

# **CITY COUNCIL MINUTES 23-019**

9:30 a.m.
October 25, 2023
Council Chamber
Hamilton City Hall
71 Main Street West

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**Present:** Mayor A. Horwath

Deputy Mayor M. Tadeson

Councillors J. Beattie, C. Cassar, B. Clark, J.P. Danko, M. Francis, T. Hwang, T. Jackson, C. Kroetsch, T. McMeekin, N. Nann, E. Pauls,

M. Spadafora, 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.

# APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

#### 5. COMMUNICATIONS

- 5.9 Correspondence from Steven Oliver respecting an urgent request for the City Manager to stop City staff from the removal of Bollards at 229 Fellowes that were approved March 18, 2014 Planning Committee Minutes Motion #10.
  - (a) Tracey Stewart

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

- 5.10 Correspondence from the Honourable Paul Calandra, Minister of Municipal Affairs and Housing respecting the City of Hamilton's annual housing targets.
  - Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action.
- 5.11 Correspondence from Zoe-Georgie-Elpitha Kalakos, Inch Hammond respecting the Advisory Committee for Persons with Disabilities ("ACPD"), Handling of Complaints.

Recommendation: Be received and referred to the consideration of Item 6.11, City of Hamilton Integrity Commissioner's Recommendation Report Complaint Involving the Chair of the Advisory Committee for Persons with Disabilities October 19, 2023.

# 8. NOTICES OF MOTION

- 8.1 Public Notice respecting A By-Law to Authorize the Undertaking of Climate Change Mitigation and Adaptation Works on Private Residential Property as Local Improvements Under the Better Homes Hamilton Program
- 8.2 Financial Impact of the Hamilton Renewable Power Inc.'s Losses on the City of Hamilton
- 8.3 Opposition to the Ministry of the Environment, Conservation and Parks Proposed Changes to its Approvals and Permissions Procedures for Waste Management Systems, Stormwater Management, and Water-Taking
- 8.4 Emergency Grant for the Emergency Food Strategic Planning Committee
- 8.5 ROMA 2024 Conference January 21, 2024 to January 23, 2024
- 8.6 198 First Road West Subdivision Phase 1 Picardy Parkland Restoration Works

#### 11. PRIVATE AND CONFIDENTIAL

- 11.2 Appointments to the Various Agencies, Boards and Sub-Committees for the 2022-2026 Council Term
- 11.3 ATU Local 107 Collective Bargaining Update

# (Spadafora/Pauls)

That the agenda for the October 25, 2023 meeting of Council be approved, as amended.

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

YES - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

#### **DECLARATIONS OF INTEREST**

Councillor E. Pauls declared disqualifying interest to Communication Item 5.7, respecting Correspondence from Kirsten Stevenson, Administrative Director, Hamilton Police Services Board respecting the Hamilton Police Service Projected Capital Expenditures: 2024-2033, as her son is an inspector employed by the Hamilton Police Service.

Councillor M. Wilson declared a non-disqualifying interest to Item 1 of Emergency and Community Services Report 23-013 respecting Report HSC23075/BOH23035, Ending of Hamilton Community Foundation/GreenShield Funding for Dental Services, as her husband is the President and CEO of Hamilton Community Foundation which is referenced in the body of the report.

Councillor M. Wilson declared a non-disqualifying interest to Item 7 of Emergency and Community Services Report 23-013 respecting Report HSC23057(a), 2023 Ministry of Long-Term Care Funding Enhancement as her husband is the President and CEO of Hamilton Community Foundation which provides financial support for the properties listed.

#### APPROVAL OF MINUTES OF PREVIOUS MEETING

#### 4.1 October 11, 2023

# (Spadafora/Hwang)

That the Minutes of the October 11, 2023 meeting of Council be approved, as presented.

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

YES - 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 - 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 5.11 be approved, as **amended**, as follows:

5.1 Correspondence from the Township of West Lincoln requesting support for their resolution respecting Challenges Faced by Smaller Developers in Ontario Communities.

Recommendation: Be received.

5.2 Correspondence from the Town of Midland requesting support for their resolution respecting "Catch and Release" Justice in Ontario.

Recommendation: Be received.

5.3 Correspondence from the Township of McKellar requesting support for their resolution calling for an amendment to the *Legislation Act, 2006.* 

Recommendation: Be received.

5.4 Correspondence from Lisa Burnside, Chief Administrative Officer, Hamilton Conservation Authority advising the City of Hamilton that the Hamilton Conservation Authority will be considering its 2024 Budget at their Board of Directors meeting on December 7, 2023 at 6:00 p.m.

Recommendation: Be received.

5.5 Correspondence from the Honourable Paul Calandra, Minister of Municipal Affairs and Housing respecting the Proposed Legislation to Return Lands to the Greenbelt and Oak Ridges Moraine.

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

5.6 Correspondence from the Township of Archipelago requesting support for their resolution respecting Cigarette Producer Responsibility.

Recommendation: Be endorsed.

- 5.7 Correspondence from Kirsten Stevenson, Administrative Director, Hamilton Police Services Board respecting the Hamilton Police Service Projected Capital Expenditures: 2024-2033.
  - Recommendation: Be received and referred to the General Manager of Finance and Corporate Services for appropriate action.
- 5.8 Correspondence from the Township of East Hawkesbury requesting support for their resolution respecting Bill 21, Fixing Long-Term Care Amendment Act (Till Death Do Us Part), 2022.

Recommendation: Be received.

- 5.9 Correspondence from Steven Oliver respecting an urgent request for the City Manager to stop City staff from the removal of Bollards at 229 Fellowes that were approved March 18, 2014 Planning Committee Minutes Motion #10.
  - (a) Tracey Stewart

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

- 5.10 Correspondence from the Honourable Paul Calandra, Minister of Municipal Affairs and Housing respecting the City of Hamilton's annual housing targets.
  - Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action.
- 5.11 Correspondence from Zoe-Georgie-Elpitha Kalakos, Inch Hammond respecting the Advisory Committee for Persons with Disabilities ("ACPD"), Handling of Complaints.

Recommendation: Be received and referred to the consideration of Item 6.11, City of Hamilton Integrity Commissioner's Recommendation Report Complaint Involving the Chair of the Advisory Committee for Persons with Disabilities October 19, 2023.

Due to a declared conflict, Item 5.7 was voted on separately as follows:

5.7 Correspondence from Kirsten Stevenson, Administrative Director, Hamilton Police Services Board respecting the Hamilton Police Service Projected Capital Expenditures: 2024-2033.

Recommendation: Be received and referred to the General Manager of Finance and Corporate Services for appropriate action.

Result: Motion on Item 5.7 of the Communication Items, CARRIED by a vote of 15 to 0, as follows:

YES - 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** 

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 Communication Items, as amended, CARRIED by a vote of 16 to 0, as follows:

YES - 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 - 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 16 to 0, as follows:

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

# SELECTION COMMITTEE FOR AGENCIES, BOARDS AND SUB-COMMITTEES REPORT 23-010

### (Cassar/Tadeson)

That Selection Committee for Agencies, Boards and Sub-Committees Report 23-010, being the meeting held on Tuesday, October 10, 2023, be received and the recommendations contained therein be approved.

# Result: Motion on the Selection Committee for Agencies, Boards and Sub-Committees Report 23-010, CARRIED by a vote of 16 to 0, as follows:

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

# SELECTION COMMITTEE FOR AGENCIES, BOARDS AND SUB-COMMITTEES REPORT 23-011

# (Cassar/Tadeson)

That Selection Committee for Agencies, Boards and Sub-Committees Report 23-011, being the meeting held on Thursday, October 12, 2023, be received and the recommendations contained therein be approved.

# Result: Motion on the Selection Committee for Agencies, Boards and Sub-Committees Report 23-011, CARRIED by a vote of 16 to 0, as follows:

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

# SELECTION COMMITTEE FOR AGENCIES, BOARDS AND SUB-COMMITTEES REPORT 23-012

# (Clark/Cassar)

That Selection Committee for Agencies, Boards and Sub-Committees Report 23-012, being the meeting held on Friday, October 13, 2023, be received and the recommendations contained therein be approved.

# Result: Motion on the Selection Committee for Agencies, Boards and Sub-Committees Report 23-012, CARRIED by a vote of 16 to 0, as follows:

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

#### SOLE VOTING MEMBER OF THE HAMILTON FARMERS' MARKET REPORT 23-004

#### (Tadeson/A. Wilson)

That Sole Voting Member of the Hamilton Farmers' Market Report 23-004, being the meeting held on Monday, October 16, 2023, be received and the recommendations contained therein be approved.

Result: Motion on the Sole Voting Member of the Hamilton Farmers' Market Report 23-004, CARRIED by a vote of 16 to 0, as follows:

YES - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

#### PUBLIC WORKS COMMITTEE REPORT 23-015

### (Nann/Pauls)

That Public Works Committee Report 23-015, being the meeting held on Monday, October 16, 2023, be received and the recommendations contained therein be approved.

### (Hwang/Nann)

That Item 2(b) of Public Works Committee Report 23-015 respecting Winterizing Public Washrooms - Winter Operations (PW21031(b)) (City Wide), be **amended** by adding **Montgomery Park** to the locations approved under the Winter Washroom Pilot Program, as follows:

- 2. Winterizing Public Washrooms Winter Operations (PW21031(b)) (City Wide) (Outstanding Business Item) (Item 11.1)
  - (b) That the Public Works Department, Environmental Services Division be authorized to provide the provision of winter washroom access at the locations approved under the Winter Washroom Pilot Program, as amended, by adding Montgomery Park:
    - (i) at a cost of \$524,525, for the period of November 1, 2023 to March 31, 2024 to be funded from the Tax Stabilization Reserve (#110046) and;
    - (ii) that the cost of \$621,430 to operationalize this as a permanent program in 2024 be referred to the 2024 Tax Budget process;

Result: *Amendment* to Item 2 of the Public Works Committee Report 23-015, CARRIED by a vote of 15 to 1, as follows:

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

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

Main Motion, **as Amended** to read as follows:

# 2. Winterizing Public Washrooms - Winter Operations (PW21031(b)) (City Wide) (Outstanding Business Item) (Item 11.1)

- (a) That the provision of winter washrooms based on the two-year pilot program be continued;
- (b) That the Public Works Department, Environmental Services Division be authorized to provide the provision of winter washroom access at the locations approved under the Winter Washroom Pilot Program, as amended, by adding Montgomery Park:
  - (i) at a cost of \$524,525, for the period of November 1, 2023 to March 31, 2024 to be funded from the Tax Stabilization Reserve (#110046) and;
  - (ii) that the cost of \$621,430 to operationalize this as a permanent program in 2024 be referred to the 2024 Tax Budget process;
- (c) That the Public Works Department, Environmental Services Division, be authorized to provide additional locations namely Confederation Park and to switch Mountain Drive Park to a building facility instead of a port-o-let as part of the continuation of the winter washroom project:
  - (i) at a cost of \$66,900, for the period of November 1, 2023 to March 31, 2024 to be funded from the Tax Stabilization Reserve (#110046) and;
  - (ii) that the cost for the full winter season of \$80,330 be referred to the 2024 Tax Operating budget process;
- (d) That the Public Works Department, Environmental Services Division, be authorized to provide a temporary supervisor to support the contractor monitoring, response and inspection of winter washroom locations:

- (i) at a cost of \$51,700, for the period of November 1, 2023 to March 31, 2024 to be funded from the Tax Stabilization Reserve (#110046) and;
- (ii) The Public Works Department, Environmental Services Division, permanent staff complement increase of a 0.5 full time employee for a winter Parks Supervisor at a cost of \$62,000, be added to the 2024 Tax Operating budget process;
- (e) That the 6-month vehicle rental cost of \$8,000 be referred to the Public Works Department, Environmental Services Division 2024 Tax Operating budget process; and
- (f) That Staff be directed to consider increasing the design standard for park washrooms to ensure winter access is possible for future capital new construction or reconstruction and that all fixtures be installed or replaced at the time of reconstruction as institutionally resilient products such as stainless steel.
- (g) That, in response to public feedback, staff be directed to report back to the Public Works Committee respecting the extension of operating hours beyond daylight hours during the winter months.

Result: Main Motion, as amended, of the Public Works Committee Report 23-015, CARRIED by a vote of 15 to 1, as follows:

YES - 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

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 Public Works Committee Report 23-015, CARRIED by a vote of 15 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
- 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 Deputy Mayor Ward 11 Councillor Mark Tadeson
- YES Ward 13 Councillor Alex Wilson
- YES Ward 1 Councillor Maureen Wilson

#### HAMILTON POLICE SERVICES BOARD SELECTION COMMITTEE REPORT 23-005

# (Nann/Spadafora)

That the Hamilton Police Services Board Selection Committee Report 23-005, being the meeting held on Monday, October 16, 2023, be received and the recommendations contained therein be approved, as **amended**, by amending Item 2 to read '**for future recruitments**'.

Result: Motion on the Hamilton Police Services Board Selection Committee Report 23-005, as *Amended*, CARRIED by a vote of 16 to 0, as follows:

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

#### PLANNING COMMITTEE REPORT 23-017

# (Danko/Hwang)

That Planning Committee Report 23-017, being the meeting held on Tuesday, October 17, 2023, be received and the recommendations contained therein be approved.

# Result: Motion on the Planning Committee Report 23-017, CARRIED by a vote of 16 to 0, as follows:

YES - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

#### **GENERAL ISSUES COMMITTEE REPORT 23-027**

### (Beattie/Cassar)

That General Issues Committee Report 23-027, being the meeting held on Wednesday, October 18, 2023, be received and the recommendations contained therein be approved.

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

- 1. Hamilton's Climate Action Strategy 2023 Annual Update (PED23222) (City Wide) (Outstanding Business List Item) (Item 8.1)
  - (a) (c) That the following investments to be funded from the 2023 Budget allocation to the Climate Change Reserve (Account No 108062), be approved:
    - (i) E-Bike Pilot for Hamilton Bike Share to an upset limit of \$750k;

Result: Motion on Item 1(a)(c)(i) of the General Issues Committee Report 23-027, CARRIED by a vote of 9 to 7, as follows:

NO - Ward 10 Councillor Jeff Beattie

YES - Ward 12 Councillor Craig Cassar

NO - 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

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 4(a)(d) was voted on separately as follows:

- 4. Community Benefits Protocol Sub-Committee Report 23-001 September 28, 2023 (Item 9.2)
  - (a) (d) Realizing Community Benefits in the New HSR Transit Maintenance & Storage Facility (Added Item 11.1)

WHEREAS, The City of Hamilton is undertaking a significant public Infrastructure project under Contract Number C13-02-23 – a requirement for a General Contractor to construct a new Hamilton Transit Maintenance and Storage Facility (MSF) in Ward Three.

WHEREAS the construction of the second Hamilton Transit Maintenance and Storage Facility is a project which will benefit Hamilton's future transit initiatives for an overall benefit to the City.

#### THEREFORE, BE IT RESOLVED:

- (i) That staff be directed to work collaboratively with the Contractor who, where practical and appropriate, will ensure that socially and environmentally responsible business practices are considered when employing workers and completing the work; and.
- (ii) That whatever measures are taken by the Contractor will result in zero cost overages to the approved project budget.

Result: Motion on Item 4(a)(d) of the General Issues Committee Report 23-027, CARRIED by a vote of 11 to 5, as follows:

YES - Ward 10 Councillor Jeff Beattie

YES - Ward 12 Councillor Craig Cassar

NO - Ward 9 Councillor Brad Clark

YES - 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

NO - Ward 15 Councillor Ted McMeekin

YES - Ward 3 Councillor Nrinder Nann

- NO 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 General Issues Committee Report 23-027, CARRIED by a vote of 16 to 0, as follows:

- YES 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 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 23-016**

#### (Kroetsch/Hwang)

That Audit, Finance and Administration Committee Report 23-016, being the meeting held on Thursday, October 19, 2023, be received and the recommendations contained therein be approved.

# Result: Motion on the Audit, Finance and Administration Committee Report 23-016, CARRIED by a vote of 14 to 0, as follows:

- YES 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
- NOT PRESENT 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

### **EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 23-013**

### (Clark/Cassar)

That Emergency and Community Services Committee Report 23-013, being the meeting held on Thursday, October 19, 2023, be received and the recommendations contained therein be approved.

# Result: Motion on the Emergency and Community Services Committee Report 23-013, CARRIED by a vote of 15 to 0, as follows:

YES - 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

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

# INTEGRITY COMMISSIONER'S REPORT - October 19, 2023

# (Pauls/Cassar)

WHEREAS, Aznive Mallett's resignation from the Advisory Committee for Persons with Disabilities has not been received;

#### THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton Integrity Commissioner's Recommendation Report Complaint Involving the Chair of the Advisory Committee for Persons with Disabilities October 19, 2023, be received; and,
- (b) That the action contained within the City of Hamilton Integrity Commissioner's Recommendation Report Complaint Involving the Chair of the Advisory Committee for Persons with Disabilities October 19, 2023, revoking Aznive Mallett's membership on the Advisory Committee for Persons with Disabilities and rendering Aznive Mallett as ineligible for reappointment to the Advisory Committee for Persons with Disabilities, be supported.

# Result: Motion on the Integrity Commissioner Report – October 19, 2023, CARRIED by a vote of 15 to 1, as follows:

YES - 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

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

# (Tadeson/A. Wilson)

That Section 5.8(2) of the City's Procedural By-law 21-021, as Amended, which provides that a minimum of 2 days shall pass before the Report of a Standing Committee, the Selection Committee, or other Committee that reports directly to Council is presented to Council to provide adequate opportunity for review, be waived in order to consider the Selection Committee for Agencies, Boards and Sub-Committees Report 23-013; Hamilton Renewable Power Inc. Shareholder Report 23-001; Hamilton Street Railway Shareholder Report 23-001; and Selection Committee for Agencies, Boards and Sub-Committees Report 23-014.

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

YES - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

# SELECTION COMMITTEE FOR AGENCIES, BOARDS AND SUB-COMMITTEES REPORT 23-013

### (Cassar/Tadeson)

That Selection Committee for Agencies, Boards and Sub-Committees Report 23-013, being the meeting held on Monday, October 23, 2023, be received and the recommendations contained therein be approved.

Result: Motion on the Selection Committee for Agencies, Boards and Sub-Committees Report 23-013, CARRIED by a vote of 16 to 0, as follows:

YES - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

#### HAMILTON RENEWABLE POWER INC. SHAREHOLDER REPORT 23-001

# (Hwang/Francis)

That Hamilton Renewable Power Inc. Shareholder Report 23-001, being the meeting held on Monday, October 23, 2023, be received and the recommendations contained therein be approved.

Result: Motion on the Hamilton Renewable Power Inc. Shareholder Report 23-001, CARRIED by a vote of 16 to 0, as follows:

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

#### **HAMILTON STREET RAILWAY SHAREHOLDER REPORT 23-001**

# (Hwang/Francis)

That Hamilton Street Railway Shareholder Report 23-001, being the meeting held on Monday, October 23, 2023, be received and the recommendations contained therein be approved.

# Result: Motion on the Hamilton Street Railway Shareholder Report 23-001, CARRIED by a vote of 16 to 0, as follows:

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

# SELECTION COMMITTEE FOR AGENCIES, BOARDS AND SUB-COMMITTEES REPORT 23-014

#### (Cassar/Tadeson)

That Selection Committee for Agencies, Boards and Sub-Committees Report 23-014, being the meeting held on Tuesday, October 24, 2023, be received and the recommendations contained therein be approved.

# Result: Motion on the Selection Committee for Agencies, Boards and Sub-Committees Report 23-014, CARRIED by a vote of 15 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

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 - 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 15 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

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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

#### **MOTIONS**

# 7.1 Requirement for Any Landfill Expansion Applications to Obtain Municipal Support

#### (Clark/Beattie)

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.

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

YES - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

# 7.2 Waste Collection Fees for Condominium Communities located on Cul de Sacs

#### (Clark/Beattie)

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 options 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, **but not limited to the above options**.

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

YES - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

# 7.3 Request for the RCMP Investigation to Include the Decision to Expand the City of Hamilton's Urban Boundary by 2200 Hectares

#### (M. Wilson/Cassar)

WHEREAS the Auditor General of Ontario has stated that public trust and confidence relies on governments being able to demonstrate transparency in decision-making;

WHEREAS the Auditor General of Ontario determined that the decision-making process used by the Government of Ontario in the removal of lands from the Greenbelt in 2022 was not transparent, fair, objective or fully informed;

WHEREAS on late Friday afternoon, November 4, 2022, the same day the Government of Ontario announced that it would remove 2994 hectares in 15 different areas of the Greenbelt including the hectares from Hamilton, it also made public its decision to extend Hamilton's urban boundary by 2200 hectares

WHEREAS the unilateral decision by the Government of Ontario to extend Hamilton's urban boundary by 2200 hectares will result in the permanent loss of 1,630 to 2,190 hectares of largely prime agricultural areas, as well as impacts to natural heritage and water systems;

WHEREAS in July 2021, the City of Hamilton completed a city-wide survey of potential growth scenarios to accommodate forecasted population and employment growth and over 90% of approximately 18,000 survey responded supported a firm urban boundary;

WHEREAS in November 2021, Hamilton City Council directed staff to implement the firm Urban Boundary scenario through official plan amendments which resulted in Official Plan Amendment No.167 to the Urban Hamilton Official Plan ("OPA 167") and Official Plan Amendment No. 34 to the Rural Hamilton Official Plan ("OPA 34");

WHEREAS J. David Wake, K.C. Integrity Commissioner of Ontario (Re: The Honourable Steve Clark, Minister of Municipal Affairs and Housing and Member of Provincial Parliament for Leeds— Grenville—Thousand Islands and Rideau Lakes Toronto, Ontario August 30, 2023) described the Government of Ontario's decision to open up Greenbelt lands to development as a "rushed and flawed process" that "paints a picture of a process marked by misinterpretation, unnecessary hastiness and deception";

WHEREAS the former Minister of Municipal Affairs and Housing's decision which consisted of 77 modifications to the Urban Hamilton Official Plan, and 25 modifications to the Rural Hamilton Official Plan is final and not subject to appeal;

WHEREAS Integrity Commissioner Wake's report details how a select group of lawyers and land development consultants were invited to a private meeting in Toronto and given the opportunity to sign off on the amendments to OPA 167 (and ROPA 34) but that Hamilton City staff were not consulted on the changes nor were city staff given an opportunity to review and respond to the proposed amendments;

WHEREAS the Provincial amendments to OPA 167 are not limited to OPA 167 but extend to changes never contemplated or considered by Hamilton City Council in approving OPA 167 and ROPA 34;

WHEREAS the RCMP should be taking into consideration the implications of impropriety within the Integrity Commissioner and Auditor General reports, when it refers to personal fundraising by the Minister's family at a Stag and Doe; and

WHEREAS on October 10, 2023, the public was notified that the RCMP has launched an investigation into the Greenbelt land swap;

# THEREFORE, BE IT RESOLVED:

That Hamilton City 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.

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

YES - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

# 7.4 Appointments to the Climate Change Advisory Committee - REVISED

### (Tadeson/Spadafora)

That Councillor Cameron Kroetsch and Councillor Alex Wilson be appointed as Council's representative on the Climate Change Advisory Committee, for the remainder of the 2022-2026 Term of Council, effective immediately.

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

YES - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

# 7.5 Consideration For Non-Profit Child Care Centres To Be Exempted From Development Charges

# (Hwang/Kroetsch)

WHEREAS, the Development Charges Stakeholder Sub-Committee is actively considering exemptions for the 2024 Development Charges By-Laws;

WHEREAS, non-profit child care centres that are operating under the *Child Care and Early Years Act, 2014,* are mostly dependent on outside and government funds and will typically not have built in reserves to fund development charges;

WHEREAS, many government grants and funds do not include development charges as an eligible expense;

WHEREAS, the goals of the Canada-wide Early Learning and Child Care agreement align with the City's Early Years Community plan focusing on equity, diversity, inclusion and belonging to ensure high quality, affordable and accessible child care is reflective of the children and families it serves;

WHEREAS, the Canada-wide Early Learning and Child Care agreement identified child care access as a priority and identified 1433 community-based licensed child care spaces as expansion targets for the City of Hamilton between the years 2022 to 2026;

WHEREAS, the Canada-wide Early Learning and Child Care agreement identifies an access rate goal of 37% (the ratio of child care spaces to children aged 0 to 5 years) by 2026 and current access rate for the City of Hamilton is 31%; and

WHEREAS, the Canada-wide Early Learning and Child Care funding guidelines state that municipalities are required to maintain the Ministry of Education threshold for child care spaces which is currently 80% non-profit and 20% for-profit in the City of Hamilton.

#### THEREFORE, BE IT RESOLVED:

That staff be directed to consider an exemption for non-profit child care centres, operating under the *Child Care and Early Years Act, 2014* in the City's 2024 Development Charges By-laws.

#### (Danko/Clark)

- (a) That the motion respecting the Consideration For Non-Profit Child Care Centres To Be Exempted From Development Charges (Item 7.5), be REFERRED to the next Development Charges Stakeholder Sub-Committee meeting; and
- (b) That the Development Charges Stakeholder Sub-Committee also consider exempting Non-Profit Long Term Care Homes from Development Charges at their next meeting.

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

YES - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

# 7.6 Ward 2 Community Grants - Q4 2023 (Ward 2)

### (Kroetsch/A. Wilson)

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 Q4 on September 30, 2023 with a total of 17 applications;

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 \$29,000 in 7 individual grants is the first part of the fulfillment of this round of the Ward 2 Community Grants program with additional grant recommendations coming forward in motions to City Council meetings in November 2023 from applications that are still under review.

### THEREFORE, BE IT RESOLVED:

- (a) That up to \$3,500 be allocated from the Ward 2 Special Capital Reinvestment Discretionary Fund (3302109200) to the Central Neighbourhood Association for costs associated with the Rejuvenation of the Central Neighbourhood Association community event;
- (b) That up to \$2,000 be allocated from the Ward 2 Special Capital Reinvestment Discretionary Fund (3302109200) to Central Presbyterian Church for artist fees for a free and accessible recital series and for website creation and hosting to stream concerts for those unable to attend;

- (c) That up to \$5,000 be allocated from the Ward 2 Special Capital Reinvestment Discretionary Fund (3302109200) to Centre[3] for the costs associated with the creation of a mural by a local artist in their makerspace and digital studio;
- (d) That up to \$5,000 be allocated from the Ward 2 Special Capital Reinvestment Discretionary Fund (3302109200) to Fratellanza Racalmutese to assist with the purchase of a new sign to advertise community events in the Central neighbourhood;
- (e) That up to \$5,000 be allocated from the Ward 2 Special Capital Reinvestment Discretionary Fund (3302109200) to the Mark Preece Family House for new mattresses for out of town families of patients being treated in Hamilton;
- (f) That up to \$5,000 be allocated from the Ward 2 Special Capital Reinvestment Discretionary Fund (3302109200) to the Steel City Inclusive Softball Association for their Health & Safety Program for equipment that improves the health, safety, and communication of players and officials;
- (g) That up to \$3,500 be allocated from the Ward 2 Special Capital Reinvestment Discretionary Fund (3302109200) to UNSHELTERED the Zine for publication costs and costs associated with a series of arts based drop in sessions with participants at the YWCA's Carole Anne's Place to prepare a winter issue of the zine;
- (h) 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); and
- (i) 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.

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

YES - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

# (Nann/Tadeson)

That Council recess for 30 minutes, until 12:50 p.m.

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

YES - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

# 7.7 Reconsideration of a decision that was approved at the May 10, 2023 Council meeting respecting Item 2 of the General Issues Committee Report 23-015, Better Homes Hamilton - Home Energy Retrofit Program (PED23106)

#### (Clark/McMeekin)

That Item 2 of General Issues Committee Report 23-015, respecting Better Homes Hamilton - Home Energy Retrofit Program (PED23106), which was approved by Council on May 10, 2023 and reads as follows, be reconsidered:

- 2. Better Homes Hamilton Home Energy Retrofit Program (PED23106) (City Wide) (Item 8.2)
  - (a) That the "Better Homes Hamilton" program, based on the terms outlined in Appendix "A" to General Issues Committee Report 23-015, and subject to minor revisions authorized by the General Manager of Planning and Economic Development, be approved as the 'Incubation Stage' of Hamilton's first home energy retrofit program;
  - (b) That the "Better Homes Hamilton Detailed Study Design" attached as Appendix "B" to Report PED23106 be received;
  - (c) That Planning and Economic Development Staff be directed to launch the 'Incubation Stage' of the Better Homes Hamilton program with a target to retrofit up to 50 homes before the end of 2024;

- (d) That staff be directed to establish a loan receivable on the City's balance sheet, not exceeding \$1,000,000 to record the corresponding liabilities regarding the long-term financing for the 'Incubation Stage' of the Better Homes Hamilton program;
- (e) That the costs for program administration, including loan loss provisions for the 'Incubation Stage' of the Better Homes Hamilton program as described in Report PED23106 and in Appendix "A" to General Issues Committee Report 23-015 be funded through the Climate Change Reserve Account 108062 with an upset limit of \$275,000 over two years;
- (f) That staff be directed to prepare and bring forward for Council approval a municipal by-law authorizing the Better Homes Hamilton program including the details on eligibility and providing authority to launch the energy efficiency works on private residential property as local improvements under the program; and,
- (g) That Staff be directed to report back to the General Issues Committee within 2 years of implementation of the 'Incubation Stage' of the Better Homes Hamilton Program with results and feasibility for scaling the program in terms of number of homes and expansion into the high-rise, commercial and/or industrial sectors.

# Result: Motion DEFEATED by a 2/3 majority vote of 4 to 12, as follows:

YES - Ward 10 Councillor Jeff Beattie

NO - 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

NO - Ward 4 Councillor Tammy Hwang

NO - Ward 6 Councillor Tom Jackson

NO - Ward 2 Councillor Cameron Kroetsch

YES - Ward 15 Councillor Ted McMeekin

NO - Ward 3 Councillor Nrinder Nann

NO - Ward 7 Councillor Esther Pauls

NO - Ward 14 Councillor Mike Spadafora

NO - Deputy Mayor - Ward 11 Councillor Mark Tadeson

NO - Ward 13 Councillor Alex Wilson

NO - Ward 1 Councillor Maureen Wilson

7.8 Public Notice respecting A By-Law to Authorize the Undertaking of Climate Change Mitigation and Adaptation Works on Private Residential Property as Local Improvements Under the Better Homes Hamilton Program

### (Nann/M. Wilson)

WHEREAS, City of Hamilton staff have completed engagement with a variety of community organizations, citizens and subject matter experts throughout 2022 and 2023 on the development of the Better Homes Hamilton residential energy efficiency retrofit pilot program, and delegations were provided in support during General Issues Committee's May 3, 2023 meeting;

WHEREAS, the Better Homes Hamilton Pilot Program ("Program" was approved by the General Issues Committee (Report PED23106) on May 3, 2023 with a recommendation stating: "That staff be directed to prepare and bring forward for Council approval a municipal by-law authorizing the Program (the "By-law") including the details on eligibility and providing authority to launch the energy efficiency works on private residential property as local improvements under the program";

WHEREAS, Part III of Ontario Regulation 586/06, Local Improvement Charges - Priority Lien Status, enacted under the *Municipal Act, 2001,* S.O. 2001, c. 25, authorizes a municipality to pass a by-law to undertake work on private property as a local improvement for the purpose of raising all or any part of the cost of the work by imposing special charges on lots upon which all or some part of the local improvement is or will be located;

WHEREAS, Section 36.5(2) of O. Reg. 586/06 states that the by-law may authorize the undertaking of works which satisfy the requirements of a municipal program for which the municipality has given notice under Section 36.6(2)(b) O. Reg. 586/06; WHEREAS, Part VI, Section 270 (1)(4) of *Municipal Act, 2001,* S.O. 2001 gives the authority to a municipality to determine "the circumstances in which the municipality shall provide notice to the public and, if notice is to be provided, the form, manner and times notice shall be given;"

WHEREAS, the City of Hamilton's Public Notice By-law No. 07-351 Schedule A states: "Public notice required to advise of a minimum of one Committee meeting to consider the enactment of a fee or charge by-law. The notice shall specify when and where information in regard to such a by-law may be obtained;", and further provides that the form, manner and time of the notice shall be "one notice published in a newspaper a minimum of 14 days prior to the Committee meeting";

WHEREAS, staff inadvertedly recommended that the By-law be brought forward to Council for approval without first being considered by Council and Council approved this recommendation;

WHEREAS if the By-law is brought directly to Council for consideration notice cannot be provided in accordance with the requirements of By-law No. 07-351; and

WHEREAS, alternative notice can be provided because sub-clause 2(b)(iii) of Hamilton's Public Notice By-law No. 07-351 provides that Council can direct that other notice is to be given as Council considers adequate.

#### THEREFORE, BE IT RESOLVED:

That Council under the authority of Hamilton's Public Notice By-law No. 07-351 subclause 2(b)(iii) direct staff in regard to the Better Homes Hamilton by-law to publicly post notice published in a newspaper and on the City's website a minimum of 14 days prior to the Council meeting, and that this be deemed adequate.

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

YES - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

# 7.9 Financial Impact of the Hamilton Renewable Power Inc.'s Losses on the City of Hamilton

# (Clark/Hwang)

That City staff be directed to investigate the financial impact to the City of Hamilton should Hamilton Renewable Power Inc.'s losses continue, which would result in a wind up of the corporation and report back to the Audit, Finance and Administration Committee in Q1 2024.

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

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

# 7.10 Opposition to the Ministry of the Environment, Conservation and Parks Proposed Changes to its Approvals and Permissions Procedures for Waste Management Systems, Stormwater Management, and Water-Taking

#### (Nann/A. Wilson)

WHEREAS, the Ministry of the Environment, Conservation and Parks (MECP) is proposing changes to its approvals and permissions procedures for waste management systems, stormwater management, and water-taking that are anticipated to weaken its regulatory oversight on activities which have the potential to cause significant adverse impacts to the natural environment and human health;

WHEREAS, the City of Hamilton is committed partner in the protection and stewardship of the natural environment;

WHEREAS, the proposed changes are relevant to activities taking place in Hamilton such as transportation of biomedical, liquid industrial and hazardous waste. Under the proposed changes, hauling of some types of hazardous waste would be deemed a less complex activity and no longer require stricter oversight by the MECP via an Environmental Compliance Approval (ECA) and instead only require self-registration with the Environmental Activity and Sector Registry (EASR);

WHEREAS, the ECA process involves MECP review and approval; meanwhile the EASR program shifts this responsibility completely to the facility;

WHEREAS, waste facilities in Hamilton are often located in clusters so while individually they may be seen to have lower potential impact, according to a past Environmental Commissioner report "low-risk facilities still produce impacts to the environment. Indeed the cumulative impacts of several low risk facilities located closely together (as they commonly are) can be significant";

WHEREAS, the proposed changes include increased impacts on stormwater management due to more exemptions to drainage works for roadway and railway construction projects;

WHEREAS, the proposed changes would remove certain water-taking limits for construction dewatering projects that could compromise responsible management of Hamilton's natural waterways;

WHEREAS, the proposed changes would remove the requirement for the MECP to notify Conservation Authorities, which monitor water budget and work with City of Hamilton to protect water, of water-taking activities that could affect their conservation areas;

WHEREAS, the Canadian Environmental Law Association has stated that "having a 700% increase of allowable water-taking without permits could have serious implications to watershed sustainability"; and

WHEREAS, the proposed changes to reclassify specific permissions procedures will no longer include the right to public participation or appeals via the Environmental Bill of Rights or to public scrutiny via the Environmental Registry of Ontario;

### THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to submit comments to the Environmental Registry of Ontario (ERO) at <u>permissions.modernization@ontario.ca</u> outlining concerns, impacts of the Ministry of the Environment, Conservation and Parks' proposed changes to its approvals and permissions procedures for waste management systems, stormwater management, and water-taking (ERO 019-6951; ERO 019-6853 ERO 019-6963 and ERO 019-6928) to the City of Hamilton and Hamilton residents by October 30, 2023;
- (b) That the submission to the ERO be available on the City's website; and
- (c) That Mayor Horwath write to the Minister of the Environment, Conservation and Parks on behalf of Council to express opposition to the proposed changes to its approvals and permissions procedures for waste management systems, stormwater management, and water-taking, as they would negatively impact all residents of Hamilton.

# Result: Motion CARRIED by a vote of 15 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

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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

# 7.11 Emergency Grant for the Emergency Food Strategic Planning Committee

#### (Jackson/Clark)

WHEREAS, Staff were directed to prepare an emergency grant of \$625k to the Emergency Food Strategic Planning Committee, for the October 25, 2023 meeting of Council meeting.

#### THEREFORE, BE IT RESOLVED:

- (a) That an emergency grant in the amount of \$ 625k to the Emergency Food Strategic Planning Committee be funded from the Tax Stabilization Reserve, 110046, be approved; and
- (b) That the General Manager of Healthy and Safe Communities be authorized to enter into and execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

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

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

### 7.12 ROMA 2024 Conference – January 21, 2024 to January 23, 2024

#### (Hwang/Tadeson)

- (a) That Councillors T. Hwang an M. Tadeson be selected as the City of Hamilton's representative at the ROMA 2024 Conference from January 21, 2024 to January 23, 2024; and,
- (b) That Council assumes all costs associated with Councillors T. Hwang's and M. Tadeson's attendance at ROMA 2024 Conference from the General Legislative Budget (300100).

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

- YES 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

# 7.13 198 First Road West Subdivision Phase 1 - Picardy Parkland Restoration Works

#### (Clark/Danko)

WHEREAS Paletta International (2000) Inc. is the developer of the 198 First Road West Subdivision (Phase 1) which includes an important new community amenity known as Picardy Park;

WHEREAS to advance the construction of Picardy Park, restoration works are required including the removal of excess soil, grading, and placing of No. 1 nursery sod;

WHEREAS an opportunity may exist for the City to work with the developer to expedite the restoration works and the delivery of the park, through which the developer would undertake the restoration works and the City would contribute a City share cost; and

WHEREAS the Growth Management Construction Section and Public Works Landscape Architectural Services will perform an inspection after the completion of all works to determine and confirm that all works have been completed to the satisfaction of the Director of Growth Management & Chief Development Engineer and the Director of Environmental Services;

#### THEREFORE, BE IT RESOLVED:

- (a) That Council authorize staff to single source Paletta International (2000) Inc, pursuant to Procurement Policy #11 Non-competitive Procurements, to complete the City share of park restoration; and
- (b) That staff be directed to endorse and oversee the restoration works for the Picardy Park located within 198 First Road West Subdivision, Phase 1, and further, that City share costs up to a maximum amount of \$130,000.00 as related to the works be authorized to be paid to the developer, Paletta International (2000) Inc, to be funded through the S.C. Compensation Royalties (GFL Landfill) Reserve 117036.

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

YES - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

#### NOTICES OF MOTION

8.7 Reconsideration of a decision that was approved at the May 10, 2023 Council meeting respecting Item 2 of the General Issues Committee Report 23-015, Better Homes Hamilton - Home Energy Retrofit Program (PED23106)

#### (Clark/McMeekin)

That the Rules of Order be waived to allow for the introduction of a motion respecting Reconsideration of a decision that was approved at the May 10, 2023 Council meeting respecting Item 2 of the General Issues Committee Report 23-015, Better Homes Hamilton - Home Energy Retrofit Program (PED23106).

# Result: Motion CARRIED by a 2/3rds vote of 9 to 4, as follows:

YES - Ward 10 Councillor Jeff Beattie

YES - Ward 12 Councillor Craig Cassar

YES - Ward 9 Councillor Brad Clark

NO - Ward 8 Councillor John-Paul Danko

NOT PRESENT - Ward 5 Councillor Matt Francis

NO - 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

NO - Ward 3 Councillor Nrinder Nann

NOT PRESENT - 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

NOT PRESENT - Ward 1 Councillor Maureen Wilson

For further disposition of this matter, refer to Item 7.7.

8.1 Public Notice respecting A By-Law to Authorize the Undertaking of Climate Change Mitigation and Adaptation Works on Private Residential Property as Local Improvements Under the Better Homes Hamilton Program

### (Nann/M. Wilson)

That the Rules of Order be waived to allow for the introduction of a motion respecting Public Notice respecting A By-Law to Authorize the Undertaking of Climate Change Mitigation and Adaptation Works on Private Residential Property as Local Improvements Under the Better Homes Hamilton Program.

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

YES - 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 - Deputy Mayor - 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 7.8.

# 8.2 Financial Impact of the Hamilton Renewable Power Inc.'s Losses on the City of Hamilton

#### (Clark/Hwang)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Financial Impact of the Hamilton Renewable Power Inc.'s Losses on the City of Hamilton

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

YES - 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 - Deputy Mayor - 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 7.9.

# 8.3 Opposition to the Ministry of the Environment, Conservation and Parks Proposed Changes to its Approvals and Permissions Procedures for Waste Management Systems, Stormwater Management, and Water-Taking

# (Nann/A. Wilson)

That the Rules of Order be waived to allow for the introduction of a motion respecting Opposition to the Ministry of the Environment, Conservation and Parks Proposed Changes to its Approvals and Permissions Procedures for Waste Management Systems, Stormwater Management, and Water-Taking.

# Result: Motion CARRIED by a 2/3rds vote of 15 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

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 - Deputy Mayor - 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 7.10.

# 8.4 Emergency Grant for the Emergency Food Strategic Planning Committee

#### (Jackson/Clark)

That the Rules of Order be waived to allow for the introduction of a motion respecting an Emergency Grant for the Emergency Food Strategic Planning Committee.

#### Result: Motion CARRIED by a 2/3rds vote of 15 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

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 - Deputy Mayor - 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 7.11.

# 8.5 ROMA 2024 Conference – January 21, 2024 to January 23, 2024

### (Hwang/Tadeson)

That the Rules of Order be waived to allow for the introduction of a motion respecting the ROMA 2024 Conference – January 21, 2024 to January 23, 2024.

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

YES - 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 - Deputy Mayor - 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 7.12.

# 8.6 198 First Road West Subdivision Phase 1 - Picardy Parkland Restoration Works

#### (Clark/Danko)

That the Rules of Order be waived to allow for the introduction of a motion respecting 198 First Road West Subdivision Phase 1 - Picardy Parkland Restoration Works.

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

- 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 Deputy Mayor 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 7.13.

#### **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 October 6, 2023 to October 19, 2023, be received.

Result: Motion on the Council Communication Updates from October 6, 2023 to October 19, 2023 CARRIED by a vote of 16 to 0, as follows:

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

#### PRIVATE AND CONFIDENTIAL

# (Pauls/Tadeson)

That Council move into Closed Session to discuss Item 11.1, 11.2 and 11.3 respecting the Appointments to the Property Standards Committee for the 2022-2026 Council Term, Appointments to Various Agencies, Boards and Sub-Committees for the 2022-2026 Council Term and ATU Local 107 Collective Bargaining Update pursuant to Section 9.3, Sub-section (b) and (d) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Subsection (b) and (d) of the *Ontario Municipal Act, 2001*, as amended, as the subject matters pertain to the personal matters about an identifiable individual, including City or local board employees and labour relations and employee negotiations.

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

YES - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

# 11.1 Appointments to the Property Standards Committee for the 2022-2026 Council Term

# (Cassar/Tadeson)

That the following citizens be appointed to the Property Standards Committee for the 2022-2026 Council Term commencing October 25, 2023, and until the end of that term, on October 26, 2026:

- 1. Eberhard, Ernest
- 2. Kuchmistrz, Janek
- 3. Largo, Marvin
- 4. Lofchik, Thomas
- 5. Neal, Amy

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

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

# 11.2 Appointments to the Various Agencies, Boards and Sub-Committees for the 2022-2026 Council Term

### (Cassar/Tadeson)

That the following citizens be appointed to the following Agencies, Boards and Sub-Committees for the 2022-2026 Council Term commencing October 25, 2023, and until the end of that term, on October 26, 2026:

- (a) CityHousing Hamilton Corporation Board of Directors:
  - 1. Plug-Buist, Alice
  - 2. Andrus, Karl
  - 3. Griffith, Christine
  - 4. Harris, Adriana
- (b) Knowles Bequest Trust:
  - 1. Chin, Michelle
  - 2. Nowak, Stan
  - 3. Edwards, Doug
  - 4. Saunders, Jeff
- (c) Glanbrook Landfill Coordinating Committee:
  - 1. Akparah, Chinomnso
  - 2. Freeman, Allan
  - 3. O'Connor, Sherry
  - 4. Smith, Brian
- (d) Cleanliness and Security in the Downtown Task Force:
  - 1. Caplette, Helen
  - 2. Roe, Karen
  - 3. Wakeford, Elizabeth

- (e) Hamilton Municipal Heritage Committee:
  - 1. Burke, Karen
  - 2. Carroll, Graham
  - 3. Denham-Robinson, Alissa
  - 4. Douglas, Andrew
  - 5. Lunsted, Lyn
  - 6. MacLaren, Andy
  - 7. Spolnik, Stefan
- (f) Heritage Permit Review Sub-Committee:
  - 1. Burke, Karen
  - 2. Carroll, Graham
  - 3. Douglas, Andrew
  - 4. LaRose, Matthew
  - 5. MacLaren, Andy
  - 6. McGirr. Katie
  - 7. Priamo, Carol
  - 8. Wiegand, Steve

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

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

# 11.3 ATU Local 107 Collective Bargaining Update

# (Spadafora/McMeekin)

That the ATU Local 107 Collective Bargaining Update, be received and remain confidential.

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

- YES 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 - 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. 23-200 to No. 23-205, 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:

200 To Designate Property Located at 64 Hatt Street, Dundas, City of Hamilton as Property of Cultural Heritage Value

Ward: 13

201 To Establish City of Hamilton Land Described as Part of Lots 15 and 16, Block U, Registered Plan 395, designated as Part 1 on Plan 62R-22214 as Part of Barton Street East

Ward: 4

To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 851 Lawrence Road, Hamilton

ZAC-23-040

Ward: 4

203 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 527 James Street North, Hamilton

ZAC-23-038

Ward: 2

204 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 12 Louisa Street, Flamborough

ZAR-22-004

Ward: 13

205 To Confirm the Proceedings of City Council

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

YES - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

#### (Pauls/Tadeson)

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

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

YES - 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 - Deputy Mayor - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

Respectfully submitted.

Mayor Andrea Horwath