



CITY COUNCIL MINUTES 24-004

9:30 a.m.

February 28, 2024
Council Chambers
Hamilton City Hall
71 Main Street West

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

Absent: Councillor M. Spadafora - 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 Council of the following changes to the agenda:

5. COMMUNICATIONS

- 5.4 Correspondence respecting 2024 Development Charges Background Study and By-law Feedback (FCS23103(a)) (City Wide):

- (j) Michelle Diplock, West Home Builders' Association

Recommendation: Be received and referred to Item 3 of Audit, Finance and Administration Committee Report 24-004.

- 5.10 Correspondence respecting affordable housing at 5 and 13 Lake Ave. S. in Stoney Creek, from the following individuals:

- (a) Steven Collura
- (b) Heather Millar
- (c) Janwillem Jansen
- (d) Mary Lou Reiman
- (e) Megan Saunders
- (f) Lauren Tindall
- (g) Doreen Stermann
- (h) Rose Janson
- (i) Ruth Van Horne
- (j) Penny Gill
- (k) Laurie Galer
- (l) Tina Brajic
- (m) Steven Collura (Additional correspondence)
- (n) Reg Turner
- (o) Viv Saunders
- (p) Lehlia Banting McBeth
- (q) Cynthia Meyer
- (r) Ksenija Lukic
- (s) Gerrie Loveys
- (t) Rita Bailey

Recommendation: Be received and referred to the consideration of Item 5 of General Issues Committee Report 24-004.

- 5.11 Correspondence from Hamilton 350, respecting Item 5.9 - Correspondence from Enbridge Gas.

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

- 5.12 Correspondence from Frank Lenarduzzi, Famee Furlane Board, respecting the Public Meeting on Urban Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200

Recommendation: Be received and referred to consideration of Item 2 of the Planning Committee Report 24-004.

- 5.13 Correspondence from Keith Brooks, Programs Director, Environmental Defence Inspiring Change, respecting OEB Decision Supporting Gas Affordability

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

- 5.14 Correspondence from Chris White, Chair, Grand River Conservation Authority, respecting Canadian Heritage River 30th Anniversary Planning

Recommendation: Be received.

- 5.15 Correspondence from Lee Fairbanks, respecting Current Parks policy limiting tree plantings

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

- 5.16 Correspondence respecting Planning Committee Report 24-003 - Updates and Amendments to Zoning By-law No. 05-200 - Residential Zones Project (PED22154(a)), from the following individuals:

- (a) Ashley Paton, Bousfields Inc., on behalf of Hammer GP LP and Hammer GP Services Corporation
- (b) Ashley Paton, Bousfields Inc., on behalf of Cadillac Fairview Corporation
- (c) Ashley Paton, Bousfields Inc., on behalf of DiCenzo Construction Company Ltd., Orchards (Vienna Street) Holdings, and Sunshine Construction Limited
- (d) Ashley Paton, Bousfields Inc., on behalf of 75 Catharine Holdings Inc.
- (e) Michelle Diplock, West Home Builders' Association

Recommendation: Be received and referred to consideration of Item 4 of the Planning Committee Report 24-003.

11. PRIVATE AND CONFIDENTIAL

- 11.1 Verbal Update on a Cyber Security Incident

12. BY-LAWS AND CONFIRMING BY-LAW

- 034 To Amend Zoning By-law No. 05-200
Respecting Lands Located at 237 Springbrook
Avenue, Ancaster
Ward: 12

ZAC-24-003

- 035 To Adopt Official Plan Amendment No. 202 to the Urban Hamilton Official Plan Respecting Lands Located within Certain Secondary Plan Areas in the former municipalities of Ancaster, Flamborough, Glanbrook, Hamilton and Stoney Creek
Ward: City Wide
- 036 To Amend Zoning By-law No. 05-200 for Updates and Amendments to the Low Density Residential (R1) and Low Density Residential - Small Lot (R1a) Zones, and Creation of a New Low Density Residential - Large Lot (R2) Zones, Repeal and Replacement of Section 5: Parking, and Associated Technical Amendments
Ward: City Wide
CI-24-A
- 037 To Delete and Replace Section 5: Parking of Zoning By-law No. 05-200
Ward: City Wide
CI-24-A
- 038 To Adopt Official Plan Amendment No. 39 to the Rural Hamilton Official Plan, respecting Hamilton Rural Area
Ward: 9, 10, 11, 12, 13 and 15
- 039 To Amend Zoning By-law No. 05-200 with respect to Farm Labour Residences and Additional Dwelling Units - Detached in Rural Zones
Ward: 9, 10, 11, 12, 13, 15
- 040 To Amend Zoning By-law No. 87-57 Respecting Lands Located at 26 Southcote Road, Ancaster
Ward: 12
- 041 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 26 Southcote Road, Ancaster
Ward: 12

CHANGE TO THE ORDER OF AGENDA ITEMS

That Item 11.1, respecting a Verbal Update on a Cyber Security Incident, be moved up the agenda to be considered immediately following approval of the previous minutes.

4.1

That Item 6.2, General Issues Committee Report 24-004, be moved up the agenda to immediately follow Closed Session Item 11.1, to consider Item 9, respecting Report PED24006, Acquisition of Land in the City of Hamilton (Ward 10) as the item is time sensitive.

(Pauls/Cassar)

That the agenda for the February 28, 2024 meeting of Council be approved, as amended.

CARRIED

DECLARATIONS OF INTEREST

There were no Declarations of Interest.

APPROVAL OF MINUTES OF PREVIOUS MEETING

4. February 14, 2024 (Item 4.1), and February 15, 2024 (Special) (Item 4.2)

(Hwang/Jackson)

That the Minutes of the February 14, 2024, and February 15, 2024 (Special) meetings of Council be approved, as presented.

CARRIED

PRIVATE AND CONFIDENTIAL

(M. Wilson/Tadeson)

That Council move into Closed Session to discuss Item 11.1 respecting a Verbal Update on a Cyber Security Incident - pursuant to Section 9.3, Sub-sections (a) and (f) of the City's Procedural By-law 21-021, as amended; and, Section 239(2), Sub-sections (a) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to the security of the property of the City or a local board; and, advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

11.1 Verbal Update on a Cyber Security Incident (Added Item 11.1)

(A. Wilson/M. Wilson)

- (a) That the direction provided to staff in Closed Session, respecting a Verbal Update on a Cyber Security Incident, be approved and remain confidential; and,
- (b) That the Verbal Update on a Cyber Security Incident, be received and remain confidential.

CARRIED

(McMeekin/Jackson)

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

CARRIED

| |
|---|
| GENERAL ISSUES COMMITTEE REPORT 24-004 |
|---|

(McMeekin/Jackson)

That General Issues Committee Report 24-004, being the meeting held on Wednesday, February 21, 2024, be received and the recommendations contained therein be approved.

Item 9 was voted on separately, as follows:

9. Acquisition of Land in the City of Hamilton (PED24006) (Ward 10) (Item 14.2)

- (a) That the directions provided to staff in Closed Session, respecting Report PED24006, be approved, and remain confidential;
- (b) That the Real Estate Admin Fee of \$148,045 be funded from Project ID Account No. 59806 – 4402356501 and be credited to Dept. ID Account No. 59806 - 812036 (Real Estate – Admin Recovery);
- (c) That the City Solicitor be authorized and directed to complete the Acquisition of Land in the City of Hamilton, on behalf of the city, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms deemed reasonable;
- (d) That the Clerk and Mayor be authorized and directed to execute all necessary documents for the Acquisition of Land in the City of Hamilton, in a form satisfactory to the City Solicitor; and,
- (e) That the complete Report PED24006, respecting the Acquisition of Land in the City of Hamilton, located in Ward 10, be received and remain confidential until completion of the real estate transaction.

CARRIED

(McMeekin/Jackson)

That the balance of the General Issues Committee Report 24-004, being the meeting held on Wednesday, February 21, 2024, be DEFERRED to a future Council meeting for consideration.

CARRIED

(McMeekin/Jackson)

That Council rise from Committee of the Whole.

CARRIED

BALANCE OF THE COUNCIL AGENDA

(McMeekin/Hwang)

That the balance of the Council agenda for February 28, 2024, with the exception of the Confirming By-law, be DEFERRED to a future Council meeting for consideration.

CARRIED

BY-LAWS AND CONFIRMING BY-LAW

(McMeekin/Hwang)

That Bill No. 24-031, 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:

031 To Confirm the Proceedings of City Council

CARRIED

(Tadeson/Cassar)

That, there being no further business, City Council be adjourned at 12:45 p.m.

CARRIED

Respectfully submitted,

Mayor Andrea Horwath

Angela McRae
Acting City Clerk