



CITY COUNCIL MINUTES 18-009

5:00 p.m.
Wednesday, May 9, 2018
Council Chamber
Hamilton City Hall
71 Main Street West

Present: Mayor F. Eisenberger, Deputy Mayor M. Pearson, Councillors J. Partridge, S. Merulla, T. Whitehead, D. Conley, D. Skelly, T. Jackson, M. Green, J. Farr, C. Collins, A. VanderBeek, R. Pasuta, A. Johnson, and B. Johnson

**Absent with
Regrets:** Councillor L. Ferguson - Personal

Mayor Eisenberger called the meeting to order and recognized that Council is meeting on the traditional territories of the Mississauga and Haudenosaunee nations, and within the lands protected by the “Dish with One Spoon” Wampum Agreement.

The Mayor called upon Jamie Wood from the Living Hope Church to provide the invocation.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. ADDED NOTICES OF MOTION (Item 8)

- 8.2 Co-Sponsorship of FCM's Resolution Respecting Canadian Municipalities Supporting Local Economies in International Trade
- 8.3 Selection Process for the Election Compliance Audit Committee
- 8.4 To Waive the Requirement for Daylight Triangle Dedication for 107 MacNab Street North (SPA-18-046)
- 8.5 Development Charge Deferral Agreement for Dean Cartage Inc.

(B. Johnson/Pearson)

That the agenda for the May 9, 2018 meeting of Council be approved, ***as amended.***

CARRIED

DECLARATIONS OF INTEREST

There were no declarations of interest.

APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 April 25, 2018

(Merulla/A. Johnson)

That the Minutes of the April 25, 2018 meeting of Council be approved, as presented.

CARRIED

4.2 May 2, 2018

(Pasuta/Conley)

That the Minutes of the May 2, 2018 meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(Pearson/Conley)

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

5.1 Correspondence from Joshua Weresch respecting bus tickets and Metrolinx.

Recommendation: Be received.

5.2 Correspondence from Halton Region respecting Regional Advanced Traffic Management System (ATMS).

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

5.3 Correspondence from the Ministry of Transportation advising of the completion of its study to identify a province-wide network of cycling routes.

Recommendation: Be received.

5.4 Correspondence from Ontario Power Generation respecting an impact analysis on the continued operation of the Pickering Nuclear Generating Station (PNGS) until 2024.

Recommendation: Be received.

5.5 Correspondence from the Honourable Indira Naidoo-Harris, Minister of Education; the Honourable Bob Chiarelli, Minister of Infrastructure and the Honourable Bill Mauro, Minister of Municipal Affairs respecting the Pupil Accommodation Review Guideline.

Recommendation: Be received.

- 5.6 Correspondence from the Municipality of East Ferris requesting support for their resolution respecting Algonquin wolves.

Recommendation: Be received.

- 5.7 Correspondence from Denise Baker, WeirFoulds LLP, respecting the Appeal to the Ontario Municipal Board on the City of Hamilton Refusal or Neglect to Adopt an Amendment to the City of Hamilton Zoning By-law No. 6593 for Lands Located at 1518, 1530 and 1540 Upper Sherman Avenue, Hamilton (Ward 7) (PED18086).

Recommendation: Be received and referred to the consideration of Item 5 of Planning Committee Report 18-007.

- 5.8 Correspondence from the Valerie Plante, Mayor of Montreal requesting support for their resolution for a bold and coherent Federal Tobacco Control Strategy.

Recommendation: Be received ***and referred to the Board of Health.***

- 5.9 Correspondence from the Honourable Steven Del Duca, Minister of Economic Growth and Development congratulating the City of Hamilton on being named one of the top seven Intelligent Communities in the World by the Intelligent Communities Forum.

Recommendation: Be received.

- 5.10 Correspondence from the Ministry of Agriculture, Food and Rural Affairs respecting the application deadline of May 25, 2018 for the Premier's Award for Agri-Food Innovation Excellence.

Recommendation: Be received and referred to the Agricultural and Rural Affairs Advisory Committee.

CARRIED

(Partridge/Pasuta)

That Council move into Committee of the Whole to consider the Committee Reports.

CARRIED

PUBLIC WORKS COMMITTEE REPORT 18-006

(Collins/Merulla)

That the SIXTH Report of the Public Works Committee be adopted, as presented, and the information section received.

CARRIED

PLANNING COMMITTEE REPORT 18-007

7. Appeal of Non-Decision of Proposed Urban Hamilton Official Plan (UHOP) Amendment and Zoning By-Law Amendment for lands located at 1117 Garner Road East, Ancaster (LS17011(a)/PED17066(a)) (Ward 12) (Item 12.1)

(A. Johnson/Farr)

That the recommendation of Item 7 of Planning Committee Report 18-007 respecting the Appeal of Non-Decision of Proposed Urban Hamilton Official Plan (UHOP) Amendment and Zoning By-Law Amendment for lands located at 1117 Garner Road East, Ancaster (LS17011(a)/PED17066(a)) (Ward 12), be deleted in its entirety and the following be inserted therein:

~~That Report LS17011(a)/PED17066(a) be approved and remain private and confidential until approved by Council upon which the recommendations will be released.~~

With regard to the revised application and with prejudice offer to settle related to the appeals to the Local Planning Appeal Tribunal (the "Tribunal" or "LPAT") by Sonoma Homes Inc. ("Sonoma"), Owner / Appellant, from the non-decision by City Council of Sonoma's applications for amendments to the Urban Hamilton Official Plan and the Former Town of Ancaster Zoning By-law 87-57, to permit a nine (9) storey multiple dwelling consisting of eighty-two (82) units for lands located at 1117 Garner Road East (Ancaster) as shown on Appendix 'A' to Report LS17011(a) / PED17066(a):

- (a) That staff be directed to refuse Sonoma's with prejudice offer to settle its LPAT appeals;
- (b) That Legal Services staff be directed to continue to oppose Sonoma's LPAT appeals pursuant to the recommendations of Report LS17011 / PED17066;
- (c) That Report LS17011(a) / PED17066(a) and its appendices remain confidential.

CARRIED

Councillors Green, Whitehead and Conley wished to be recorded as OPPOSED to the above motion.

(A. Johnson/Farr)

That the SEVENTH Report of the Planning Committee be adopted, ***as amended***, and the information section received.

CARRIED

GENERAL ISSUES COMMITTEE REPORT 18-010

(Eisenberger/Partridge)

That the TENTH Report of the General Issues Committee be adopted, as presented, and the information section received.

CARRIED

SOLE VOTING MEMBER OF THE HAMILTON FARMERS' MARKET CORPORATION REPORT 18-001

(Eisenberger/Pasuta)

That the FIRST Report of the Sole Voting Member of the Hamilton Farmers' Market Corporation be adopted, as presented, and the information section received.

CARRIED

AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 18-006

(d) (iii) Shekar Chandrashekar, respecting an opportunity to rebut information contained in Report FCS18030 (For a future meeting) (Added Item 4.3)

(VanderBeek/Pearson)

That the recommendation of Item (d)(iii) of Audit, Finance and Administration Committee Report 18-006 respecting Shekar Chandrashekar delegation request respecting an opportunity to rebut information contained in Report FCS18030, be amended as follows:

That the delegation request from Shekar Chandrashekar, respecting an opportunity to rebut information contained in Report FCS18030, be received ***and not approved.***

(Farr/A. Johnson)

That the Motion respecting Shekar Chandrashekar, respecting an opportunity to rebut information contained in Report FCS18030, be TABLED.

CARRIED

Councillor Pearson wished to be recorded as OPPOSED to the above motion.

(VanderBeek/Pearson)

That the SIXTH Report of the Audit, Finance & Administration Committee be adopted, as presented, and the information section received.

CARRIED

HEALTHY & SAFE COMMUNITIES COMMITTEE REPORT 18-005

(Merulla/Collins)

That the FIFTH Report of the Healthy & Safe Communities Committee be adopted, as presented, and the information section received.

CARRIED

(Partridge/Eisenberger)

That Committee Rise and Report.

CARRIED

MOTIONS

(Merulla/Collins)

That the motion respecting Zoning By-law Regulations for Accessory Apartments, which reads as follows, be TABLED:

7.1 Zoning By-Law Regulations for Accessory Apartments

WHEREAS the City of Hamilton Zoning By-law No. 6593 permits accessory apartments as of right throughout the former City of Hamilton;

WHEREAS the Hamilton regulations were updated in 1992 with the intent of encouraging accessory apartments throughout the entire City;

WHEREAS the Urban Hamilton Official Plan policies permit and encourage accessory apartments throughout residential areas on the entire urban areas of Ancaster, Dundas, Hamilton, Flamborough, Glanbrook and Stoney Creek;

WHEREAS the Places to Grow Plan requires the City of Hamilton to prepare and implement a comprehensive housing strategy that includes accessory apartments; and

WHEREAS the City is currently in the process of updating the zoning by-law for the residential areas.

THEREFORE BE IT RESOLVED:

That staff be directed to:

- (a) review and report back on the current accessory apartment zoning by-law permissions for all residential areas in the urban areas of the City; and,
- (b) review the process going forward for revising the regulations to harmonize accessory apartment zoning permissions to implement the UHOP and conform to provincial requirements.

CARRIED

7.2 Support for the Aggregate Property Appeals filed by The Corporation of the County of Wellington**(Pasuta/Partridge)**

WHEREAS, the City of Hamilton (the "Municipality") has been advised that The Corporation of the County of Wellington (the "County of Wellington") has appealed certain decisions of the Municipal Property Assessment Corporation ("MPAC") with respect to some properties within the geographic boundaries of the County of Wellington that are used for the purposes of aggregate resources or gravel pits (the "Aggregate Property Appeals");

WHEREAS, previous assessment methodology valued areas that were used for aggregate resources or gravel pits ("Aggregate Resource Properties") at industrial

land rates on a per acre basis of the total site and such properties were formally classified and taxed as industrial lands;

WHEREAS, Council of the Municipality supports a fair and equitable assessment system for all Aggregate Resource Properties;

WHEREAS, MPAC, without municipal consultation, determined with the participation of the Ontario Stone, Sand and Gravel Association (the "OSSGA"), revised criteria for assessing Aggregate Resource Properties (the "Revised Valuation Methodology"); and

WHEREAS, the Municipality has concerns that the revised criteria does not fairly assess the current value of the Aggregate Resource Properties;

THEREFORE BE IT RESOLVED:

- (a) That Council of the City of Hamilton hereby supports the Aggregate Property Appeals filed by The Corporation of the County of Wellington;
- (b) That Council of the City of Hamilton does not consider the revised criteria for assessment of Aggregate Resource Properties as a fair method of valuation for these properties; and,
- (c) That Council of the City of Hamilton further supports The Corporation of the County of Wellington in its efforts to achieve a fair and equitable assessment system for Aggregate Resource Properties in Ontario.

CARRIED

7.3 Intersection Pedestrian Signals – East 45th Street and Mohawk Road East (Ward 6)

(Skelly/Whitehead)

WHEREAS, the intersection of East 45th Street and Mohawk Road East is a very busy location and regularly experiences heavy traffic volumes and speeding, and;

WHEREAS, the installation of Intersection Pedestrian Signals would help to protect pedestrians and assist in providing safe crossing of the street;

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to design and install a pedestrian signal at the intersection of East 45th Street and Mohawk Road East at an upwards cost of \$250,000 being funded from the Ward 6 Area Rating Account; and,
- (b) That Section #11 of the City's Procurement Policy (non-competitive procurements) be utilized in order to facilitate the design and installation of the pedestrian signal at the earliest opportunity in 2018.

CARRIED

7.4 Request for Hospital Space to Address the Current Opioid (and other drug) Overdose Crisis in Hamilton

(Farr/Merulla)

WHEREAS, the Federal Government has granted permission for supervised consumption sites in order to address the current crisis respecting opioid (and other drug) addictions;

WHEREAS, the Province of Ontario is accepting applications for overdose prevention sites from across the province and the city of Hamilton;

WHEREAS, Council, on the 8th of December 2017 approved the recommendations respecting Supervised Injection Sites in Report BOH17004(b);

WHEREAS, since Council's approval, the Province has approved the process of granting SIS (and now OPS) sites in this and other Ontario cities;

WHEREAS, notwithstanding the 75 deaths due to opioid overdoses in Hamilton from January to October 2017, and that this tragic statistic exceeds the Provincial average by 78 percent, local landlords appear to be reluctant in granting permission to outside organizations to house supervised consumption sites; and,

WHEREAS, provincially managed hospitals may be seen as the safest sites to operate supervised consumption sites;

THEREFORE BE IT RESOLVED:

That the appropriate staff from Public Health be requested as a priority to engage with both Hamilton Health Sciences and St. Joseph's Hospital on the feasibility of housing a supervised consumption site in their hospital(s), as a means of addressing the opioid (and other drug) overdose crisis in Hamilton.

CARRIED

7.5 Naming of the New Bike Lanes on the Up Bound Side of the Claremont Mountain Access – Keddy Access Trail

(Whitehead/Farr)

WHEREAS, the City of Hamilton will be building bike lanes on the up bound side of the Claremont mountain access, commencing in the near future;

WHEREAS, a citizen of Hamilton has requested that the new bike lanes on the up bound side of the Claremont mountain access be named the "Keddy Access Trail" to honour the late Mr. Jay Keddy, who was an avid cyclist that tragically lost his life while cycling up the Claremont Access in December 2015; and,

WHEREAS, Mr. Keddy's family is in support of commemorating the late Jay Keddy by naming the new bike lanes on the up bound side the Claremont access in his memory;

THEREFORE BE IT RESOLVED:

That, upon completion of the new bike lanes on the up bound side of the Claremont mountain access, the lanes be named the “Keddy Access Trail” in commemoration of the late Jay Keddy.

The above motion CARRIED unanimously on the following Standing Recorded Vote:

Yeas: F. Eisenberger, A. Johnson, J. Farr, M. Green, S. Merulla, C. Collins,
T. Jackson, D. Skelly, T. Whitehead, D. Conley, M. Pearson, B. Johnson,
A. VanderBeek, R. Pasuta

Total: 14

Nays: 0

Absent: Councillors L. Ferguson, J. Partridge

Total: 2

7.6 Co-Sponsorship of FCM’s Resolution Respecting Canadian Municipalities Supporting Local Economies in International Trade

(Eisenberger/Farr)

WHEREAS, Hamilton City Council at their meeting of January 25, 2017 expressed their opposition to the Trans-Pacific Partnership Agreement, in its present form, to Prime Minister Trudeau, Federal Cabinet Ministers and the area MPs, and requested the consideration and support of the Association of Municipalities of Ontario (AMO) and the Federation of Canadian Municipalities (FCM);

WHEREAS, in response to the City of Hamilton’s opposition to the Trans-Pacific Partnership Agreement, in its present form, FCM continues to work with the federal government to support the interests of municipalities across Canada affected by trade disputes and during ongoing trade agreement negotiations; and,

WHEREAS, FCM is focused on protecting the best interests of municipalities and local economies in trade agreements;

THEREFORE BE IT RESOLVED:

That the City of Hamilton co-sponsor the resolution (Appendix ‘A’) with the City of Windsor at the 2018 Federation of Canadian Municipalities’ Conference in Halifax, Nova Scotia.

CARRIED

7.7 Selection Process for the Election Compliance Audit Committee

(Merulla/B. Johnson)

WHEREAS, the City of Hamilton’s Election Compliance Audit Committee (ECAC) is currently chosen by the Selection Committee;

WHEREAS, the Selection Committee is comprised of members of Council;

WHEREAS, the members of the Selection Committee could be required to appear before the ECAC; therefore, creating the potential for this to be viewed as a conflict of interest; and,

WHEREAS, in an effort to increase openness and transparency, and in following practices of other Ontario municipalities, as outlined in Report CL17010 (Selection Process for the Election Compliance Audit Committee) (Appendix A).

THEREFORE BE IT RESOLVED:

That the Terms of Reference for the Election Compliance Audit Committee be amended by deleting the words “selected by the Selection Committee” and replacing them to read as follows:

The Election Compliance Audit Committee will be comprised of four (4) members selected by the ***Election Compliance Audit Committee - Selection Committee consisting of the City Clerk, the City Solicitor, the General Manager of Finance and Corporate Services and the City Auditor, or their delegates, to review applications, conduct the interviews and recommend appointments to Council for approval.***

CARRIED

7.8 To Waive the Requirement for Daylight Triangle Dedication for 107 MacNab Street North (SPA-18-046)

(Farr/Merulla)

WHEREAS, the *Planning Act* and the Urban Hamilton Official Plan states that the City shall reserve or obtain daylight triangles, and road widenings for rights-of-way through Site Plan Approval;

WHEREAS, the Council approved Official Plan Amendment No. 49 provides for flexibility when assessing road and daylight triangle requirements for infill and redevelopment opportunities;

WHEREAS, a Site Plan Amendment application has been made for 107 MacNab Street North (SPA-18-046); and,

WHEREAS, consistent with the intent of OPA No. 49, the applicant has requested that the City of Hamilton consider reduced road widening and daylight triangle dedications for 107 MacNab Street North;

THEREFORE BE IT RESOLVED:

That staff be directed to waive the requirement for a daylight triangle dedication of 12.19 m by 12.19m and road widening requirement of 3m for 107 MacNab Street North (SPA-18-046).

CARRIED

7.9 Development Charge Deferral Agreement for Dean Cartage Inc.

(Pearson/Merulla)

WHEREAS, Dean Cartage Inc. operates a trucking depot on leased land at 335 Dewitt Road, Stoney Creek and employs a total of 6 employees;

WHEREAS, Dean Cartage Inc. has on-site 11 shipping containers, which are being used as offices, and those containers do not meet the City's Development Charge By-law 14-153 definition of a temporary, non-residential building since they are intended to be on this site for more than one year;

WHEREAS, other businesses have been assessed and paid Development Charges (DCs) for non-temporary use of shipping containers;

WHEREAS, the City has assessed a DC liability of \$36,366.41 (inclusive of Education DCs), based on the square footage of container floor area;

WHEREAS, the City's DC Deferral Program has a minimum required balance of \$50,000 in order to apply to defer the City's DCs;

WHEREAS, the City's DC Deferral Program requires that a DC Deferral be registered on title as a mortgage, which is not possible for Dean Cartage Inc., as the property is leased;

WHEREAS, a building permit cannot be issued until the DCs have been paid in full; and,

WHEREAS, Dean Cartage Inc. is able to and agrees to pay 50% (\$18,183.20) inclusive of Education DCs, prior to building permit issuance;

THEREFORE, BE IT RESOLVED:

- (a) That the General Manager of Finance and Corporate Services be authorized and directed to enter into a 2-year Development Charge Deferral Agreement, between the City of Hamilton and Dean Cartage Inc., for the remaining \$18,183.20 City Development Charges with equal monthly instalments and interest calculated at the City's 5-year debenture rate plus 3.25%, with the May 2018 total being 5.86%; consistent with new Development Charge deferrals, with terms similar to that of the standard Development Charge Deferral template less the requirement of registration of a mortgage, in a form satisfactory to the City Solicitor;
- (b) That subject to a complete building permit application and other required building permit approvals, for Dean Cartage Inc. on the leased lands at 335 Dewitt Road, Stoney Creek, a building permit can be issued contingent upon the City's receipt of 50% of the assessed Development Charge amount of \$36,366.41, being \$18,183.20, inclusive of Education Development Charges; and,

- (c) That the Development Charge Deferral Agreement, between the City of Hamilton and Dean Cartage Inc., must be completed by both parties no later than August 1, 2018, otherwise the remaining balance of the Development Charges will be due immediately on August 2, 2018.

CARRIED

NOTICES OF MOTION

The following Notice of Motion remained a Notice of Motion:

8.1 Zoning of Residential Care Facilities

WHEREAS, Residential Care Facilities are permitted in the zoning by-laws of the former communities of Dundas, Flamborough, Glanbrook, Hamilton and Stoney Creek, but not in Ancaster;

WHEREAS, the City of Hamilton's consolidated Zoning By-law No. 05-200 permits residential care facilities in the rural, institutional and commercial/mixed used zones applied across the City of Hamilton Zoning;

WHEREAS, the last review of the zoning regulations and permissions for Residential Care Facilities occurred in 2001;

WHEREAS, the Urban Hamilton Official Plan policies permit and encourage Residential Care Facilities throughout the residential areas on the entire urban areas of Ancaster, Dundas, Hamilton, Flamborough, Glanbrook and Stoney Creek; and

WHEREAS, the City is currently in the process of updating the zoning by-law for the residential areas;

THEREFORE IT BE RESOLVED:

- (a) That staff be directed to review and report back to the Planning Committee on the current Residential Care Facilities zoning by-law permissions for all residential areas in the urban areas of the City;
- (b) That staff be directed to report back to the Planning Committee on the process for revising the regulations to harmonize the Residential Care Facilities zoning permissions to implement the Urban Hamilton Official Plan; and,
- (c) That staff be directed to report back to the Planning Committee on the process going forward, including community and stakeholder consultation, to update and harmonize the zoning by-law regulations for Residential Care Facilities.

8.2 Co-Sponsorship of FCM's Resolution Respecting Canadian Municipalities Supporting Local Economies in International Trade

Mayor Eisenberger introduced a Notice of Motion respecting Co-Sponsorship of FCM's Resolution Respecting Canadian Municipalities Supporting Local Economies in International Trade.

(Eisenberger/Farr)

That the rules of Order be waived to allow for the introduction of a Motion respecting Co-Sponsorship of FCM's Resolution Respecting Canadian Municipalities Supporting Local Economies in International Trade.

CARRIED

For disposition of this matter refer to Item 7.6.

8.3 Selection Process for the Election Compliance Audit Committee

Councillor Merulla introduced a Notice of Motion respecting the Selection Process for the Election Compliance Audit Committee.

(Merulla/B. Johnson)

That the Rules of Order be waived to allow for the introduction of a motion regarding the Selection Process for the Election Compliance Audit Committee.

CARRIED

For disposition of this matter refer to Item 7.7

8.4 To Waive the Requirement for Daylight Triangle Dedication for 107 MacNab Street North (SPA-18-046)

Councillor Farr introduced a Notice of Motion respecting a request To Waive the Requirement for Daylight Triangle Dedication for 107 MacNab Street North (SPA-18-046).

(Farr/Merulla)

That the Rules of Order be waived to allow for the introduction of a motion regarding To Waive the Requirement for Daylight Triangle Dedication for 107 MacNab Street North (SPA-18-046).

CARRIED

For disposition of this matter refer to Item 7.8

8.5 Development Charge Deferral Agreement for Dean Cartage Inc.

Councillor Pearson introduced a Notice of Motion respecting a Development Charge Deferral Agreement for Dean Cartage Inc.

(Pearson/Merulla)

That the Rules of Order be waived to allow for the introduction of a motion regarding a Development Charge Deferral Agreement for Dean Cartage Inc.

CARRIED

For disposition of this matter refer to Item 7.9

STATEMENTS BY MEMBERS

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

PRIVATE AND CONFIDENTIAL**(VanderBeek/Pearson)**

That Council move into Closed Session to discuss Item 10.1, 10.2, 10.3 and 10.4 pursuant to Section 8.1, Sub-sections (b), (e) and (f) of the City's Procedural By-law 14-300, Section 239(2), Sub-sections (b), (e) and (f), and Section 239(3)(b) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to personal matters about an identifiable individual, including City employees; litigation or potential litigation, including matters before administrative tribunals, affecting the City; the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman, appointed under the *Ombudsman Act*.

CARRIED**10.1 Selection Committee Report 18-005 - April 25, 2018****(Green/Collins)**

That Jacqueline Aird be appointed as the Citizen member of the Rental Housing Sub-committee for the remainder of the 2014-2018 Term of Council, or until such time as a successor is appointed, with the appointment commencing on May 10, 2018.

CARRIED**10.2 Ombudsman's Preliminary Report****(Pearson/Pasuta)**

That the Ombudsman's Preliminary Report, be received.

CARRIED**10.3 Ombudsman's Preliminary Report (CL18006 / LS18016) (City Wide)****(Pearson/Pasuta)**

That Report CL18006 / LS18016 – Ombudsman's Preliminary Report, be received and remain confidential.

CARRIED**10.4 Stadium Litigation Update (CM18011(a)/LS18015(a)) (City Wide)****(Pearson/Conley)**

That Report CM18011(a)/LS18015(a) including the recommendations contained therein respecting the Stadium Litigation remain confidential and not be released as a public document.

CARRIED

Councillors Whitehead and Skelly wished to be recorded as OPPOSED to the above motion.

BY-LAWS

(Pearson/B. Johnson)

That Bills No. 18-111 to No. 18-121, as presented, 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:

- 111** To Amend City of Hamilton By-law No. 07-170, Being a By-law to License and Regulate Various Businesses
Schedule 21 – Food Premises
Ward: City Wide
- 112** To Adopt Official Plan Amendment No. 102 to the Urban Hamilton Official Plan Respecting Downtown Hamilton Secondary Plan
Ward: 2, 3
- 113** To Adopt Official Plan Amendment No. 238 to the City of Hamilton Official Plan Respecting Downtown Hamilton Secondary Plan
Ward: 2, 3
- 114** To Amend Zoning By-law No. 05-200 Respecting Downtown Zones & New Utility (U2) Zone
Ward: 2, 3
- 115** To Amend Zoning By-law No. 05-200 Respecting Lands Located at 240 Butter Road West, Ancaster
ZAA-18-004
Ward: 12
- 116** To Authorize the Signing of a Municipal Funding Agreement for the Transfer of Main Street Revitalization Funds between the Association of Municipalities of Ontario and the City of Hamilton
Ward: City Wide
- 117** To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking
Schedule 8 (No Parking)
Schedule 12 (Permit Parking Zones)
Schedule 14 (Wheelchair Loading Zones)
Ward: 2, 3, 4, 5, 7, 13
- 118** Being a By-law to Permanently Close an unassumed portion of an Alley abutting 131 Ivon Avenue, Hamilton, Ontario, established by Registered Plan 534, City of Hamilton, designated as Part 1 on Reference Plan 62R-20706, being part of PIN 17265-0332 (LT); City of Hamilton
Ward: 4
- 119** To Amend Zoning By-law No. 3692-92 regarding 3 Shippee Avenue, Stoney Creek
ZAH-18-002
Ward: 11

120 Respecting Removal of Part Lot Control, Block 151, Registered Plan No. 62M-950
PLC-15-030
Ward: 11

121 To Confirm the Proceedings of City Council

CARRIED

(VanderBeek/Pasuta)

That, there being no further business, City Council be adjourned at 7:52 p.m.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger

Janet Pilon
Acting Clerk