



City Council Meeting 2018-21

Tuesday, September, 2018 at 7:15 pm
in the Council Chamber at City Hall.

Council will resolve into the Committee of the Whole
“Closed Meeting” and will reconvene
as regular Council at 7:30 pm.

Contents

Call Meeting to Order	2
Roll Call	2
The Committee of the Whole “Closed Meeting”	2
Approval of Addeds	2
Disclosures of Potential Pecuniary Interest	2
Presentations	2
Delegations	2
Briefings	2
Petitions	2
Motions of Congratulations, Recognition, Sympathy, Condolences and Speedy Recovery	3
Deferred Motions	3
Reports	4
Report Number 78: Received from the Chief Administrative Officer (Consent)	4
Report Number 79: Received from the Planning Committee	7
Report Number 80: Received from the Municipal Accessibility Advisory Committee	9
Committee of the Whole	10
Information Reports	10
Information Reports from Members of Council	10
Miscellaneous Business	11
New Motions	11
Notices of Motion	13
Minutes	13
Tabling of Documents	13
Communications	13
Other Business	16
By-Laws	16

(Council Chamber)

Call Meeting to Order

Roll Call

The Committee of the Whole “Closed Meeting”

1. **That** Council resolve itself into the Committee of the Whole “Closed Meeting” to consider the following item:
 - a) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose – 495-501 Frontenac Street.

Approval of Addeds

Disclosures of Potential Pecuniary Interest

Presentations

1. Mayor Paterson will present the Governor General of Canada Sovereign’s Medal for Volunteers to the following recipients:

Douglas Green
Susan Everett
Warren Everett

Delegations

Briefings

Petitions

Motions of Congratulations, Recognition, Sympathy, Condolences and Speedy Recovery

Motions of Congratulations, Recognition, Sympathy, Condolences and Speedy Recovery are presented in order of category as one group and voted on as one motion.

Motion of Condolences

1. Moved by Mayor Paterson
Seconded by Deputy Mayor Candon

That the sincere condolences of Kingston City Council be extended to the family and friends of Roy Edward Holloway who passed away Friday, August 24th. Roy was one of Kingston City Hall's original tour guides and an outstanding volunteer. He will be dearly missed by all those who knew him.

Deferred Motions

Reports

Report Number 78: Received from the Chief Administrative Officer (Consent)

Report Number 78

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

All items listed on the Consent Report shall be the subject of one motion. Any member may ask for any item(s) included in the Consent Report to be separated from that motion, whereupon the Consent Report without the separated item(s) shall be put and the separated item(s) shall be considered immediately thereafter.

That Council consent to the approval of the following routine items:

1. Single Source Purchase of Hydraulic Rescue Tools and Equipment

That Council authorize staff to proceed with a single-source procurement of six sets of Holmatro hydraulic rescue tools and equipment from the Holmatro factory authorized dealer and service provider 1200° Darch Fire, for a total purchase price of \$217,812 plus applicable taxes and;

That Council authorize the Mayor and Clerk to execute the required agreement in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Corporate & Emergency Services (18-347) is attached to the agenda as pages 1-4)

(File Number CSU-V00-000-2018)

2. Patio Application – Pizza Studio

That Council authorize the Mayor and Clerk to enter into a License Agreement, in a form satisfactory to the Director of Legal Services, with the owner of “Pizza Studio” located at 356-358 Princess Street for the lease of City property adjacent to their business on the Barrie Street frontage for the purpose of operating a serving sidewalk patio.

(The Report of the President and CEO, Utilities Kingston (18-349) is attached to the agenda as pages 5-10)

(File Number CSU-D23-000-2018)

3. Award of Contract – GIRO Inc. – HASTUS Software Upgrade

That the City of Kingston enter into a contract agreement with GIRO Inc. to upgrade the HASTUS software; and

That the Mayor and Clerk be authorized to execute the required agreements, in a form satisfactory to the Director of Legal Services.

(The Report of the President and CEO, Utilities Kingston (18-335) is attached to the agenda as pages 11-14)

(File Number CSU-A23-000-2018)

4. Heritage Easement Agreement for 81-83 King Street East

That having consulted with Heritage Kingston on the details of Heritage Permit P18-040-2018 on June 20, 2018, and having received the support of Heritage Kingston to advance a Heritage Easement Agreement, Council approve the by-law to enact a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act for the protected heritage property located at 81-83 King Street East, as provided in Exhibit A to Report number 18-338; and

That staff provide Heritage Kingston with an Information Report at the September 19, 2018 meeting to provide a status update and a copy of the executed Heritage Easement Agreement; and

That the Mayor and Clerk be authorized to sign all documents related to the Heritage Easement Agreement to the satisfaction of the Director of Legal Services; and

That the Director of Legal Services be directed to execute any documents as may be required to remove the registration of this Heritage Easement Agreement against the property upon confirmation by Heritage Planning staff that the works, as outlined in Schedule C of the Heritage Easement Agreement, have been completed in their entirety.

(See By-Law Number (1), 2018-151)

(The Report of the Commissioner of Community Services (18-338) is attached to the agenda as pages 15-36)

(File Number CSU-P18-000-2018)

5. License Agreement Extension for Temporary Installation on Ontario Street in Partnership with Kingston Accommodation Partners (KAP)

That Council authorize the Mayor and City Clerk to execute all necessary agreements and other documents as may be required to extend the license agreement with the Kingston Accommodation Partners (KAP), in a form satisfactory to the Director of Legal Services, for the care of a temporary installation adjacent to the Visitor Information Centre on Ontario Street for a period of two years, ending October 31, 2020.

(The Report of the Commissioner of Community Services (18-352) is attached to the agenda as pages 37-41)

(File Number CSU-R04-000-2018)

6. Capital Project Status Report – Second Quarter 2018

That Council approve capital budget changes, as outlined in Exhibit A to Report Number 18-336, as well as financing of capital projects or (return of funds) as follows:

Source of Financing (Return of Funds):	Amount
Municipal Capital Reserve Fund	\$(661,333)
Other Reserve Funds and Reserves:	
Municipal Equipment Reserve Fund	\$ (5,416)
Transit Capital Reserve Fund	(36,943)
Facility Repair Capital Reserve Fund	(18,714)
KAS Equipment Reserve Fund	(6,479)
Grand Theatre Building Imp. Reserve Fund	(1,337)
Parking Reserve Fund	(9,481)
Library Capital Reserve Fund	(16,389)
Environment Reserve Fund	(351,457)
Working Fund Reserve	(49,755)
Development Charges Reserve Fund	<u>(606)</u> <u>(496,577)</u>
Total Sources of Funding (Return of Funds)	<u>\$(1,157,910)</u>

(The Report of the Chief Financial Officer and City Treasurer (18-336) is attached to the agenda as pages 42-68)

(File Number CSU-F05-000-2018)

Report Number 79: Received from the Planning Committee

Report Number 79

To the Mayor and Members of Council:

The Planning Committee reports and recommends as follows:

All items listed on this Committee Report shall be the subject of one motion. Any member may ask for any item(s) included in the Committee Report to be separated from that motion, whereupon the Report of the Committee without the separated item(s) shall be put and the separated item(s) shall be considered immediately thereafter.

1. Approval of an Application for a Zoning By-Law Amendment and Draft Plan of Subdivision – 950 Cataraqui Woods Drive (Tamarack [Cataraqui West 2] Corporation)

That that the applications for Zoning By-Law Amendment and Draft Plan of Subdivision (File Number D35-001-2018) submitted by Barry Smith, on behalf of Tamarack (Cataraqui West 2) Corporation, for the property municipally known as 950 Cataraqui Woods Drive (Woodhaven Phase 4), be approved; and

That By-Law Number 76-26, entitled "Township of Kingston Restricted Area By-Law", as amended, be further amended, as per Exhibit A (Draft By-Law and Schedule A to amend Zoning By-Law Number 76-26) to Report Number PC-18-053; and

That the Draft Plan of Subdivision be subject to the conditions as per Exhibit A (Draft Plan Condition) to Report Number PC-18-062; and

That Council determines that in accordance with Section 34(17) of the Planning Act, no further notice is required prior to the passage of the by-law; and

That the amending by-law be presented to Council for all three readings.

(By-Law Number (2), 2018-152 and Draft Plan of Subdivision are attached to the agenda as schedule pages 69-93)

2. Approval of an Application for a Zoning By-Law Amendment and Draft Plan of Subdivision – 800 John Marks Avenue (Kingston East Medical Campus Corp.)

That the applications for Zoning By-Law Amendment and Draft Plan of Subdivision (File Number D35-002-2018) submitted by Greg Murphy and Fotenn

Consultants Inc., on behalf of Kingston East Medical Campus Corp., for the property municipally known as 800 John Marks Avenue, be approved; and

That By-Law Number 32-74, entitled "Township of Pittsburgh Zoning By-Law", as amended, be further amended, as per Exhibit A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 32-74) to Report Number PC-18-059; and

That the Draft Plan of Subdivision be subject to the conditions as per Exhibit B (Draft Plan of Subdivision Conditions) to Report Number PC-18-059; and

That Council determines that in accordance with Section 34(17) of the Planning Act, no further notice is required prior to the passage of the by-law; and

That the amending by-law be presented to Council for all three readings.

(By-Law Number (3), 2018-153 and Draft Plan of Subdivision are attached to the agenda as schedule pages 94-108)

3. Approval of an Application for a Zoning By-Law Amendment – 797 King Street West, 9 Portsmouth Avenue and 15 Portsmouth Avenue (GP Property Management Inc. and Assunta Gerretsen)

That the application for a Zoning By-Law Amendment (File Number D14-021-2018) submitted by IBI Group Incorporated, on behalf of GP Property Management Inc. and Assunta Gerretsen, for the property municipally known as 797 King Street West, 9 Portsmouth Avenue and 15 Portsmouth Avenue, be approved; and

That By-Law Number 8499, entitled "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston", as amended, be further amended, as per Exhibit A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 8499) to Report Number PC-18-060; and

That Council determines that in accordance with Section 34(17) of the *Planning Act*, no further notice is required prior to the passage of the by-law; and

That the amending by-law be presented to Council for all three readings.

(By-Law Number (4), 2018-154 is attached to the agenda as schedule pages 109-112).

Report Number 80: Received from the Municipal Accessibility Advisory Committee

Report Number 80

To the Mayor and Members of Council:

The Municipal Accessibility Advisory Committee reports and recommends as follows:

All item listed on this Committee Report shall be the subject of one motion. Any member may ask for any item included in the Committee Report to be separated from that motion, whereupon the Report of the Committee without the separated item shall be put and the separated item shall be considered immediately thereafter.

1. Accessibility Standards Policy Amendment – Kingston Access Services Eligibility Appeal Process

That Council approve the revised Accessibility Standards Policy, dated September 2018, attached as Exhibit A to Report Number MAAC-18-016.

(Exhibit A to Report Number MAAC-18-016 is attached to the agenda as schedule pages 113-123)

Committee of the Whole

Information Reports

1. Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of July 2018

The purpose of this report is to provide Council with details of purchases greater than \$50,000 that meet the established criteria of delegated authority as well as contracts awarded by senior staff between the \$20,000 and \$50,000 level for the month of July 2018.

(The Report of the Chief Financial Officer and City Treasurer (18-339) is attached to the agenda as schedule pages 124-134)

(File Number CSU-F18-000-2018)

2. Your Stories, Our Histories Public Engagement Project, 2018-2019

The purpose of this report is to provide Council with an update regarding the Your Stories, Our Histories public engagement project that launched on September 6, 2018.

(The Report of the Commissioner of Community Services (18-354) is attached to the agenda as pages 135-141)

(File Number CSU-M11-000-2018)

3. Homestead Land Holdings Limited, North Block – Official Plan and Zoning By-Law Amendment Applications

The purpose of this report is to provide Council with update on the Official Plan and Zoning By-Law Amendment applications submitted by Homestead Land Holdings Limited.

(The Report of the Commissioner of Community Services (18-343) is attached to the agenda as pages 142-212)

(File Numbers CSU-D09-000-2018 and CSU-D014-000-2018)

Information Reports from Members of Council

Miscellaneous Business

1. **That** the resignation of Danika Lochhead from the Arts Advisory Committee and the Arts Advisory Committee Professional Development Working Group be received with regret.
(See Communication Number 21-527)
2. **That** the resignation of Paul Carl from Heritage Kingston be received with regret.
(See Communication Number 21-529)
3. **That** notwithstanding section 3.1.4, subsection (v), of the Illumination of City Facilities Policy, Kingston City Council approve the illumination of City Hall and Springer Market Square on October 15, 2018 for the International Wave of Light in Honour of Pregnancy and Infant Loss.
(See Communication 21-530)

New Motions

1. Moved by Councillor Boehme
Seconded by Councillor Turner
Whereas the City of Kingston considered a name change for the southern portions of Highway 15, Highway 2 and Highway 38 in 2014; and
Whereas the consideration of a name change for the said streets was unsuccessful due to public feedback and associated costs; and
Whereas the City of Kingston is currently completing Design Guidelines for Highway 15 through which a name change of the City owned portion could be considered;
Therefore Be It Resolved That Council direct staff to include a public consultation process, in accordance with the Civic Addressing and Road Naming By-Law Number 2005-98, in the current Design Guidelines project to consider a name change of the City-owned portion of Highway 15; and
That Council direct staff to report back with the outcome of the public consultation as well as any associated costs to be considered in future capital budgets through the outcome of the Highway 15 Design Guidelines.

2. Moved by Councillor Osanic
Seconded by Councillor Turner

Whereas yard waste, including leaves, small twigs, garden waste, etc. in the City of Kingston is limited to one (1) green bin per household, per week which must also be used in conjunction with food waste; and

Whereas many residents have to make several trips in their vehicle to the Kingston Area Recycling Centre (KARC) throughout the spring, summer and fall, to dispose of their yard waste, while creating greenhouse gas emissions in the community with multiple trips to KARC; and

Whereas the only other option is to deliver directly to the privately owned, but City contracted yard waste processing facility on Joyceville Road; no other areas to drop-off yard waste are available or is allowed; and

Whereas some residents do not have access to a vehicle to drive to KARC or to the processing facility on Joyceville Road; and

Whereas other municipalities allow yard waste to be put at the curb each week with their green bins like Peel Region; and

Whereas the City's Solid Waste Services Department is developing and wishes to deliver a Draft Master Integrated Waste Management Plan (IWMP) for preliminary adoption by City Council in Q3 of 2019, before public consultation is undertaken;

Therefore Be It Resolved That staff provide the final Master IWMP with public consultation by Q3 2020 in time for the 2021 budget deliberations that outlines amongst other things, the feasibility of integrating a spring-summer yard waste curbside collection program into the City's solid waste collection services, including the cost of a monthly yard waste curbside collection and the cost to extend the operating hours of the yard waste site at KARC, as well as, an outline of any other options to make it easier for residents to dispose of their yard waste.

3. Moved by Councillor Neill
Seconded by Councillor Holland

Whereas a major Secondary Plan, the Williamsville Mainstreet Study, after considerable public input, was embraced by the community and passed unanimously at Council, and led to a new Zoning By-Law and recognition in the new Official Plan; and

Whereas a recommendation of the Study in 8.6.1 was, "As development progresses it is recommended that regular public information sessions be hosted

to keep the community up to date of development applications and the implementation of the study (as needed, or every 3 to 5 years). Following that session, a meeting of City Staff from all applicable departments should be held to discuss the outcomes and feedback received at that meeting”; and

Whereas such a review and public consultation is now overdue;

Therefore Be It Resolved That staff organize a public consultation to provide an update and seek input on the progress of the Williamsville Main Street Study and present a recommendation report no later than Q3, 2019 to the Planning Committee.

Notices of Motion

Minutes

That the Minutes of City Council Meeting Number 2018-20 held Tuesday, September 4, 2018 be confirmed.

(Distributed to all Members of Council on September 14, 2018)

Tabling of Documents

Communications

That Council consent to the disposition of Communications in the following manner:

Filed

- 21-532 Committee of Adjustment – Notice of a Public Meeting for a minor variance at the property municipally known as 463 Earl Street. The Public Meeting is September 24, 2018 at 5:30 pm at 1211 John Counter Boulevard.
(File Number CSU-D19-000-2018)
- 21-533 Committee of Adjustment – Notice of a Public Meeting for a minor variance at the property municipally known as 69 Traymoor Street. The Public Meeting is September 24, 2018 at 5:30 pm at 1211 John Counter Boulevard.
(File Number CSU-D19-000-2018)
- 21-534 Committee of Adjustment – Notice of a Public Meeting for a minor variance at the property municipally known as 3578 6th Concession Road. The Public Meeting is September 24, 2018 at 5:30 pm at 1211 John Counter Boulevard.
(File Number CSU-D19-000-2018)

City Council Meeting 2018-21
Agenda
Tuesday, September 18, 2018

Page 14 of 17

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- 21-535 Committee of Adjustment – Notice of a Public Meeting for a minor variance at the property municipally known as 1286 Channelview Road. The Public Meeting is September 24, 2018 at 5:30 pm at 1211 John Counter Boulevard.
(File Number CSU-D19-000-2018)
- 21-536 Committee of Adjustment – Notice of a Public Meeting for a minor variance at the property municipally known as 938 Auden Park Drive. The Public Meeting is September 24, 2018 at 5:30 pm at 1211 John Counter Boulevard.
(File Number CSU-D19-000-2018)
- 21-537 Committee of Adjustment – Notice of a Public Meeting for a minor variance at the property municipally known as 2977 4th Concession Road. The Public Meeting is September 24, 2018 at 5:30 pm at 1211 John Counter Boulevard.
(File Number CSU-D19-000-2018)
- 21-538 Notice of a Regular Meeting – Proposed Zoning By-Law Amendment for the property municipally known as 203-205 Colborne Street. The Regular Meeting is September 20, 2018 at 6:30 pm in Council Chamber, City Hall, 216 Ontario Street.
(File Number CSU-D14-000-2018)
- 21-539 Notice of a Regular Meeting – Proposed Zoning By-Law Amendment for the property municipally known as 700 Gardiners Road. The Regular Meeting is September 20, 2018 at 6:30 pm in Council Chamber, City Hall, 216 Ontario Street.
(File Number CSU-D14-000-2018)
- 21-545 Committee of Adjustment – Revised Notice of a Public Meeting for a minor variance at the property municipally known as 938 Auden Park Drive. The Public Meeting is September 24, 2018 at 5:30 pm at 1211 John Counter Boulevard.
(File Number CSU-D19-000-2018)

Referred to All Members of Council

- 21-526 Municipal Clerk's Official Notice of Application for a Liquor Licence at the premises known as Copper Branch, located at 268 Princess Street
(Distributed to all members of Council on September 12, 2018)
(File Number CSU-P09-000-2018)
- 21-527 Correspondence from Danika Lochhead dated August 31, 2018 advising of her resignation from the Arts Advisory Committee and the Arts Advisory Committee Professional Working Group.
(Distributed to all members of Council on September 12, 2018)

City Council Meeting 2018-21
Agenda
Tuesday, September 18, 2018

Page 15 of 17

(File Number CSU-C12-000-2018)

(See Miscellaneous Business 1)

- 21-528 Correspondence from Russell Wiginton, P.Eng., Technologist, Water Resources, Cataraqui Region Conservation Authority (CRA) dated August 31, 2018 with respect to the CCRA Flood Risk Assessment and Floodplain Mapping Strategy.

(Distributed to all members of Council on September 12, 2018)

(File Number CSU-E05-000-2018)

- 21-529 Correspondence from Paul Carl dated September 4, 2018 advising of his resignation from Heritage Kingston.

(Distributed to all members of Council on September 12, 2018)

(File Number CSU-C12-000-2018)

(See Miscellaneous Business 2)

- 21-530 Illumination Application from the Love of Lights International Wave of Light in Honour of Pregnancy requesting illumination of City Hall and Springer Market Square on October 15, 2018 for the International Wave of Light in Honour of Pregnancy and Infant Loss.

(Distributed to all members of Council on September 12, 2018)

(File Number CSU-M10-000-2018)

(See Miscellaneous Business 3)

- 21-531 Correspondence from Ben Leslie, Donor Relations Coordinator, Hospice Kingston dated September 7, 2018 advising of an event being held on September 29, 2018 in City Park under a AGCO Special Occasion Permit.

(Distributed to all members of Council on September 12, 2018)

(File Number CSU-P09-000-2018)

- 21-540 Trans-Northern Pipeline's Community 2018 Summer Newsletter – Eastern Ontario.

(Distributed to all members of Council on September 12, 2018)

(File Number CSU-E06-000-2018)

- 21-541 Interim Guide to Services and Eligibility for the new Local Planning Appeal Support Centre received from Mary Lee, Executive Director, Local Planning Appeal Support Centre.

(Distributed to all members of Council on September 12, 2018)

(File Number CSU-L01-001-2018)

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- 21-543 Resolution from the Township of Amaranth passed on August 29, 2018 with respect to NAFTA – Dairy Supply Management Program.
(Distributed to all members of Council on September 12, 2018)
(File Number CSU-L10-000-2018)
- 21-544 AMO Policy Update – The Resource Productivity and Recovery Authority (RPRA) sets 2019 Blue Box Steward Funding Obligation.
(Distributed to all members of Council on September 12, 2018)
(File Number CSU-E07-001-2018)

Referred to City Clerk

- 21-542 Flag raising application requesting from Canadian Forces Cryptographic Maintenance Squadron (CFCMS) requesting the flag to be raised for the retirement of Corporal Maxwell Bishop on October 3, 2018 in Confederation Park.
(Distributed to all members of Council on September 12, 2018)
(File Number CSU-M10-000-2018)

Other Business

By-Laws

- a) **That** By-Laws (1) through (7) be given their first and second reading.
- b) **That** By-Laws (2) through (7) be given their third reading.
- (1) A By-Law to enact a Heritage Easement Agreement over lands located at 81-83 King Street East, pursuant to the provisions of the Ontario Heritage Act (R.S.O. 1990, 0.18)
First and Second Reading Proposed Number 2018-151
(See Clause 4, Report Number 78)
- (2) A By-Law to Amend By-Law Number 76-26, “A By-Law to Regulate the use of lands and the Character, Location and use of Buildings and Structures in The Township of Kingston” (Zone Change from Development Zone ‘D’, Environmental Protection Area ‘EPA’ to Residential Type 2 ‘R2-50-H’ & ‘R2-30-H’, Open Space ‘OS’, Shopping Center Commercial Zone ‘C5-12-H’, 950 Cataraqui Woods Drive)
Three Readings Proposed Number 2018-152
(See Clause 1, Report Number 79)

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- (3) A By-Law to Amend By-Law Number 32-74, "A By-Law to Regulate the Use of Lands and the Character, Location and Use of Buildings and Structures in The Township of Pittsburgh" (Zone Change from site-specific Business Park 'BP-1' zone to site-specific Business Park 'BP-2' zone, 800 John Marks Avenue)
Three Readings Proposed Number 2018-153
(See Clause 2, Report Number 79)

 - (4) A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Zone Change from 'A5' to 'B3.560', 9 & 15 Portsmouth Avenue, and 797 King Street West)
Three Readings Proposed Number 2018-154
(See Clause 3, Report Number 79)

 - (5) A By-Law to Amend By-Law Number 76-26, "A By-Law to Regulate the Use of Lands and the Character, Location and Use of Buildings and Structures in The Kingston Township Zoning By-Law" (Removal of Holding Symbol, 1030 Old Mill Road)
Three Readings Proposed Number 2018-155
(Delegated Authority)
(See Pages 213-215)

 - (6) A By-Law to Amend By-Law Number 76-26, "A By-Law to Regulate the Use of Lands and the Character, Location and Use of Buildings and Structures in The Kingston Township Zoning By-Law" (Removal of Holding Symbol, 700 Gardiners Road)
Three Readings Proposed Number 2018-156
(Delegated Authority)
(See Pages 216-218)

 - (7) A By-Law to confirm the proceedings of Council at its meeting held on Tuesday, September 18, 2018
Three Readings Proposed Number 2018-157
(City Council Meeting Number 2018-21)

Adjournment