



CITY COUNCIL MINUTES 23-017

9:30 a.m.

September 27, 2023

Council Chamber

Hamilton City Hall

71 Main Street West

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

Deputy Mayor Beattie 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

- 5.4 Correspondence from the Honourable Paul Calandra, Minister of Municipal Affairs and Housing responding to the Housing Affordability Task Force's Recommendations.

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

- 5.5 Correspondence from Lisa Burnside, Chief Administrative Officer, Hamilton Conservation Authority requesting Council's support for the direction to reverse the changes to the Conservation Authorities Act and Ontario Wetland Evaluation System.

Recommendation: Be **endorsed**.

- 5.6 Correspondence respecting Report PW23052, Management of the Aviary at 86 Oak Knoll Drive (Ward 1):

- (i) Marissa Casale, Board Director, The Hamilton Aviary
- (j) Samantha Emmerson
- (k) Anne Dwyer
- (l) Andrea Phair
- (m) Alison Forde
- (n) Andrea Harewood
- (o) Jacob Hagey
- (p) Scott Crooker
- (q) Sara Jenivieve
- (r) Lisa Johnston

Recommendation: Be received and referred to the consideration of Item 7 of Public Works Committee Report 23-013, September 18, 2023.

- 5.7 Correspondence from Lisa Gagnon, Director, Corporate Services, Niagara Peninsula Conservation Authority (NPCA) respecting the NPCA's 2024 Budget and Municipal Levies.

Recommendation: Be received.

7. MOTIONS

- 7.3 Resignation **and Appointment** - Hamilton Police Services Board Selection Committee

8. NOTICES OF MOTION

- 8.1 City's Support for the Doors Open Event in 2024
- 8.2 Independent Third Party Air Monitoring at GFL Stoney Creek Landfill

12. BY-LAWS AND CONFIRMING BY-LAW

- 181 To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking
REVISED
Schedule 8 (No Parking Zones)
Schedule 12 (Permit Parking Zones)
Schedule 14 (Wheelchair Loading Zones)
Schedule 15 (Commercial Vehicle Loading Zones)

Schedule 16 (Taxi Stand)

(Nann/Pauls)

That the agenda for the September 27, 2023 meeting of Council be approved, as amended.

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

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie
 YES - Ward 12 Councillor Craig Cassar
 YES - Ward 9 Councillor Brad Clark
 YES - Ward 8 Councillor John-Paul Danko
 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
 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
 NOT PRESENT - Ward 11 Councillor Mark Tadeson
 YES - Ward 13 Councillor Alex Wilson
 YES - Ward 1 Councillor Maureen Wilson

DECLARATIONS OF INTEREST

Councillor M. Wilson declared a disqualifying interest to Item 6 of the Emergency and Community Services Committee Report 23-012 respecting the Housing Charge and Operating Subsidy for 272 Caroline St. S. Housing Co- operative Inc. (HSC23059) (Ward 2), as her husband is the CEO and President of the Hamilton Community Foundation.

APPROVAL OF MINUTES OF PREVIOUS MEETING**4.1 September 13, 2023****(Clark/Pauls)**

That the Minutes of the September 13, 2023 meeting of Council be approved, as presented.

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

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie
 YES - Ward 12 Councillor Craig Cassar
 YES - Ward 9 Councillor Brad Clark
 YES - Ward 8 Councillor John-Paul Danko
 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
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
NOT PRESENT - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

COMMUNICATIONS

(Francis/Hwang)

That Council Communications 5.1 to 5.7 be approved, as **amended**, as follows:

- 5.1 Correspondence from the Town of Grimsby requesting support for their resolution Establishing a Guaranteed Livable Income.

Recommendation: Be received.

- 5.2 Correspondence from Hassaan Basit, President & CEO/Secretary Treasurer, Conservation Halton advising the City of Hamilton that Conservation Halton will be considering its 2024 Budget including municipal funding of \$11,774,197, at their Board meeting on October 19, 2023 at 1:00 p.m.

Recommendation: Be received.

- 5.3 Correspondence respecting the Greenbelt:

- (a) Nola Stewart
- (b) William and Jo-Anne Leigh
- (c) Coreen Skeba
- (d) Lois Corey
- (e) Chris and Theresa Cardey
- (f) Gary Aikema
- (g) Katherine Oliver
- (h) The Folkes family Lyn, Rick, Jim & Brian Folkes
- (i) Becky Sapping
- (j) Joseph Minor
- (k) Joseph Minor
- (l) Dr. Tom Nugent

Recommendation: Be received and referred to the consideration of Item 1 Planning Committee (Special) Report 23-014, September 14, 2023.

- 5.4 Correspondence from the Honourable Paul Calandra, Minister of Municipal Affairs and Housing responding to the Housing Affordability Task Force's Recommendations.

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

- 5.5 Correspondence from Lisa Burnside, Chief Administrative Officer, Hamilton Conservation Authority requesting Council's support for the direction to reverse the changes to the Conservation Authorities Act and Ontario Wetland Evaluation System.

Recommendation: Be endorsed ***and that staff be directed to send a letter to the Auditor General to request an investigation on the activates surrounding this matter.***

- 5.6 Correspondence respecting Report PW23052, Management of the Aviary at 86 Oak Knoll Drive (Ward 1):

- (a) Charlotte Samoyloff
- (b) Michelle Davies
- (c) Emily Downs (Ward 13) Board Director, Friends of the Aviary
- (d) Lisa Johnston, Friday Crew Lead
- (e) Barry Livingston
- (f) Carly Skidmore
- (g) The Board of Directors, The Friends of the Aviary
- (h) Tom Priestly, Board Director, The Hamilton Aviary
- (i) Marissa Casale, Board Director, The Hamilton Aviary
- (j) Samantha Emmerson
- (k) Anne Dwyer
- (l) Andrea Phair
- (m) Alison Forde
- (n) Andrea Harewood
- (o) Jacob Hagey
- (p) Scott Crooker
- (q) Sara Jenivieve
- (r) Lisa Johnston

Recommendation: Be received and referred to the consideration of Item 7 of Public Works Committee Report 23-013, September 18, 2023.

- 5.7 Correspondence from Lisa Gagnon, Director, Corporate Services, Niagara Peninsula Conservation Authority (NPCA) respecting the NPCA's 2024 Budget and Municipal Levies.

Recommendation: Be received.

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

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

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

(Francis/Hwang)

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

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

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

<p>SELECTION COMMITTEE FOR AGENCIES, BOARDS AND SUB-COMMITTEES REPORT 23-008</p>

(Cassar/A. Wilson)

That Selection Committee for Agencies, Boards and Sub-Committees Report 23-008, being the meeting held on Tuesday, September 12, 2023, be received and the recommendations contained therein be approved.

Result: Motion on the Selection Committee for Agencies, Boards and Committees Report 23-008, CARRIED by a vote of 15 to 0, as follows:

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

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

HAMILTON POLICE SERVICES BOARD SELECTION COMMITTEE REPORT 23-004

(Nann/M. Wilson)

That Hamilton Police Services Board Selection Committee Report 23-004, being the meeting held on Thursday, September 14, 2023, be received and the recommendations contained therein be approved.

Result: Motion on the Hamilton Police Services Board Selection Committee Report 23-004, CARRIED by a vote of 15 to 0, as follows:

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

PLANNING COMMITTEE (SPECIAL) REPORT 23-014

(Danko/Hwang)

That Planning Committee (Special) Report 23-014, being the meeting held on Thursday, September 14, 2023, be received and the recommendations contained therein be approved.

Result: Motion on the Planning Committee (Special) Report 23-014, CARRIED by a vote of 16 to 0, as follows:

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie

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

**SELECTION COMMITTEE FOR AGENCIES, BOARDS AND SUB-COMMITTEES
REPORT 23-009**

(Cassar/A. Wilson)

That Selection Committee for Agencies, Boards and Sub-Committees Report 23-009, being the meeting held on Friday, September 15, 2023, be received and the recommendations contained therein be approved.

Result: Motion on the Selection Committee for Agencies, Boards and Committees Report 23-009, CARRIED by a vote of 16 to 0, as follows:

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

PUBLIC WORKS COMMITTEE REPORT 23-013

(Nann/Pauls)

That Public Works Committee Report 23-013, being the meeting held on Monday, September 18, 2023, be received and the recommendations contained therein be approved.

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

8. Consultation and Assessment of Transit Route Options as it relates to the Retirement of Route 58 Stoney Creek Local (Ward 5) (Item 12.1)

WHEREAS, year 7 of the Ten-Year Transit Strategy was approved on March 29, 2023, as part of the 2023 Annual Operating Budget;

WHEREAS, year 7 of the Ten-Year Transit Strategy is focused on growth and modal split and included service enhancements through route span improvements and route extensions in Stoney Creek;

WHEREAS, the City of Hamilton's Transit Division's Strategic direction is to make Transit your first choice, by providing customer-focused service that is safe, reliable, and inclusive;

WHEREAS, the City of Hamilton entrusts the Transit Division to make critical planning decisions to ensure that service is planned holistically to provide a balance of convenience, and ease of access for the City's residents travelling by transit throughout the City;

WHEREAS, the Transit Division uses Council approved Service Standards as a mechanism to objectively plan and manage service within budget;

WHEREAS, the Transit Division, through assessment using these Service Standards and historical data, and with consideration to the route extensions planned for year 7 of the Ten-Year Local Transit Strategy, determined that the route 58 Stoney Creek Local could be retired based on the route 5 Delaware extension in Stoney Creek, whereby services would be overlapped and duplicated, and whereby the route 5 Delaware provided a greater level of service in addition to facilitating improved connectivity across the entire transit network compared to the route 58 Stoney Creek Local;

WHEREAS, the Transit Division determined that the retirement of the route 58 Stoney Creek Local could provide reallocation of resources to support transit enhancements elsewhere in the City of Hamilton, and as such the resources were reallocated to other transit enhancements;

WHEREAS, the route 58 Stoney Creek Local was retired on September 2nd, 2023;

WHEREAS, the City of Hamilton promotes an open, transparent, and accessible approach to City government that engages with and empowers all citizens to be involved in their communities;

WHEREAS, Ward 5 Councillor Matt Francis received feedback from constituents of the Stoney Creek neighbourhood opposing the retirement of and requesting that route 58 Stoney Creek Local continue in operation; and

WHEREAS, constraints of time and resources including available operating budget prevent the continued operation of the route 58 Stoney Creek Local in 2023.
THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to:
 - (i) Meet and consult with the Stoney Creek neighbourhood to determine their transit needs and priorities;
 - (ii) Complete an assessment of transit routing in Stoney Creek, to identify potential routing options that would allow for the restoration of direct connectivity from King Street West to Eastgate Square, and that would further improve transit services within Stoney Creek while limiting route duplication;
 - (iii) Report back to the Public Works Committee with route alternatives, inclusive of resource requirements to align with feedback from the community consultation and the objectives of the Ten-Year Local Transit Strategy for consideration; and
- (b) That the consultation and assessment of Transit Route Options as it relates to the Retirement of Route 58 Stoney Creek Local (Ward 5), be referred to the 2024 Operating Budget process.

Result: Motion on Item 8 of the Public Works Committee Report 23-013, DEFEATED by a vote of 7 to 9, as follows:

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

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

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

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

PLANNING COMMITTEE REPORT 23-015

(Danko/Hwang)

That Planning Committee Report 23-015, being the meeting held on Tuesday, September 19, 2023, be received and the recommendations contained therein be approved.

Result: Motion on the Planning Committee Report 23-015, CARRIED by a vote of 16 to 0, as follows:

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

GENERAL ISSUES COMMITTEE REPORT 23-025

(Francis/Hwang)

That General Issues Committee Report 23-025, being the meeting held on Wednesday, September 20, 2023, be received and the recommendations contained therein be approved.

Result: Motion on the General Issues Committee Report 23-025, CARRIED by a vote of 16 to 0, as follows:

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

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 23-014
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(Kroetsch/Hwang)

That Audit, Finance and Administration Committee Report 23-014, being the meeting held on Thursday, September 21, 2023, be received and the recommendations contained therein be approved.

Result: Motion on the Audit, Finance and Administration Committee Report 23-014, CARRIED by a vote of 16 to 0, as follows:

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

EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 23-012

(Clark/Cassar)

That Emergency and Community Services Committee Report 23-012, being the meeting held on Thursday, September 21, 2023, be received and the recommendations contained therein be approved.

(Clark/McMeekin)

That Item 3 of the Emergency and Community Services Committee Report 23-012, respecting Report HSC23007, Hamilton's Emergency Shelter Standards, **be amended**, as follows:

3. Hamilton's Emergency Shelter Standards (HSC23007) (City Wide) (Item 9.2)

- (a) That Report HSC23008, respecting Hamilton's Emergency Shelter Standards, be received; **and**
- (b) ***That staff be directed to investigate the feasibility of implementing at least one random inspection of each Hamilton Emergency Shelter on an annual basis and report back to the Emergency and Community Services Committee.***

Result: Motion on the Amendment to Item 3 of the Emergency and Community Services Committee Report 23-012, CARRIED by a vote of 15 to 0, as follows:

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

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

- 6. Housing Charge and Operating Subsidy for 272 Caroline St. S. Housing Co-operative Inc. (HSC23059) (Ward 2) (Item 10.3)**
- (a) That the City enter into an agreement for housing charge supplements for 10 households and an operating subsidy for 272 Caroline St. S. Housing Co-operative Inc. on such terms and conditions as provided for in the Term Sheet attached as Appendix "B" to Emergency and Community Services Report 23-012, along with any ancillary documentation and amendments in a form satisfactory to the City Solicitor and the General Manager, Healthy and Safe Communities Department, or their designate be authorized and directed to execute and administer the agreement; and,
 - (b) That an increase to the 2024 Housing Service division budget of \$122K to support 10 housing charge supplements and an operating subsidy for 272 Caroline St. S. Co-operative Inc. be referred to the 2024 Tax Operating Budget process,
 - (c) That funding in the amount of \$52K be provided in 2024 and \$56K in 2025 to 272 Caroline St. S. Cooperative Inc. to be placed in their Replacement Reserve for building repairs to be funded from the projected 8% annual increases to the Municipal Capital Grant for Social Housing; and,
 - (d) That the General Manager, Healthy and Safe Communities Department, or their designate be authorized and directed to execute and administer an agreement for the capital reserve contribution for 272 Caroline St. S. Co-operative Inc. in accordance with the Term Sheet attached as Appendix "B" to report HSC23059 along with any ancillary documentation and amendments in a form satisfactory to the City Solicitor.

Result: Motion on Item 6 of the Emergency and Community Services Committee Report 23-012, CARRIED by a vote of 14 to 0, as follows:

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
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
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson

CONFLICT - Ward 1 Councillor Maureen Wilson

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

8. Gender Based Safety Audit (Item 11.1)

WHEREAS, the City of Hamilton strives to apply an equity lens to its activities to identify and remove barriers and to support best practices in planning, budgeting, implementation and evaluation of its operations, programs and services;

WHEREAS, Hamilton City Council's 2022-2026 term priorities include the goal of safe and thriving neighbourhoods;

WHEREAS, in the United Nations report "Cities Alive: Designing Cities That Work For Women", it is stated that "without a gender-responsive approach to urban planning, cities often compound gender inequalities that restrict women's social and economic opportunities, health and wellbeing, sense of safety and security, and access to justice and equity";

WHEREAS, people who identify as women in Hamilton were significantly less likely than men to feel very safe when walking alone after dark (34% versus 63%) (Statistics Canada, Safe Cities Profile Series: Key indicators by census metropolitan area, May 2020);

WHEREAS, people who identified as women in Hamilton were significantly more likely to experience unwanted sexual behaviour in public than men (34% versus 15%) (Statistics, Canada, 2020);

WHEREAS, of those who experienced a physical or sexual assault or unwanted sexual behaviour, one in ten (10%) Hamilton residents said the most serious incident took place on public transit (Statistics, Canada, 2020);

WHEREAS, recent HSR reports stated that the majority of HSR ridership identify as women;

WHEREAS, most Two-Spirit and LGBTQ+ people surveyed in a 2019 community report responded that they felt less safe outside of their housing, on the street, or in their neighbourhood (Mapping the Void: Two-Spirit and LGBTQ+ Experience in Hamilton, 2019);

WHEREAS, on March 29, 2023, Hamilton City Council directed staff to conduct a Crime Prevention Through Environmental Design (CPTED) review of the five City-owned escarpment staircases and report back on recommendations to improve the safety of escarpment staircase use specifically to prevent sexual violence;

WHEREAS, the National Inquiry for into Missing and Murdered Indigenous Women and Girls delivered 231 Calls for Justice and recognizes the systemic racism, violence and abuse against Indigenous women, girls and 2SLGBTQQIA+ people across Canada;

WHEREAS, a Motion was passed at the Audit, Finance and Administration Committee on February 16, 2023 stating that the Hamilton Women and Gender Committee, Citizen Committee Report, respecting Applying a gender lens to the City of Hamilton budget, be received and referred to staff for report back to the Audit, Finance and Administration Committee in advance of the 2024 budget process on how a gender-based lens can be applied through a municipal budgeting process;

WHEREAS, there are statistical differences in gender-based access to various transport modes, especially in the lower percentage of women cycling than men, and how safe and comfortable they feel using them;

WHEREAS, gender-based outreach for the public bike share program in partnership with the Everyone Rides Initiative has resulted in more gender parity amongst bike share users;

WHEREAS, gender-based safety audits have been defined as a process which brings individuals together to walk through a physical environment, evaluate how safe it feels to them, identify ways to make the space safer and organize to bring about these changes;

WHEREAS, a gender-based safety audit prioritizes the experience and knowledge of women and gender-diverse individuals living in a neighbourhood and/or using a community space as experts in their own safety, comfort, dignity, and accessibility needs;

WHEREAS, violence is one of the priorities of the Community Safety and Well Being Plan and increasing the awareness of gender-based violence and developing safety resources has been recognized as a more specific area for attention;

WHEREAS, community driven hate reporting tools can further our understanding of areas of the city that require support to address safety concerns; and

WHEREAS, on August 18, 2023, City Council declared gender-based violence and intimate-partner violence an epidemic in Hamilton.

THEREFORE, BE IT RESOLVED:

- (a) That the YWCA lead the development of gender-based safety audits in Hamilton working in collaboration with City staff and community partners;
- (b) That staff continue to work closely with the Community Safety and Well Being System Leadership Table to increase awareness of gender-based violence and explore opportunities for further action;

- (c) That the aim of the safety audit review is to collect and compile evidence-based data, inputs, suggestions and recommendations on barriers to women, girls and gender-diverse individuals' safety and security in public spaces with a particular focus on the following realms:
- (i) Future LRT Station design;
 - (ii) Select HSR stops and operations
 - (iii) City of Hamilton park redevelopment plans
 - (iv) City of Hamilton recreation facilities
 - (v) City streets and/or intersections
 - (vi) City Trails and Escarpment Staircases
 - (vii) Any other space highlighted by audit participants
- (d) That the goal of the reviews will be to understand women and gender-diverse persons' key safety concerns in city spaces and to bring about improvements to the physical environments to remove hazards and improve feelings of safety along with any policy and/or operational recommendations and evidence-based actions to improve the service delivery and public infrastructure based on the audit findings; and
- (e) That staff be authorized to provide one-time funding in the amount of \$100,000 from the Building Safer Communities Fund (ID 679114) to support the safety review in collaboration with community partners.

Result: Motion on Item 8 of the Emergency and Community Services Committee Report 23-012, CARRIED by a vote of 15 to 0, as follows:

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

Result: Motion on the balance of the Emergency and Community Services Committee Report 23-012, as Amended, CARRIED by a vote of 15 to 0, as follows:

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

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

(Francis/Hwang)

That Council rise from Committee of the Whole.

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

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

(Tadeson/Hwang)

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

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

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

YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

MOTIONS

7.1 Municipally Generated Tax Cap

(McMeekin/Tadeson)

WHEREAS, municipal property tax is generally considered a regressive form of taxation;

WHEREAS, Hamilton residential taxpayers are subject to amongst the highest per-capita municipal taxes in the country;

WHEREAS, many Hamilton citizens are being hammered and facing their own financial crisis which includes high inflation, high housing rental rates (eg. a 103% rise in the cost of a bachelor apartment from 2021 to 2023); escalating mortgage costs; A Bank of Canada rise in interest rates (raised up eight times in the last ten months) and the soaring increase in the price of essentials, like food, as evidenced by a reported 40% increased use of area food banks.

THEREFORE, BE IT RESOLVED:

That Hamilton City Council go on record to embrace a municipally generated tax cap no greater than 4% for the 2024 Budget.

(Horwath/Danko)

That the consideration of the Motion respecting Municipally Generated Tax Cap, be referred to the General Issues Committee - Budget.

Councillor Clark requested that instructions to staff be included in the referral Motion.

Deputy Mayor Beattie ruled that Councillor Clark's request was not in order.

Councillor Clark challenged the Chair's ruling. Upon issuing the challenge, the Acting Clerk assumed the role of the Chair.

(Clark/McMeekin)

That the Chair's ruling be challenged.

The Acting City Clerk advised members of Council that if they agreed with the ruling of the Chair they would vote in favour and if they disagreed with the ruling of the Chair they would vote opposed.

Result: Motion CARRIED by a 2/3 Majority vote of 13 to 3, as follows:

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
NO - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
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
NO - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

The Chair's ruling was sustained.

Result: Motion on the referral of the Motion respecting a Municipally Generated Tax Cap, CARRIED by a vote of 11 to 5, as follows:

NO - Deputy Mayor - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
NO - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
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
YES - Ward 7 Councillor Esther Pauls
NO - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

7.2 Swansea Tenants Association Committee – Thanksgiving Dinner (Ward 6)**(Jackson/Danko)**

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

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

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

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

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

THEREFORE, BE IT RESOLVED:

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

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

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

YES - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

7.3 Resignation and Appointment – Hamilton Police Services Board Selection Committee

(Nann/M. Wilson)

- (a) That Council accept Councillor E. Pauls' resignation from the Hamilton Police Services Board Selection Committee, effective immediately; and
- (b) That Councillor Cassar be appointed to the Hamilton Police Services Board Selection Committee, effective immediately.

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

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie

YES - Ward 12 Councillor Craig Cassar

YES - Ward 9 Councillor Brad Clark

YES - Ward 8 Councillor John-Paul Danko

YES - Ward 5 Councillor Matt Francis

YES - Mayor Andrea Horwath

YES - Ward 4 Councillor Tammy Hwang

YES - Ward 6 Councillor Tom Jackson

YES - Ward 2 Councillor Cameron Kroetsch

YES - Ward 15 Councillor Ted McMeekin

YES - Ward 3 Councillor Nrinder Nann

YES - Ward 7 Councillor Esther Pauls

YES - Ward 14 Councillor Mike Spadafora

YES - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

7.4 Feasibility of Securing Injunctions to Prohibit Annual Unsanctioned Events in Ward 1

(M. Wilson/Danko)

WHEREAS unsanctioned events occur annually in the Ward 1 neighbourhoods of Ainslie Wood and Westdale, in close proximity to McMaster University;

WHEREAS these unsanctioned events occur in and around the date of March 17th to coincide with St. Patrick's Day and in the autumn season as what is known as Fake Homecoming;

WHEREAS the organization of these unsanctioned events is executed by an anonymous social media account that cannot be attributed to any individual(s);

WHEREAS the unsanctioned events have seen the damage and destruction of public and private property by those in attendance including the overturning of a vehicle on Dalewood Avenue South in October 2021;

WHEREAS the residents in the neighbourhoods of Ainslie Wood and Westdale have expressed concerns for their safety and security as a result of these annual unsanctioned events;

WHEREAS residents living within the neighbourhood of Ainslie Wood South are particularly inconvenienced by these unsanctioned events as the area is secured and residents are unable to leave their homes due to the size of the attending crowds;

WHEREAS the annual cost to Hamilton residents generated from having Hamilton Police Services and a multi-disciplinary team of City divisions including Municipal By-Law Enforcement, Hamilton Paramedic Services, Hamilton Fire, Public Health, Waste and Transportation Services plan for and execute measures in response to the unsanctioned events is significant;

WHEREAS the Town of Wasaga Beach's order to prohibit an unsanctioned annual event in the form of a car rally was legally upheld in August, 2023;

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton's Legal Services be directed to review the feasibility of securing injunctions to prohibit these annual unsanctioned events known as St. Patrick's Day and Fake Homecoming and report back in Q4 of 2023; and
- (b) That City of Hamilton Municipal By-Law Enforcement amass information detailing the full cost and incident reports on these unsanctioned events and any information required to inform an injunction order that would prohibit unsanctioned events in Ward 1.

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

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

7.5 Award of C15-43-23 (P) Alexander Park – Construction of Skatepark Facility**(M. Wilson/A. Wilson)**

WHEREAS, Landscape Architectural Services issued a request for tenders for project C15-43-23 Alexander Park - Construction of a Skatepark Facility in Ward 1;

WHEREAS, the proposed park was to serve as a community-level skatepark as part of the City's implementation of the Skateboard Park Study;

WHEREAS, the bid pricing received through the tender was greater than the anticipated budget;

WHEREAS, Landscape Architectural Staff brought forward Public Works Committee Report PW23058, Funds Required for Award of Tender C15-43-23 (P) Alexander Park - Construction of a Skatepark Facility (Ward 1) (Ward 13) on September 18, 2023 with the recommendation of “ *That the budget for Alexander Park Skatepark project (Project ID 4401956922) be increased by \$757,880.00 and funded 95% or, \$719,986.00, from the Parkland Development Charge Reserve-Residential (DeptID 110316), and 5%, or \$37,894.00, from the Parkland Development Charge Reserve-Non-Residential (DeptID 110317).*” ;

WHEREAS, Report PW23058 was approved at Public Works Committee on September 18, 2023, but approval was only for the project's funding as per the report's recommendation; and

WHEREAS, as per Procurement Policy No. 2 – Approval Authority, Section 3(b) requires the appropriate Standing Committee's and Council's approval to award the tender when the final competitively procured cost of the proposed procurement exceeds the amount provided in the Council approved capital budget for that project by \$250,000 or greater;

THEREFORE, BE IT RESOLVED:

That Landscape Architectural Services and Procurement staff be directed to award the request for tenders C15-43-23 Alexander Park – Construction of Skatepark Facility to Gateman-Milloy Inc. in accordance with Procurement Policy # 2 – Approval Authority.

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

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
NOT PRESENT - 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
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

7.6 Waterdown Museum of Hope

(McMeekin/Tadeson)

WHEREAS, every community has a desire to reflect and understand their local history;

WHEREAS, Waterdown District High School students and staff are partnering with the Waterdown Legion to create a Museum of Hope; and

WHEREAS, many concerned citizens, believing this to be a community priority, have joined in the efforts to establish this local historical museum.

THEREFORE, BE IT RESOLVED:

- (a) That the Waterdown Museum of Hope in support of the Waterdown Museum be funded from the Ward 15 Non-Property Tax Revenue Account 3301609615 at an upset limit, including contingency, not to exceed \$10,000; and
- (b) 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 14 to 0, as follows:

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

YES - Ward 1 Councillor Maureen Wilson

7.7 City's Support for the Doors Open Event in 2024

(Kroetsch/A. Wilson)

WHEREAS, Doors Open Hamilton is one of the 22 communities across the province that participate in the Ontario Heritage Trust Doors Open Program;

WHEREAS, Doors Open Hamilton in 2023 saw more than 12,000 visitors to 35 historic and cultural sites across the city;

WHEREAS, Doors Open Hamilton has for the last three years been led by the Architectural Conservancy of Ontario Hamilton Branch and the 2023 event relied on the services of more than 70 community volunteers;

WHEREAS, Doors Open Hamilton provides residents and visitors with access to many sites of historical and cultural significance in the City and therefore complements the Tourism and Culture Division's museums, programming and events;

WHEREAS, the City has in previous years provided in-kind support to Doors Open Hamilton programming in the form of staff support and free access to Hamilton Civic Museums and the Auchmar Manor House;

WHEREAS, the Tourism and Culture Division currently provides \$1500 in annual support to cover the cost of including Doors Open Hamilton on the Ontario Heritage Trust's Doors Open Ontario website; and

WHEREAS, there would be a benefit to the Doors Open event organizers, City staff and the community to enhance and formalize the City's support for the Doors Open event in 2024;

THEREFORE, BE IT RESOLVED:

- (a) That staff in the Tourism & Culture Division be authorized and directed to enter into a Memorandum of Understanding with the Architectural Conservancy of Ontario (Hamilton Chapter) and any other appropriate community organizations that addresses the following:
 - (i) how City staff can support the success of the 2024 Doors Open event through in-kind support of making City venues open and available during the event, and staffing of City venues during the event;
 - (ii) one-time provision of funding support from the City for the 2024 Doors Open event in the amount of \$15,000 to be funded from the Economic Development Initiatives Fund; and
 - (iii) appropriate performance expectations of the 2024 Doors Open event organizers with respect to the successful delivery of the event as it relates to the City's financial support.

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

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

7.8 Independent Third Party Air Monitoring at GFL Stoney Creek Landfill

(Clark/Francis)

WHEREAS, the Ministry of the Environment, Conservation and Parks (MECP) air monitoring report has been received indicating no exceedances to the Ontario Air Quality Standards;

WHEREAS, many residents have expressed a level of distrust and are still concerned about the health impacts from breathing these odours virtually daily since the spring;

WHEREAS, the MECP and GFL representatives have indicated that there is no timeline to end the odours;

WHEREAS, the psychosocial impacts of this experience are negatively effected residents lives; and,

WHEREAS, the City of Hamilton has no legal authority over the landfill but do have a public health responsibility;

THEEFORE, BE IT RESOLVED:

That staff be directed to explore the ways and means to provide independent third party air monitoring for a minimum seven day period at GFL Stoney Creek Landfill to be funded by the Stoney Creek Compensation Royalties (GFL Landfill) Reserve 117036 and report back to the Public Health Committee.

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

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie

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

NOTICES OF MOTION

8.1 City's Support for the Doors Open Event in 2024

(Kroetsch/A. Wilson)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the City's Support for the Doors Open Event in 2024.

Result: Motion CARRIED by a 2/3rds vote of 15 to 0, as follows:

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

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

8.2 Independent Third Party Air Monitoring at GFL Stoney Creek Landfill**(Clark/Francis)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting an Independent Third Party Air Monitoring at GFL Stoney Creek Landfill.

Result: Motion CARRIED by a 2/3rds vote of 13 to 0, as follows:

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

For further disposition of this matter, refer to Item 7.8.

STATEMENTS BY MEMBERS

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

COUNCIL COMMUNICATION UPDATES

(Francis/Hwang)

That the listing of Council Communication Updates from September 8, 2023 to September 21, 2023, be received.

Result: Motion on the Council Communication Updates from September 8, 2023 to September 21, 2023 CARRIED by a vote of 13 to 0, as follows:

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie
 YES - Ward 12 Councillor Craig Cassar
 NOT PRESENT - Ward 9 Councillor Brad Clark
 YES - Ward 8 Councillor John-Paul Danko
 YES - Ward 5 Councillor Matt Francis
 YES - Mayor Andrea Horwath
 YES - Ward 4 Councillor Tammy Hwang
 YES - Ward 6 Councillor Tom Jackson
 NOT PRESENT - Ward 2 Councillor Cameron Kroetsch

YES - Ward 15 Councillor Ted McMeekin
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

PRIVATE AND CONFIDENTIAL

Council determined that discussion of Items 11.1 and 11.2 was not required in Closed Session; therefore, the matters were addressed in Open Session, as follows:

11.1 Closed Session Minutes – September 13, 2023

(A. Wilson/Hwang)

That the Closed Session Minutes dated September 13, 2023 be approved, as presented, and remain confidential.

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

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

11.2 Ombudsman's Preliminary Report respecting the Investigation of a Complaint about a meeting held by the City of Hamilton on February 6, 2019 (distributed under separate cover)

(A. Wilson/Jackson)

(a) That the Ombudsman's Preliminary Report respecting the Investigation of a Complaint about a meeting held by the City of Hamilton on February 6, 2019, be received; and

- (b) That the Ombudsman's Preliminary Report respecting the Investigation of a Complaint about a meeting held by the City of Hamilton on February 6, 2019, remain confidential.

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

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

BY-LAWS AND CONFIRMING BY-LAW

(Francis/Hwang)

That Bills No. 23-177 to No. 23-184, 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:

- 177 To Amend By-law No. 01-218, as amended, being a By-law to Regulate On-Street Parking Respecting Free-Floating Carshare Vehicles
- 178 To Amend By-law No. 17-225, as amended, being a By-law to Establish a System of Administrative Penalties
- 179 To Amend Zoning By-law No. 05-200 with respect to lands located at 82 Carlson Street, Stoney Creek
- 180 Respecting Removal of Part Lot Control
 Blocks 1-7, Registered Plan of Subdivision No. 62M-1288, "Linden Park" Municipally Known as 399, 401, 403, 405, 407, 409, 411, 413, 415, 417, and 419 East 16th Street; 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, and 34 Vickers Road; 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, and 26 Jellicoe Court; and, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, and 55 Linden Park Lane, Hamilton, Ward 7

- 181 To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking
 REVISED
 Schedule 8 (No Parking Zones)
 Schedule 12 (Permit Parking Zones)
 Schedule 14 (Wheelchair Loading Zones)
 Schedule 15 (Commercial Vehicle Loading Zones)
 Schedule 16 (Taxi Stand)
- 182 To Establish City of Hamilton Land Described as Part of Block 120 on 62M-1116, designated as Part 4 on 62R-22200 as Part of Chambers Drive
- 183 To Establish City of Hamilton Land Described as Block 41 on Plan 62M-860 as Part of Longview Drive
- 184 To Confirm the Proceedings of Council

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

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

(Hwang/Tadeson)

That, there being no further business, City Council be adjourned at 3:42 p.m.

Result: Motion CARRIED by a vote of 12 to 1, as follows:

YES - Deputy Mayor - Ward 10 Councillor Jeff Beattie
 YES - Ward 12 Councillor Craig Cassar
 NOT PRESENT - Ward 9 Councillor Brad Clark
 NO - 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
 NOT PRESENT - Ward 2 Councillor Cameron Kroetsch

YES - Ward 15 Councillor Ted McMeekin
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

Respectfully submitted,

Deputy Mayor Jeff Beattie

Janet Pilon
Acting City Clerk