storage Facility - Cost Increase (PW23051(a) / FCS23084(a)) (City Wide) (Item 15.1)**

- (a) That the direction provided to staff in Closed Session, respecting Report PW23051(a)/FCS23084(a) Transit Maintenance & Storage Facility - Cost Increase, be approved and remain confidential until negotiations for the Contract are complete and the Contract is executed;
- (b) That the price of Contract C13-02-23 General Contractor Required for the Construction of Hamilton Transit Maintenance & Storage Facility be publicly reported in the applicable quarterly status report for Tenders and Proposals.
- (c) That the Mayor, with support from City Staff, continue to advocate for additional support from various members of Parliament and Members of Provincial Parliament for ongoing financial support related to Public Transit Investments, and the General Manager, Finance and Corporate Services, be authorized and directed to confirm and execute any agreements or protocols, as required.

**Result: Motion on Item 9 of the Public Works Committee Report 23-012, CARRIED by a vote of 11 to 3, as follows:**

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
NO - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
NOT PRESENT - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
NO - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder Nann  
NO - Ward 7 Councillor Esther Pauls  
NOT PRESENT - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES - Ward 1 Councillor Maureen Wilson

**Result: Motion on the balance of the Public Works Committee Report 23-012, CARRIED by a vote of 14 to 0, as follows:**

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
NOT PRESENT - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
NOT PRESENT - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES - Ward 1 Councillor Maureen Wilson

**(Beattie/Cassar)**

That Council rise from Committee of the Whole.

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

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
NOT PRESENT - Ward 5 Councillor Matt Francis

YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
NOT PRESENT - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES - Ward 1 Councillor Maureen Wilson

<b>MOTIONS (CONTINUED)</b>
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**7.4 Feasibility of a Judicial Review of the Government of Ontario's Decision to Remove Lands from the Greenbelt Plan within the City of Hamilton**

**(Danko/M. Wilson)**

WHEREAS, on December 16, 2022, the Government of Ontario removed 795 hectares of land from the Greenbelt Plan within the City of Hamilton and these lands were selected and recommended for removal by the Minister of Municipal Affairs and Housing;

WHEREAS, the Provincial Housing Affordability Taskforce, the Auditor General for the Province of Ontario and the City of Hamilton have all independently concluded that Greenbelt lands are not required to meet Hamilton's provincially mandated housing growth targets;

WHEREAS, after a comprehensive investigation, the Auditor General for the Province of Ontario concluded that "the exercise to change the Greenbelt boundaries in Fall 2022 cannot be described as a standard or defensible process";

WHEREAS, the Auditor General for the Province of Ontario specifically recommends that "the government request that the Housing Ministry, in conjunction with the Ministry of Natural Resources and Forestry, the Ministry of the Environment, Conservation and Parks and the Ministry of Agriculture, Food and Rural Affairs, Indigenous communities and relevant stakeholders, such as impacted municipalities, re-evaluate the 2022 decision to change the Greenbelt boundaries";

WHEREAS, the Integrity Commissioner for the Province of Ontario determined that the Greenbelt land removal process was marked by "unnecessary hastiness and deception";

WHEREAS, the Minister of Municipal Affairs and Housing for the Government of Ontario was directly responsible for the selection and removal of lands from the Greenbelt and was found to have violated Sections 2 (Conflict of Interest) and 3 (Insider Information) of the Members' Integrity Act and subsequently resigned from his cabinet position;

WHEREAS, the decision by the Government of Ontario to remove lands from the Greenbelt has been referred to the RCMP for criminal investigation;

WHEREAS, the Premier of the Province of Ontario has publicly stated that the Government of Ontario's decision to remove lands from the Greenbelt was a result of a "flawed process"; and

WHEREAS, recent new information strongly suggests that the decision of the Government of Ontario to remove lands from the Greenbelt may not have been fair, reasonable or lawful.

THEREFORE, BE IT RESOLVED:

That City of Hamilton Legal Services staff be directed to review the feasibility of a Judicial Review of the Government of Ontario's decision to remove lands from the Greenbelt Plan within the City of Hamilton.

**Result: Motion CARRIED by a vote of 13 to 1, as follows:**

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
 YES - Ward 12 Councillor Craig Cassar  
 NO - Ward 9 Councillor Brad Clark  
 YES - Ward 8 Councillor John-Paul Danko  
 NOT PRESENT - Ward 5 Councillor Matt Francis  
 YES - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Ward 3 Councillor Nrinder Nann  
 YES - Ward 7 Councillor Esther Pauls  
 NOT PRESENT - Ward 14 Councillor Mike Spadafora  
 YES - Ward 11 Councillor Mark Tadeson  
 YES - Ward 13 Councillor Alex Wilson  
 YES - Ward 1 Councillor Maureen Wilson

<b>BY-LAWS AND CONFIRMING BY-LAW</b>
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**(Beattie/Cassar)**

That Bills No. 23-161 to No. 23-176, 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:

- 161 Being a By-law Requiring the Supply of Vital Services and to Repeal By-law No. 09-190  
 Ward: City Wide
- 162 Being a By-law to Prescribe Standards for the Maintenance and Occupancy of Property and to Repeal By-law No. 10-221  
 Ward: City Wide

- 163 Being a By-law to Permanently Close and Sell a Portion of Denison Avenue, Stoney Creek, Established by Plan 1023, in the City of Hamilton, being Denison Avenue, Plan 1023, being all of PIN 17365-0277(LT)  
Ward: 10
- 164 To Permanently Close and Sell a Portion of the Public Unassumed Alleyway Abutting 315B Aberdeen Avenue, Hamilton, namely Part of the Alleyway, lying North of Glenfern Avenue, and East of Mountain Avenue, on Registered Plan 272, in the City of Hamilton, Designated as Parts 1, 2, 3, 4, 5 and 6 on Plan 62R-21837, being part of PIN 17076-0231 (LT)  
Ward: 1
- 165 To Establish City of Hamilton Land Described as Part 1 on Plan 62R-22172 as a Public Highway to form part of Lormont Boulevard  
Ward: 9
- 166 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic Schedule 5 (Stop Control)  
Ward: 1, 5, 8, 9, 10, 12, 14
- 167 To Adopt Official Plan Amendment No. 191 to the Urban Hamilton Official Plan Respecting 1310 South Service Road (former City of Stoney Creek)  
Ward: 10
- 168 To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 1310 South Services Road, Stoney Creek  
Ward: 10  
ZAC-22-063
- 169 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 12 (Permit Parking Zones)  
Schedule 13 (No Stopping Zones)  
Ward: 3, 4, 5, 6, 7, 9, 11, 12, 13, 15
- 170 To Regulate Waterpipe Smoking in Public Places and Workplaces in the City of Hamilton  
Ward: City Wide
- 171 To Establish City of Hamilton Land Described as Part of Block 14 on Plan 62M-444, designated as Part 2 on Plan 62R-22066 as Part of McCollum Road  
Ward: 10
- 172 To Establish City of Hamilton Land Described as Block 86 on Plan 62M-1198 as Part of Halo Street  
Ward: 7

- 173 To Establish City of Hamilton Land Described as Part of Lot 21 on Registered Plan 493, designated as Part 3 on Plan 62R-21610 as Part of Wentworth Street North Ward: 3
- 174 Being a By-law to Permanently Close a Portion of Public Unassumed Alley Abutting 31 Crooks Street, Hamilton, established by Registered Plan 284, in the City of Hamilton, designated as Part 2 on Reference Plan 62R-21637, being Part of PIN 17148-0244 (LT), City of Hamilton Ward: 1
- 175 Being a By-law to Permanently Close a Portion of Public Unassumed Alley Abutting 35 Crooks Street, Hamilton, established by Registered Plan 284, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-21637, being Part of PIN 17148-0244 (LT), City of Hamilton Ward: 1
- 176 To Confirm the Proceedings of City Council

Upon Council's request, Bill No. 164 was voted on separately, as follows:

- 164 To Permanently Close and Sell a Portion of the Public Unassumed Alleyway Abutting 315B Aberdeen Avenue, Hamilton, namely Part of the Alleyway, lying North of Glenfern Avenue, and East of Mountain Avenue, on Registered Plan 272, in the City of Hamilton, Designated as Parts 1, 2, 3, 4, 5 and 6 on Plan 62R-21837, being part of PIN 17076-0231 (LT) Ward: 1

**Result: Motion on Bill No. 164, CARRIED by a vote of 10 to 4, as follows:**

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
NOT PRESENT - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
NO - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
NO - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
NOT PRESENT - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
NO - Ward 13 Councillor Alex Wilson  
NO - Ward 1 Councillor Maureen Wilson

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

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark

YES - Ward 8 Councillor John-Paul Danko  
NOT PRESENT - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
NOT PRESENT - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES - Ward 1 Councillor Maureen Wilson

**(Tadeson/Hwang)**

That, there being no further business, City Council be adjourned at 3:58 p.m.

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

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
NOT PRESENT - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
NOT PRESENT - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES - Ward 1 Councillor Maureen Wilson

Respectfully submitted,

Mayor Andrea Horwath

Janet Pilon  
Acting City Clerk