



CITY COUNCIL MINUTES 23-018

9:30 a.m.
October 11, 2023
Council Chamber
Hamilton City Hall
71 Main Street West

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

Not Present: Councillors J. Beattie and T. Jackson - Personal

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.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

5. COMMUNICATIONS

- 5.1 Correspondence from Rose Janson respecting Help phase out gas from Hamilton buildings.

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

5.2 Correspondence from Joseph Minor respecting PFAS/PFOS:

- (a) PFAS and Endangered Species in Your Study Area
- (b) 2023 PFOS levels in Lake Niapenco
- (c) Failure to properly identify the PFAS/PFOS Hazardous Waste Repository at the Hamilton International Airport

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

5.9 Correspondence from Joshua Weresch respecting the October 6, 2023 article in CBC Hamilton which announced that the Hamilton Association for Tiny Shelters would no longer be erecting tiny shelters in Strachan Linear Park.

Recommendation: Be received and referred to the General Manager of Healthy and Safe Communities for appropriate action.

5.10 Correspondence from Joshua Weresch in support of the request for the Planning Committee consider the institution of an extreme noise by-law as had been done in Brampton, Ontario.

Recommendation: Be received and referred to the consideration of Item (d)(i) of Planning Committee Report 23-016.

8. NOTICES OF MOTION

8.1 Requirement for Any Landfill Expansion Applications to Obtain Municipal Support

8.2 Waste Collection Fees for Condominium Communities located on Cul de Sacs

11. PRIVATE AND CONFIDENTIAL

11.1 Appointments to the Hamilton Public Library Board of Directors for the 2022-2026 Council Term

(Nann/Pauls)

That the agenda for the October 11, 2023 meeting of Council be approved, as amended.

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

- NOT PRESENT - 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
- NOT PRESENT - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson
 YES - Ward 13 Councillor Alex Wilson
 YES - Ward 1 Councillor Maureen Wilson

DECLARATIONS OF INTEREST

Councillor B. Clark declared a disqualifying interest to Item 6 of Planning Committee Report 23-016 respecting an Application for a Zoning By-law Amendment for Lands Located at 1177, 1183, and 1187 West 5th Street (PED23179) (Ward 8), as the principle planner of Urban Solution has a retail business interest with his son.

APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 September 27, 2023

(McMeekin/Tadeson)

That the Minutes of the September 27, 2023 meeting of Council be approved, as presented.

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

NOT PRESENT - 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
 NOT PRESENT - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson
 YES - Ward 13 Councillor Alex Wilson
 YES - Ward 1 Councillor Maureen Wilson

COMMUNICATIONS

(Tadeson/A. Wilson)

That Council Communications 5.1 to 5.10 be approved, as *amended*, as follows:

- 5.1 Correspondence from Rose Janson respecting Help phase out gas from Hamilton buildings.

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

5.2 Correspondence from Joseph Minor respecting PFAS/PFOS:

- (a) PFAS and Endangered Species in Your Study Area
- (b) 2023 PFOS levels in Lake Niapenco
- (c) Failure to properly identify the PFAS/PFOS Hazardous Waste Repository at the Hamilton International Airport

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action **and a comprehensive report back to General Issues Committee.**

5.3 Correspondence from the Town of Aurora requesting support for their resolution In Opposition to Strong Mayor Powers in Aurora.

Recommendation: Be received.

5.4 Correspondence from Robert Brosius respecting the HSR re-design anticipating the LRT.

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

5.5 Correspondence from Conservation Halton respecting a Board resolution regarding the Effects of Climate Change on Biodiversity within Conservation Halton's Watersheds.

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

5.6 Correspondence from the City of Pickering endorsing the City of Hamilton's resolution respecting a Request to Abandon Greenbelt Development.

Recommendation: Be received.

5.7 Correspondence from Ian Brisbin, Martin & Hillyer Associates respecting York Boulevard/Wilson Street and James Street North Safety Review and Signalized Intersection Safety Enhancements (Ward 2, City-Wide)

Recommendation: Be received and referred to the consideration of Item 7 of Public Works Committee Report 23-014.

5.8 Correspondence from the Town of Wasaga Beach requesting support for their resolution respecting Illegal Car Rally - Provincial Task Force.

Recommendation: Be received.

- 5.9 Correspondence from Joshua Weresch respecting the October 6, 2023 article in CBC Hamilton which announced that the Hamilton Association for Tiny Shelters would no longer be erecting tiny shelters in Strachan Linear Park.

Recommendation: Be received and referred to the General Manager of Healthy and Safe Communities for appropriate action.

- 5.10 Correspondence from Joshua Weresch in support of the request for the Planning Committee consider the institution of an extreme noise by-law as had been done in Brampton, Ontario.

Recommendation: Be received and referred to the consideration of Item (d)(i) of Planning Committee Report 23-016.

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

NOT PRESENT - 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
NOT PRESENT - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

(Tadeson/A. Wilson)

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:

NOT PRESENT - 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
NOT PRESENT - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 1 Councillor Maureen Wilson

PUBLIC HEALTH COMMITTEE REPORT 23-010

(M. Wilson/A. Wilson)

That Public Health Committee Report 23-010, being the meeting held on Monday, October 2, 2023, be received and the recommendations contained therein be approved.

Result: Motion on the Public Health Committee Report 23-010, CARRIED by a vote of 14 to 0, as follows:

- NOT PRESENT - 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
- NOT PRESENT - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 1 Councillor Maureen Wilson

PUBLIC WORKS COMMITTEE REPORT 23-014

(Nann/Pauls)

That Public Works Committee Report 23-014, being the meeting held on Monday, October 2, 2023, be received and the recommendations contained therein be approved.

Result: Motion on the Public Works Committee Report 23-014, CARRIED by a vote of 14 to 0, as follows:

- NOT PRESENT - 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
- NOT PRESENT - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson
 YES - Ward 13 Councillor Alex Wilson
 YES - Ward 1 Councillor Maureen Wilson

PLANNING COMMITTEE REPORT 23-016

(Danko/Hwang)

That Planning Committee Report 23-016, being the meeting held on Tuesday, October 3, 2023, be received and the recommendations contained therein be approved.

(Danko/M. Wilson)

That Item 3 of Planning Committee Report 23-016 respecting Application for a Zoning By-law Amendment for Lands Located at 212 and 220 Rymal Road West, be **amended** by deleting sub-section (a)(i) and inserting new sub-sections (a)(i) to (a)(iii), as follows:

3. Application for a Zoning By-law Amendment for Lands Located at 212 and 220 Rymal Road West, Hamilton (PED23154) (Ward 8) (Item 10.1)

(a) That Amended Zoning By-law Amendment Application ZAC-20-018, by T. Johns Consulting Group Ltd. c/o Diana Morris, on behalf of Atlas Homes Corp. c/o Tarik Abbas, Owner, for a change in zoning from the “B” (Suburban Agriculture and Residential, Etc.) District to the Low Density Residential (R1, 854, H149) Zone and Low Density Residential (R1, 854, H149, H159) Zone, to permit the development of five single detached dwellings, for lands located at 212 and 220 Rymal Road West, as shown on Appendix “A” attached to Report PED23154, be DENIED on the following basis:

- ~~(i) — ***The application does not meet the City’s planning vision for the Rymal Road Corridor.***~~
- (i) The proposal does not support orderly development in that the lands should be developed in conjunction with the draft plan of subdivision to the rear of the lands;***
- (ii) The proposal is not consistent with the land use density and housing mix required to support future higher order transit; and,***
- (iii) The individual driveway accesses will not minimize traffic conflicts.***

Result: Amendment to Item 3 of the Planning Committee Report 23-016, CARRIED by a vote of 14 to 0, as follows:

NOT PRESENT - 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
NOT PRESENT - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

Due to a declared conflict, Item 6 was voted on separately as follows:

6. Application for a Zoning By-law Amendment for Lands Located at 1177, 1183, and 1187 West 5th Street (PED23179) (Ward 8) (Item 10.4)

- (a) That Zoning By-law Amendment Application ZAC-22-047, by UrbanSolutions Planning & Land Development Consultants Inc. c/o Matt Johnston on behalf of 1333664 Ontario Ltd. c/o Mike Valvasori, owner, for a change in zoning from the “AA” (Agricultural) District (Block 1) and the “RT-20-H” (Townhouse-Maisonette) District, Modified, Holding (Block 2) to the “E-3/S-1830-H” (High Density Multiple Dwellings) District, Modified, Holding, to permit the development of a 10 storey multiple dwelling containing 206 dwelling units and 229 parking spaces, on lands located at 1177, 1183, and 1187 West 5th Street, Hamilton, as shown on Appendix “A” attached to Report PED23179, be APPROVED on the following basis:
- (a) That the draft By-law, attached as Appendix “B” to Report PED23179, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject property by introducing the Holding symbol ‘H’ to the proposed “E-3/S-1830” (High Density Multiple Dwellings) District, Modified;

The Holding Provision ‘H’ is to be removed, conditional upon:

- (i) That the Owner confirms that the construction of the municipal storm sewer along West 5th Street has been completed and is fully operational to provide a stormwater outlet for the subject site, to the satisfaction of the Director of Development Engineering;

- (ii) That the Owner confirms that the municipal sanitary sewer along West 5th Street has been upgraded to support the proposed development, to the satisfaction of the Director of Development Engineering;
- (iii) That the Owner submit and receives approval of a Functional Servicing Report that addresses the required fire flow, to the satisfaction of the Director of Development Engineering;
- (c) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and complies with the Urban Hamilton Official Plan.

Result: Motion on Item 6 of the Planning Committee Report 23-016, CARRIED by a vote of 13 to 0, as follows:

NOT PRESENT - 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
NOT PRESENT - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

Upon Council's request, Item 8 was voted on separately as follows:

8. Sign Variance Appeal SV-14-005 for the Property known as 523 Carlisle Road, Flamborough, Denied by the Director of Development Planning and Appealed by the Owner (PED23204) (Ward 15) (Item 11.1)

- (a) That the Appeal of Sign Variance Application SV-14-005, by Kaneff Properties Ltd. Owner, submitted Fontur International Inc. c/o Joel Swagerman, to add a sign on the top of an existing telecommunications tower to advertise the, ownership group of the Carlisle Golf and Country Club, for the property located at 523 Carlisle Road, (Flamborough), as shown on Appendix "A" attached to Report PED23204, be DENIED on the following basis:
 - (i) That the requested variances are not in keeping with the intent of Sign By-law No. 10-197;

- (ii) That the requested variances do not meet the tests of Sign By-law No. 10-197.

Result: Motion on Item 8 of the Planning Committee Report 23-016, CARRIED by a vote of 13 to 1, as follows:

NOT PRESENT - 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
NOT PRESENT - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
NO - Ward 15 Councillor Ted McMeekin
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Deputy Mayor - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

Result: Motion on the balance of the Planning Committee Report 23-016, as Amended, CARRIED by a vote of 14 to 0, as follows:

NOT PRESENT - 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
NOT PRESENT - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

GENERAL ISSUES COMMITTEE REPORT 23-026

(Tadeson/A. Wilson)

That General Issues Committee Report 23-026, being the meeting held on Wednesday, October 4, 2023, be received and the recommendations contained therein be approved.

(Nann/Spadafora)

That consideration of General Issues Committee Report 23-026 be deferred until after Closed Session.

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

NOT PRESENT - 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
 NOT PRESENT - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson
 YES - Ward 13 Councillor Alex Wilson
 YES - Ward 1 Councillor Maureen Wilson

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 23-015**(Kroetsch/Hwang)**

That Audit, Finance and Administration Committee Report 23-015, being the meeting held on Thursday, October 5, 2023, be received and the recommendations contained therein be approved.

Mayor Horwath relinquished the Chair to Deputy Mayor Tadeson.

(Horwath/Kroetsch)

- (a) That Item 6 of Audit, Finance and Administration Committee Report 23-015 respecting Hamilton Police Services and Hamilton Public Library Surpluses and Deficits be referred to the Hamilton Police Services Board and Hamilton Public Library Board of Directors for comment; and

6. Hamilton Police Services and Hamilton Public Library Surpluses and Deficits (Item 11.1)

WHEREAS, the City of Hamilton is the primary funder for Hamilton Police Services and Hamilton Public Library;

WHEREAS, the City of Hamilton is legislatively required to approve the Hamilton Police Services Board and Hamilton Public Library Board of Directors approved budgets for Hamilton Police Services and Hamilton Public Library;

WHEREAS, the City of Hamilton approves the disposition of any year end surpluses and deficits for Hamilton Police Services and Hamilton Public Library;

WHEREAS, the Hamilton Police Services Board and Hamilton Public Library Board of Directors approve any year-end surplus or deficit related transfers exclusive of Hamilton City Council consideration and approval; and

WHEREAS, the Hamilton Police Services Board and Hamilton Public Library Board of Directors have approved reserve policies in keeping with City of Hamilton Reserve policies;

THEREFORE, BE IT RESOLVED:

- (a) That City staff coordinate with Hamilton Police Services to prepare an amendment to the year-end closing process whereby Council would receive and approve any Hamilton Police Services Board recommendations related to transfer funds to and from reserves relating to year-end surpluses and deficits; and
- (b) That City staff coordinate with Hamilton Public Library to prepare an amendment to the year-end closing process whereby Council would receive and approve any Hamilton Public Library Board of Directors recommendations related to transfer funds to and from reserves relating to year-end surpluses and deficits.
- (b) That staff be directed to report back to the General Issues Committee with recommendations, including legal advice with regards to, how the *Police Services Act* and *Public Libraries Act* applies to the recommendations.

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

NOT PRESENT - 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
NOT PRESENT - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

Mayor Horwath assumed the Chair.

Result: Motion on the balance of the Audit, Finance and Administration Committee Report 23-015, CARRIED by a vote of 14 to 0, as follows:

NOT PRESENT - 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
NOT PRESENT - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

MOTIONS

7.1 Appointment to the Public Works Committee**(Tadeson/Cassar)**

That Councillor Tammy Hwang be appointed to the Public Works Committee, for the remainder of the 2022-2026 Term of Council, effective immediately.

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

NOT PRESENT - 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
NOT PRESENT - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

7.2 Change to the October 31, 2023 Planning Committee Meeting Start Time

The following motion was WITHDRAWN:

WHEREAS, due to prior commitments, several of the members of the Planning Committee are not available for the usual 9:30 am start time;

THEREFORE, BE IT RESOLVED:

That the October 31, 2023 Planning Committee meeting start time be changed from 9:30 am to 1:30 pm, in order to ensure quorum is present.

NOTICES OF MOTION

Councillor Clark introduced the following Notice of Motion:

8.1 Requirement for Any Landfill Expansion Applications to Obtain Municipal Support

WHEREAS, Bill 197 included a new *Environmental Assessment Act* section 6.0.1 in Part II which requires a private proponent of an undertaking to establish a landfilling site to obtain municipal support for the undertaking in accordance with that section; and

WHEREAS, this provision has unintentionally increased private proponent landfill expansions;

THEREFORE, BE IT RESOLVED:

That the City of Hamilton formally request an amendment to the Section 6.0.1 in Part II of the *Environmental Assessment Act*, to require private proponents to obtain municipal support for any landfill expansion applications.

Councillor Clark introduced the following Notice of Motion:

8.2 Waste Collection Fees for Condominium Communities located on Cul de Sacs

WHEREAS, there is a policy directing City waste vehicle staff to not reverse from cul de sacs, etc;

WHEREAS, several condo communities in Ward 9 are required to retain private waste collectors due to this policy;

WHEREAS, the City's selected private waste company, GFL, has willingly entered into private agreements with these condo communities to remove their waste enabling GFL to reverse from any cul de sac with a safety person;

WHEREAS, condo communities were denied City pick-ups due to the no reversing rule;

WHEREAS, condo communities still pay the taxes for a City waste collection service as well as paying their private contractor given that the City has denied them this service; and

WHEREAS, the City's own contractor, GFL, is willing to safely pick up waste by reversing from cul de sacs with a safety person;

THEREFORE, BE IT RESOLVED:

That staff report back to the Public Works Committee with a preferred option to either have the City compensate such condo boards for the denied service through tax credits which GFL then provides privately or to permit the City's contracted waste company, GFL, to reverse from cul de sacs with a safety person.

Councillor M. Wilson introduced the following Notice of Motion:

8.3 Request to Expand the Scope of the Greenbelt Lands Investigation to Include the Decision to Expand the City of Hamilton's Urban Boundary

That Council request that our head of council communicate with the Commissioner of the RCMP and any other necessary or appropriate body to request that the scope of the RCMP investigation into the Government of Ontario's decision to open up the Greenbelt lands for development be extended to include the Government of Ontario's decision to expand the City of Hamilton's urban boundary by 2200 hectares.

STATEMENTS BY MEMBERS

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

COUNCIL COMMUNICATION UPDATES

(Tadeson/A. Wilson)

That the listing of Council Communication Updates from September 22, 2023 to October 5, 2023, be received.

Result: Motion on the Council Communication Updates from September 22, 2023 to October 5, 2023 CARRIED by a vote of 14 to 0, as follows:

NOT PRESENT - 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
NOT PRESENT - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

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 Appointments to the Hamilton Public Library Board of Directors for the 2022-2026 Council Term

(Cassar/M. Wilson)

(a) That the following citizens be appointed to the Hamilton Conservation Authority Board of Directors, for the 2022-2026 Council Term commencing October 10, 2023:

- (1) Batra, Gagan
- (2) Berry, Brie
- (3) Dampthey, Kojo
- (4) Firth, Dayna
- (5) Griggs, Alison
- (6) Horwath, Jennifer
- (7) Serviss, Lynne
- (8) van Velzen, Nicolas
- (9) Whitmore, Carly

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

NOT PRESENT - 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
 NOT PRESENT - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson
 YES - Ward 13 Councillor Alex Wilson
 YES - Ward 1 Councillor Maureen Wilson

GENERAL ISSUES COMMITTEE REPORT 23-026 - CONTINUED

(Tadeson/A. Wilson)

That General Issues Committee Report 23-026, being the meeting held on Wednesday, October 4, 2023, be received and the recommendations contained therein be approved.

Upon Council's request, Item 6 was voted on separately, as follows:

6. City of Hamilton Meta Advertising (Item 11.1)

WHEREAS, Meta announced in June 2023 that it has already started blocking Canadian news content and links on its social media sites, including Instagram and Facebook platforms;

WHEREAS, Meta has refused to comply with federal legislation, the Online News Act, and instead has deliberately chosen to disadvantage 40 million Canadians, including nearly 600,000 Hamilton residents, by removing the ability to share local and national news on their platforms, limiting the ability for Canadians to view content from local and national news publications in Canada;

WHEREAS, in the past several years, Hamilton has faced severe weather conditions, including extreme cold and blizzards, heat waves, and funnel clouds; as well as other emergencies, including but not limited to homelessness, crime and an epidemic related to substance use and addictions; and particularly the recent COVID-19 pandemic; in all of these situations, the ability to share timely, reliable, local news with residents was critically essential;

WHEREAS, Meta's decision would severely impact and limit the ability of both the City of Hamilton, and individual Members of Council, to share information with residents; and to share critical and timely updates from local media;

WHEREAS, recognizing that utilizing all available media, may at times be required for disseminating critical and public safety information, as well, that existing communication plans may contain budgetary and contractual legal obligations;

WHEREAS, Hamilton residents have a fundamental right to a strong, free, and independent Press, one that is not censored or dictated by American social media giants; and,

WHEREAS, access to reliable, quality news information, prepared by independent journalists and media, is essential to any healthy, functioning democracy.

THEREFORE, BE IT RESOLVED:

- (a) That any new, non-critical advertising campaigns by Public Information and Media Relations be immediately suspended on all Meta-owned platforms;
- (b) That the suspension last until Meta resumes discussions with the government of Canada, or reverses its ban on placing Canadian media news stories on its platforms; and,
- (c) That this motion be shared with the Ontario Premier's Office, local Members of Parliament, local Members of Provincial Parliament, the Federation of Canadian Municipalities, and all Ontario municipalities.

Result: Motion CARRIED by a vote of 8 to 6, as follows:

NOT PRESENT - Ward 10 Councillor Jeff Beattie

YES - Ward 12 Councillor Craig Cassar
NO - 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
NOT PRESENT - Ward 6 Councillor Tom Jackson
NO - Ward 2 Councillor Cameron Kroetsch
NO - Ward 15 Councillor Ted McMeekin
NO - Ward 3 Councillor Nrinder Nann
YES - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Deputy Mayor - Ward 11 Councillor Mark Tadeson
NO - Ward 13 Councillor Alex Wilson
NO - Ward 1 Councillor Maureen Wilson

Result: Motion on the balance of the General Issues Committee Report 23-026, CARRIED by a vote of 14 to 0, as follows:

NOT PRESENT - 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
NOT PRESENT - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

(Tadeson/A. Wilson)

That Council rise from Committee of the Whole.

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

NOT PRESENT - 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
NOT PRESENT - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

BY-LAWS AND CONFIRMING BY-LAW

(Tadeson/A. Wilson)

That Bills No. 23-185 to No. 23-191, 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:

- 185 To Amend By-law No. 01218, as amended, To Regulate On-Street Parking
Schedule 6 (Time Limit Parking)
Schedule 8 (No Parking)
Schedule 12 (Permit Parking)
Schedule 13 (No Stopping)
Wards: 1, 5, 6, 9, 10
- 186 To Amend Zoning By-law No. 464 (Glanbrook), Respecting Lands Located at 1898
and 1900 Rymal Road East
Ward 9
ZAC-23-036
- 187 To Amend Zoning By-law No. 05-200, Respecting Lands Located at 65 Guise Street
East, Hamilton
Ward 5
ZAC-23-035
- 188 To Amend Zoning By-law No. 6593 with respect to lands located at 1177, 1183 and
1187 West 5th Street, Hamilton
Ward 8
ZAC-22-047
- 189 To Amend By-law No. 01-215, To Regulate Traffic
Schedule 2 (Speed Limits)
Schedule 3 (Flashing School Zones - Reduced Speed Limit)
Wards 12, 13
- 190 To Appoint an Integrity Commissioner and Lobbyist Registrar for the City of
Hamilton
Wards: City Wide
- 191 To Confirm the Proceedings of City Council

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

NOT PRESENT - 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
NOT PRESENT - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

(Tadeson/Pauls)

That, there being no further business, City Council be adjourned at 10:49 a.m.

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

NOT PRESENT - 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
NOT PRESENT - 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 - Deputy Mayor - 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