



**Committee By-law**  
**By-Law Number 2010-205**

**“A By-Law To Define The Mandate And Meeting Procedures  
For Committees Established By The  
Corporation Of The City Of Kingston”**

City of Kingston

Updated: August 13, 2019

# City Of Kingston

## Ontario

### By-Law Number 2010-205

#### A By-Law To Define The Mandate And Meeting Procedures For Committees Established By The Corporation Of The City Of Kingston

Passed: October 5, 2010

#### As Amended By:

<b>By-Law Number:</b>	<b>Date Passed:</b>
By-law Number 2010-211	November 2, 2010
By-law Number 2011-6	December 21, 2010
By-law Number 2011-20	February 1, 2011
By-law Number 2011-33	March 1, 2011
By-law Number 2011-36	April 5, 2011
By-law Number 2011-44	April 19, 2011
By-law Number 2011-64	June 7, 2011
By-law Number 2011-88	July 19, 2011
By-law Number 2011-116	September 20, 2011
By-law Number 2011-132	November 1, 2011
By-law Number 2011-140	November 1, 2011
By-law Number 2012-70	April 17, 2012
By-law Number 2012-71	April 17, 2012
By-law Number 2012-96	June 19, 2012
By-law Number 2012-98	June 19, 2012
By-Law Number 2013-34	February 5, 2013
By-law Number 2013-90	April 23, 2013
By-Law Number 2013-95	April 11, 2013
By-law Number 2013-176	September 24, 2013
By-law Number 2014-38	February 18, 2014
By-law Number 2014-86	June 3, 2014
By-law Number 2014-119	July 16, 2014
By-law Number 2014-148	September 23, 2014
By-law Number 2015-121	August 11, 2015
By-law Number 2015-158	September 15, 2015
By-law Number 2016-3	December 1, 2015
By-law Number 2016-37	January 26, 2016
By-law Number 2016-67	March 1, 2016
By-law Number 2016-78	March 22, 2016
By-law Number 2016-96	May 17, 2016
By-Law Number 2017-121	June 20, 2017

By-Law Number 2017-155	September 5, 2017
By-Law Number 2017-204	October 17, 2017
By-Law Number 2018-22	December 19, 2017
By-Law Number 2018-108	June 26, 2018
By-Law Number 2019-102	August 13, 2019

### **Office Consolidation**

## Index

<b>Subject</b>	<b>Section</b>
Definitions	1.0
Policy For Creating, Amending Or Dissolving A Committee	2.0
Procedure	2.1
Creating a Committee	2.2
Amending A Committee and/or Its Mandate	2.3
Dissolving A Committee	2.4
Annual Report	2.5
General Provisions	2.6
Attendance	2.7
Absenteeism	2.8
Mayor as Ex-Officio Member of Committees	2.9
Criteria to Serve on Committee	2.10
Retention of Applications to Serve on Committees	2.11
Clauses Lost at Committee Meetings	2.12
Agenda	2.13
Motions on Committee Agendas	2.14
Public Participation at Committee Meetings	2.15
Election of Officers	2.16
Delegations to Standing Committees	2.17
Term of Appointment	3.0 & 3.1
Establishment of Sub-Committees	3.2
Duration of Citizen Appointments	3.3
Committee Composition	4.0
Standing Committees – Schedule “A”	5.0
Advisory Committee – Schedule “B”	6.0
Legislated Committees – Schedule “C”	7.0
Agencies and Boards with Council Appointees – Schedule “D”	8.0
Committees Reporting to Staff – Schedule “E”	9.0
Committee Reporting to a Committee – Schedule “F”	10.0
Special Purpose (Ad Hoc) Committees	11.0
Effect	12.0

<b>Name Of Committees/Boards</b>	<b>Page</b>
<b>Standing Committees</b>	
Schedule A-1 Administrative Policies Committee	16/17
Schedule A-2 Environment, Infrastructure and Transportation Policies Committee	18
Schedule A-3 Arts, Recreation & Community Policies Committee	19
Schedule A-4 Planning Committee	20
<b>Advisory Committees</b>	
Schedule B-1 repealed by By-law Number 2012-71	
Schedule B-2 The Kingston Environmental Advisory Forum (KEAF)	21/22/
Schedule B-3 Milton Cemetery Board	23
Schedule B-4 Heritage Kingston	24/25/26/27/28
Schedule B-5 Pine Grove Cemetery Board	29
Schedule B-6 Deleted as per By-Law 2013-90	
B7 Deleted by By-law 2016-3	
Schedule B-8 Municipal Accessibility Advisory Committee	30
Schedule B-9 Nomination Advisory Committee	31
Schedule B-10 Deleted as per By-Law 2013-90	
Schedule B-11 Deleted as per By-Law 2013-90	
Schedule B-12 Deleted as per By-Law 2014-119	
Schedule B-13 Rural Advisory Committee	32/33
Schedule B-14 deleted by By-law 2016-3	
Schedule B-15 Housing and Homelessness Advisory Committee	34/35
Schedule B-16 Deleted by By-Law 2014-148	
<b>Legislated Committees</b>	
Schedule C-1 Appeals Committee	36
Schedule C-2 Committee Of Adjustment	37
Schedule C-3 Taxi Commission	38
Schedule C-4 Court Of Revision – Municipal Act Requirements	39
Schedule C-5 Court Of Revision – Drainage Act Requirements	40
Schedule C-6 Kingston Election Compliance Audit Committee (2018-2022)	41/42/43

<b>Schedule D-1 Agencies And Boards With Council Appointees</b>	44/45
(Schedule E-1 repealed by By-law Number 2011-36)	
<b>Schedule F-1 - Advisory Committee Reporting To A Committee</b> Central Pittsburgh Drain Committee	46
<b>Schedule F-2 Advisory Committee Reporting To A Committee</b> Lemoine Point - Cataraqui Region Conservation Authority	47
<b>Schedule F-3 - Advisory Committee Reporting To A Committee</b> Arts Advisory Committee	48/49
<b>Schedule F-4 deleted by By-law 2011-116</b>	
<b>Schedule F-5 deleted by By-law 2016-3</b>	
<b>Schedule F-6 deleted by By-law 2016-3</b>	
<b>Schedule F-7 - Planning Advisory Working Group</b>	50/51

**City Of Kingston By-Law Number 2010-205**  
**A By-Law To Define The Mandate And Meeting Procedures For Committees**  
**Established By The Corporation Of The City Of Kingston**

**Passed:** October 5, 2010

**Whereas** By-law **2010-1**, '**Council Procedural By-law**' establishes the rules and procedures under which Council and Committees of Council are to operate; and,

**Whereas** Council has established committees that are comprised of both members of the public and members of Council;

**Now Therefore Be It Resolved That** the Council of The Corporation of the City of Kingston enacts as follows:

**1. Definitions:**

**Special Purpose (Ad Hoc) Committee**

A Committee established by Council for the purpose of dealing with a special project with a clear mandate and a start and finish date.

**Advisory Committee**

Means a committee established to provide advice to Council in accordance with the committee's Mandate/Terms of Reference.

**Committee**

A standing, advisory, legislated or ad hoc committee established by Council but does not include the Committee of the Whole.

**Standing Committee**

A committee of members of Council appointed by Council to consider policy matters with respect to regarding the committee's mandate.

**Sub-Committee/Working Group**

A committee/working group established by a standing, advisory or legislated committee and authorized by Council with a clear mandate that has a beginning and ending and reports directly to the creating standing, advisory or legislated committee.  
oc CommitteeHoc Committee

(2010-2015; 2016-3)

**2. Policy For Creating, Amending Or Dissolving A Committee**

**2.1 Procedure**

Council may create a new committee, amend an existing committee and/or its mandate/terms of reference, or dissolve an existing committee in accordance with the following sub-sections. A non-statutory advisory committee shall not extend beyond the term of Council unless the newly elected Council confirms by resolution the continuance of the committee.

## **2.2 Creating a Committee**

**Council may create a new committee in response to any of the following:**

- (a) Requirements of applicable legislation or regulation (Federal, Provincial or Municipal By-law);
- (b) Changing priorities;
- (c) To address significant public issues or trends;
- (d) Where public input is deemed desirable;
- (e) Recommendation and report by staff; and,
- (f) Any other reason deemed appropriate by Council.

**In creating a new committee, Council shall have regard for the following:**

- (a) Establishing a clearly defined mandate and terms of reference;
- (b) Membership and quorum requirements/qualifications;
- (c) Composition of the committee;
- (d) Alignment with the Corporate Strategic Plan, Sustainable Kingston Plan and Departmental goals and objectives;
- (e) The reporting relationship and frequency of progress reports;
- (f) Public and financial considerations;
- (g) Staff resources to be made available and the impacts on City Departments;
- (h) The need for any sub-committees/working groups; and,
- (i) Defined timeline for completion of the assigned tasks (i.e. sunset date).

## **2.3 Amending A Committee and/or Its Mandate**

Amendments to the mandate/terms of reference of a committee may be initiated by Council, by resolution of the committee or by a report and recommendation from staff. The following factors may be considered by Council when amending a committee's mandate/terms of reference:

- (a) Results of the committee's annual report which measures progress against fulfilling the mandate;
- (b) Impact of the change on the mandate/terms of reference;
- (c) Continued relevance of the committee's purpose and/or function;
- (d) The degree of public interest;
- (e) Changes to the applicable legislation or regulations;
- (f) Changing Council priorities or new issues at Council;
- (g) Cost analysis and required resources; and,
- (h) Committee sunset date.

## **2.4 Dissolving A Committee**

**The dissolving of a committee may be triggered by any one of the following:**

- (a) Expiration of the committee term;
- (b) Completion of the committee's task or mandate;
- (c) Effectiveness of the committee's operations (e.g. frequency of meetings, amount of committee business, number of cancelled meetings);
- (d) Resolution of the issues that led to the creation of the Committee;

## **2.4 Dissolving A Committee cont'd**

- (e) The legislative requirement for the committee no longer exists;
- (f) Merger with another committee;



- (g) Results of the committee's annual report which measures progress against fulfilling the mandate;
- (h) Changing Council priorities;
- (i) Recommendation by the committee by resolution; and,
- (j) Report and recommendation by staff.

All committees created by Council will be formally dissolved by a Council resolution that is implemented through amendments to this By-law as necessary.

## **2.5 Annual Report**

The mandate/terms of reference for a new or existing committee shall include the requirement that the committee report to Council annually before May 31 each year, either directly or through the appropriate Standing Committee, respecting the following matters:

- a concise summary of the activities and accomplishments of the committee during the current year;
- a summary of the committee's focus areas for the following year, said focus areas to be aligned with Council's term priorities and objectives;
- the activities of any sub-committees/working groups during the current year;
- requests for authorization for the continuation of any active sub-committees/working groups together with a summary of their future focus areas; and,
- any recommendations respecting proposed changes to the committee's structure, composition or mandate/terms of reference.

The Annual Report shall provide a clear and concise summary of the Committee's activities and future focus areas and shall be limited to a maximum of three pages."

## **2.6 General Provisions**

Except as otherwise provided for in this by-law, all Committees must conform to the rules governing the procedures of a meeting of Council as outlined in the 'Council Procedural By-Law'.

The rules of procedure outlined in the 'Council Procedural By-Law' can be suspended by a majority affirmative vote of the members of a Committee who are present and voting.

The rules of this By-Law can be suspended by a majority affirmative vote of the members of a Committee (excluding the Committee of the Whole) who are present and voting.

## 2.7 Attendance

The Committee Clerk will record the attendance of members in the minutes of the meeting.

## 2.8 Absenteeism

- a) If a member of a Committee is absent for three (3) consecutive meetings without cause acceptable to the Committee, the absences will be brought to the attention of the City Clerk by the Committee Clerk who supports the Committee.
- b) The City Clerk will contact the absent committee member to discuss the reasons for absenteeism and to determine whether the member wishes to provide a letter of resignation.
- c) Upon confirmation that the member will no longer be serving on the Committee, the City Clerk will notify Council of the vacancy and the need for a replacement. If a member indicates the desire to continue to serve on the Committee, the member will be advised that attendance is required or the member will be removed from the Committee.
- d) Any member of a Committee who is absent for more than fifty per cent (50%) of the meetings since their term of appointment will not be eligible for reappointment. A member of a committee of council who intends to leave a meeting before the meeting is adjourned must inform the Chair of this intention either at the start of the meeting or prior to leaving.

## 2.9 Mayor as Ex-Officio Member of Committees

- a) The Mayor of the Council is *ex officio* a member of every Committee;
- b) Where a Committee is established by reference to a particular number of members without specifically providing for the membership of the Mayor of the Council, such number is automatically increased by one, being the Mayor of the Council, as provided under (a) above, when the Mayor is present, and all members of the Committee are present.

In those instances when all members are not present, the Mayor's attendance replaces an absent member and the membership number is not automatically increased by one.

- c) The Mayor is able to participate in the business of the Committee without any restriction including voting. Members of Council are able to attend and participate at any meeting. Only members of Council who have been appointed to a Committee are entitled to vote.

## **2.10 Criteria to Serve on Committee**

Citizen appointees to committees listed in this By-law, excluding technical representatives must be at least 18 years or older, a resident/business owner in the City of Kingston, and be one of the following:

- Canadian Citizen, or
- Permanent Resident, a person who has been given permanent resident status by immigrating to Canada but is not a Canadian Citizen, and has resided in Kingston for at least one year.

Appointees must maintain residence in the City of Kingston for the duration of their term.

All appointments made to agencies, boards and commissions listed in Schedule D must be made in accordance with the rules established by their governing body. In accordance with the Public Libraries Act, for the Kingston Frontenac Public Library Board, and The Kingston Economic Development Corporation (KEDCO) By-law 1, appointees to these boards must be citizens of Canada.

(By-Law 2010-205; By-Law 2015-121)

## **2.11 Retention of Applications to Serve on Committees**

Applications from volunteers who are not appointed during the regular appointment process will be kept on file in the office of the City Clerk for a period of one year from the date of submission. If a vacancy occurs on a Committee within one year, the applicants who applied to serve on that Committee and were not appointed will be contacted and asked if they are still interested in serving. Names of those who continue to have an interest to serve on the Committee will be submitted to the Nominations Advisory Committee for consideration to fill the vacancy. The Clerks Office will also re-advertise the vacancy in the newspaper.

## **2.12 Clauses Lost at Committee Meetings**

- (a) Items rejected by any Committee must be reported to Council with a "negative recommendation", allowing Council the opportunity to discuss the item.
- (b) Motions that result in a tied vote at a Committee must be reported to Council or to the appropriate Committee to which it reports, as determined by the By-Law, with no recommendation to allow Council the opportunity to discuss and make a decision.

### **2.13 Agenda**

**The Agenda of every committee will be structured as follows:**

- 1) Meeting to Order
- 2) Approval of the Agenda
- 3) Confirmation of Minutes
- 4) Disclosure of Pecuniary Interest
- 5) Delegations
- 6) Briefings
- 7) Business
- 8) Motions
- 9) Notices of Motion
- 10) Other Business
- 11) Correspondence
- 12) Date of Next Meeting
- 13) Adjournment

In accordance with requirements for public notice, transparency and disclosure, new substantive items should not be introduced on the Agenda under Other Business.

### **2.14 Motions on Committee Agendas**

Motions introducing new policy or procedure matters must be in the hands of the Clerk by 12:00 noon one week prior to the regular Committee meeting for inclusion in the Orders of the Day.

### **2.15 Public Participation at Committee Meetings**

At Committee meetings that are open to the public, following the introduction of an agenda item and receiving comments from staff with questions from committee members and members of the public, as appropriate, the Chair will ask if a motion is forthcoming. Once a motion has been introduced members of the committee may speak to the motion. Following the members' discussion, the Chair may invite members of the public to share their comments, views, suggestions and opinions. Prior to calling the question the Chair has discretion to give the public another opportunity to speak. The Committee will then conclude its deliberations and decide on the motion.

### **2.16 Election of Officers**

Each Committee will meet as soon as possible after the day of the inaugural meeting of Council and/or in December each subsequent calendar year to formulate its recommendations about a Chair and Vice-Chair from its membership for a term commencing December 1<sup>st</sup> and terminating November 30<sup>th</sup> or until a successor is appointed. For the purpose of clarity, a member of the Committee who served as Committee Chair or Vice Chair may be reappointed as Committee Chair or Vice Chair.

### **2.17 Delegations to Standing Committees**

A maximum of five delegations shall be permitted to appear before Standing Committees; it being understood that a maximum of three delegations must speak to action items included on the agenda and a maximum of two delegations must speak to policy matters that are not included in the Standing Committee Agenda. Delegations who are speaking to items that are not included in the agenda, must register with the Clerks Department by noon the Thursday prior to the Standing Committee meeting.

### **3. Term of Appointment**

- 3.1** (a) In those instances where the appointments to a Committee are to be staggered over the term of Council, the committee will be asked to establish what members will serve for the staggered term and advise Council accordingly. Council must, by resolution, confirm the term of the appointments as recommended by the Committee.
- (b) Committee members will continue to serve on a committee past the expiration of their term until they are replaced. All Council membership on all Committees end on November 30 of a municipal election year.
- (c) Terms of office and membership on some external boards / commissions / authorities or quasi-judicial committees must be in accordance with this By-Law unless the term of office is established under statute or legislation.

### **3.2 Establishment of Sub-Committees/Working Groups**

If it is the desire of the majority of a Committee to establish a Sub-Committee/Working Group, a recommendation must be made to Council, either directly or through the appropriate Committee for approval of the creation of the Sub-Committee/Working Group.

**Included with the recommendation for the establishment of the Sub-Committee/Working Group must be information with respect to:**

- a) the Sub-Committee/Working Group mandate/terms of reference;
- b) the number of members;
- c) the composition of membership, including members of the public and staff, if applicable, and how members are to be recruited;
- d) the reporting structure;
- e) the staff and other resources to be made available; and,
- f) a start and finish date.

A Sub-Committee/Working Group may also be appointed directly by Council. Sub-Committee/Working Group authorizations must be reviewed annually by Council.

(By-law 2010-205; 2016-3)

### **3.3 Duration of Citizen Appointments**

- a) Members of the public will be eligible to serve for a maximum of six consecutive years on the same committee;
- b) Members of the public are required to take at least one year absence after serving on the same committee for six years; after the one year absence, the member of the public is eligible to re-apply to serve on the former committee. On the recommendation of the Nominations Advisory Committee, a member of the public may, upon application, be appointed beyond six years if there are compelling reasons;
- c) During the one year absence from a committee, a member of the public may apply to serve on a different committee;
- d) A member of the public, who has been appointed to replace a committee member and is filling a partially completed term, will be appointed for the balance of that member's term; the new member is eligible to apply for re-appointment for a maximum of six consecutive years.
- e) Renewed membership on a committee is not automatic, any member of the public who wishes to serve for an additional term must submit the approved application form or provide a letter which includes the necessary information in order to be considered for re-appointment;

### **4. Committee Composition**

#### **5. Standing Committees – Schedule 'A'**

- 5.1** The composition and terms of reference for Standing Committees established by the City of Kingston are in accordance with Schedule "A", attached hereto and forming a part of this By-Law.
- 5.2** It is the responsibility of the Standing Committees to report to Council on all matters connected with their duties or referred to them by the Council and to recommend such action as they deem necessary.

#### **6. Advisory Committees – Schedule 'B'**

- 6.1** The composition and terms of reference for Advisory Committees are in accordance with Schedule "B", attached hereto and forming a part of this By-Law.

#### **7. Legislated Committees – Schedule 'C'**

- 7.1** The composition and terms of reference for Legislated Committees are in accordance with Schedule "C", attached hereto and forming a part of this By-Law.

**8. Agencies and Boards with Council Appointees – Schedule 'D'**

**8.1** The Committees to which Council makes appointments, but are not Committees of Council, is included in Schedule 'D'. These Committees are bound by the rules established by their governing body.

**9. Committees Reporting to Staff – Schedule 'E'**

**9.1** The composition and terms of reference for Ad-Hoc Committees are in accordance with Schedule "E", attached hereto and forming a part of this By-Law.

**10. Committees Reporting to a Committee – Schedule 'F'**

**10.1** The composition and terms of reference for Committees that report to a Committee are in accordance with Schedule "F".

**11. Special Purpose (Ad Hoc) Committees**

**11.1** Council may establish Special Purpose (Ad Hoc) Committees for special projects, upon the recommendation of Council, Committee of the Whole or staff.

**11.2 A Special Purpose (Ad Hoc) Committee must have a clear mandate and well-defined terms of reference that must include:**

- a) the Committee's mandate/terms of reference;
- b) the number of members;
- c) the composition of membership, including members of staff, if applicable;
- d) reporting relationships;
- e) staff and other resources to be made available; and,
- f) a start and finish date.

**11.3** When Council decides to include members of the public on a Special Purpose (Ad Hoc) Committee, the Clerk will place an advertisement in a local newspaper inviting members of the public to apply to be a member of the Committee.

**11.4** Any member of Council may attend and participate in meetings of a Special Purpose (Ad Hoc) Committee, but may not vote.

(By-law 2010-205; 2016-3)

**12. Effect**

**12.1** This By-Law will come into force and take effect on the date of its passing.

(By-law 2010-205; 2016-3)

**Schedule A-1 – Standing Committees****Committee Name: Administrative Policies Committee****Reporting To:** Council**Composition (As Appointed by Council):** Six (6) members of Council**Term of Appointment:** Annually**Mandate/Terms Of Reference:** The Committee shall study and report to Council on policy matters which include, but are not limited to issues related to:

- Accounting; audits; purchasing, including tenders, requests for information and requests for proposals; financial policy; tax collection;
- Delegated the responsibility of public meetings in accordance with Municipal Act requirements with respect to applications for cancellation, reduction or refund of taxes as permitted under Section 357, Subsection 1, of the Municipal Act, and following the public meetings shall make recommendations to Council with regard to the proposed cancellations, reductions and/or refunds; (Note: budget process and approvals are dealt with at Committee of the Whole, not Administrative Policy)
- City owned property/facility maintenance – asset management; city owned property, including the acquisition, disposal and leasing; fleet, including the acquisition, disposition and usage; staff accommodation; industrial land sales; museums; theatres; Recreation including facilities arenas; community centres golf courses, marinas, parks, pools;
- Naming of City-owned assets (excluding streets)
- External Customer Service, including cashiering; telephony; electronic service delivery; vital statistics;
- Human resources, including salary administration; labour relations; employee development; workplace health; payroll and benefits;
- Strategic Planning
- Economic Development;
- Internal Customer Service including information technology, Geographic Information Systems; printing technology; legal services; records management; archiving systems;
- Provincial Offences, including collection;
- Corporate Communications; public relations and media relations;
- Business processes, including performance measurement;
- Web design and maintenance
- Licensing, including enforcement



**Administrative Policies Committee cont'd**

- Service review and performance management
- Rideaucrest Home Committee of Management, as identified in the Long Term Care Act
- Accessibility
- General By-Law Enforcement
- Health and Safety

-and further-

To consider such similar matters as may be directed by Council, or referred by the City Clerk from time to time.

**Schedule A-2 – Standing Committees**

**Committee Name:** Environment, Infrastructure And Transportation Policies Committee

**Reporting To:** Council

**Composition (As Appointed by Council):** Six (6) members of Council

**Terms of Appointment:** Annually

**Mandate/Terms of Reference:** The Committee shall study and report to Council on policy matters which include, but are not limited to issues related to:

- Environmental Issues, including Brownfields; LEED program; household hazardous waste; Partners in Climate Protection
- Transportation, including airport; public transit, bicycling, including paths; bridges and structures;
- Energy Supply including conservation; potential energy sources; gas;
- Engineering;
- Sewers and sewage treatment plant, and groundwater;
- Parking, including revenue, parking lots and meters;
- Roads and streets, including design and construction; sidewalks, including maintenance; signalization;
- Snow Removal;
- Utilities including water; storm water management;
- Solid Waste, including Collection and Disposal; recycling; waste management;
- Delegated the responsibility of public meetings in accordance with the Municipal Act, 2001 – Ontario Regulation 244/02(12) regarding the by-law for imposing fees or charges for the use of a waste management system and following public meetings shall make recommendations to Council with regard to fees and charges.

-and further-

To consider such similar matters as may be directed by Council, or referred by the City Clerk from time to time.

(By-law Number 2010-205)

**Schedule A-3 - Standing Committees**

**Committee Name: Arts Recreation & Community Policies Committee**

**Reporting To:** Council

**Composition (As Appointed by Council):** Six (6) members of Council

**Term of Appointment:** Annually

**Mandate/Terms Of Reference:** The Committee shall study and report to Council on policy matters which include, but are not limited to issues related to:

- Accessibility;
- Animal Control, including enforcement;
- Culture, History and the Arts, including community cultural development and cultural vitality;
- Community Programs including recreation; cultural programs and special events; health & safety; social services; school crossing guards; policing;
- Day Care
- Cemeteries;
- Community grant programs,
- Emergency planning; community health and safety
- Fire services
- General By-Law Enforcement
- Health & safety
- Social Housing, including seniors and nursing homes;
- Social services; including Ontario Works, Children's Services and programs
- Long term residential care and seniors' issues

-and further-

To consider such similar matters as may be directed by Council, or referred by the City Clerk from time to time.

(By-law Number 2010-205; 2013-90)

**Schedule A-4 – Standing Committees****Committee Name: Planning Committee****Reporting To:** Council**Composition (As Appointed by Council):**

Five (5) members of Council for a term expiring November 30, 2018 after which time the membership shall be six (6) members of Council.

**Term of Appointment:** Annually

**Mandate/Terms of Reference:** The Committee's role is to study and report to Council on land use policy matters and applications submitted pursuant to the Planning Act which include, but are not limited to issues related to:

- Land and property development including condominium conversion; development approvals; official plan amendments; zone change amendments;
- Downtown Action Plan
- Land Use Policies (Official Plan and 5 year reviews, urban design guidelines / studies, community improvement plans, interim control by-laws / studies)
- Heritage Planning
- Land Use Policies
- Long-term planning studies, such as Pathways, Transportation, Urban Growth, Population, Natural Heritage, Archaeology
- Consolidated Zoning by-Law
- Planning Fees
- Draft Plans of Subdivision / Condominium
- Delegated the responsibility to hold public open houses / meetings pursuant to the Planning Act
- Site Plan Control approvals and Agreements when required
- Brownfields (Community Improvement Project Plans / Program Administration
- Street naming and renaming and civic addressing
- Final Subdivision / Condominium Approvals and Agreements, when required  
-and further-

To consider and provide advice on such similar matters affecting the City of Kingston Planning Area as may be directed by Council, or referred by the City Clerk from time to time.

(By-law Number 2010-205; 2018-22)

**(Note: Schedule B-1 repealed by By-law Number 2012-71)**

## Schedule B-2 - Advisory Committees

**Committee Name:** The Kingston Environmental Advisory Forum (KEAF)

**Reporting To:** Environment, Infrastructure and Transportation Policies Committee

**Composition (As Appointed by Council):**

Two (2) members of Council (one of whom is a member on the Environment, Infrastructure and Transportation Policies Committee);

Eight (8) public representatives; the six-year appointment limit that applies to Committee members does not apply to Technical Committee Representatives.

Six (6) technical representatives as follows:

One (1) representative nominated by Queen's University

One (1) representative nominated by Royal Military College of Canada

One (1) representative nominated by St. Lawrence College

One (1) representative nominated by the Cataraqui Region Conservation Authority

One (1) representative nominated by the Kingston, Frontenac, Lennox & Addington Health Unit

One (1) representative nominated by the Ministry of the Environment and Climate Change.

**Term of Appointment:** Term of Council;

**Mandate/Terms of Reference:**

The purpose of the forum is to draw on knowledge within the Kingston community to provide advice and information to City Council, City staff and the public when requested to do so. The Forum will bring together experts in environmental matters from community institutions, authorities and practitioners, and representatives of the public to collaborate, on a volunteer basis, on specific projects designed to support the environmental aspects of City Council's strategic priorities and related community plans.

Additionally KEAF will work to provide advice and information to Council and the public through the compilation and provision of an annual state of the environment report that reports on various measures of local environmental performance, examines trends in performance and provides commentary on challenges and opportunities to prevent the degradation of and to restore and sustain our environmental assets.

The Kingston Environmental Advisory Forum shall meet bi-monthly. The mandate of the Kingston Environmental Advisory Forum is an advisory one. The Committee may, when requested to do so by Council or within the context of preparing an annual environmental report:

- a) Assist and advise on environmental aspects of Council strategic priorities;
- b) Assist and advise on environmental issues, action plans or policies;
- c) Identify and prioritize important and emerging environmental issues through stakeholder consultation, research and systematic analysis;

**Working Groups:**

Council may authorize creation of temporary "ad-hoc" working groups on certain specific subject matters related to duties as approved by Council in association with other municipal committees, other organizations and members of the public. Ad-hoc working group terms shall be created to align with the completion of requested advice. KEAF shall not establish standing working groups.

**Annual Report:**

The Kingston Environmental Advisory Forum must submit an Annual Environmental Report to Council, on or before June 30 each year, through the Environment, Infrastructure and Transportation Policies Committee with respect to the matters outlined in Section 2.5 of this By-law.

(By-law Number 2010-205; 2011-6; 2013-176; 2016-3; 2016-37; 2016-96; 2019-102)

**Schedule B-3 – Advisory Committees**

**Committee Name:** Milton Cemetery Board

**Reporting To:** Council

**Composition (As Appointed by Council):**

3 residents in the neighbourhood

**Term of Appointment:** Term of Council

**Mandate/Terms of Reference:**

Manage the affairs of the cemetery as denoted in the original grant from Captain Milton.  
Monitor the cemetery grounds in order to resolve maintenance issues.  
Provide advice to Council regarding any proposed long-term maintenance of the cemetery property.

## Schedule B-4 – Advisory Committees

### **Committee Name: Heritage Kingston**

The mandate and activities of Heritage Kingston will address the broad array of issues, opportunities and projects related to Kingston's cultural heritage and lead by example in terms of responsible stewardship. By definition, cultural heritage includes a combination of tangible, intangible and natural resources and it is the responsibility of Heritage Kingston to apply its knowledge and expertise in all these areas. Heritage Kingston is also appointed in accordance with the *Ontario Heritage Act* that provides a framework within which municipalities can ensure the conservation of properties of cultural heritage value or interest. In all matters, Heritage Kingston's role is advisory and consultative and is involved in educating and informing the community about matters related to Kingston's cultural heritage.

### **Composition (As Appointed by Council):**

Two (2) members of City Council (appointed annually).

Nine (9) members of the public that represent a balanced cross-section of local interests and perspectives and that demonstrate an understanding and appreciation of Kingston's cultural heritage resources.

Accordingly, Heritage Kingston's membership should possess a diversity of skills, experience and qualifications including:

- Cultural heritage, local history and historical research (prioritized);
- Architectural history (prioritized);
- Architectural heritage conservation approaches and trades-work (prioritized);
- Land use planning policies and regulations and/or familiarity with the Ontario Heritage Act;
- Museum policy development, collections development and management (prioritized);
- Community engagement strategies and techniques;
- Effective marketing strategies and approaches; and
- Cultural tourism"

The foregoing skills, experience and qualifications shall be considered during the nomination process and be represented on Heritage Kingston in a balanced manner.

**Term of Appointment:** Staggered term of two to four years

**Meetings:** Heritage Kingston shall meet monthly. The day and time of the meeting shall be established by Heritage Kingston. Additional meetings may be called by the Chair as necessary.



**Schedule B-4 – Advisory Committees cont'd****Mandate/Terms of Reference:**

1. **General:** Council shall consult with Heritage Kingston on matters as required either by the *Ontario Heritage Act*, as specified through the passing of a By-law, the City's Official Plan, By-law Number 2013-141, A Procedural By-law for Heritage, or as set out in this Mandate / Terms of Reference. All final decisions rest with Council except where Council has delegated approval authority to staff or to Heritage Kingston.
2. **Scope of Activities - Statutory:** Council shall consult with Heritage Kingston on the following activities which are authorized by the provisions of the *Ontario Heritage Act*:
  - a. Identification of built heritage resources by undertaking ongoing research and evaluation of properties and areas for protection under the *Ontario Heritage Act*; and making recommendations for updates to the municipal register of heritage properties respecting properties listed in accordance with Council direction.
  - b. Protection of built heritage resources through recommendations respecting properties of significant cultural heritage value or interest to be protected by designation in accordance with the Council direction; content of the Designation By-law in accordance with the requirements of the *Ontario Heritage Act*, amendments to, or requests to repeal all, or part of, a Heritage Designation By-law; and By-laws to establish easements or covenants with owners of real property for conserving properties of cultural heritage value or interest.
  - c. Designation of Heritage Conservation Districts – make recommendations to define a study area for a future Heritage Conservation District as well as the approval of a Heritage Conservation District Plan.
  - d. Alterations or Demolitions – make recommendations regarding applications to alter (where the application is likely to affect the property's heritage attributes as set out in the Designation By-law) or demolish affecting Part IV designated heritage properties or applications to demolish or remove any building or structure on property within a Heritage Conservation District.
3. **Provide Input on Land Use Planning Applications and Proposals:** Provide advice to the land use planning process where cultural heritage resources are located on or adjacent to properties that are the subject of development applications, including, but not limited to, amendments to the official plan and zoning by-laws, plans of subdivision, minor variance applications, consent applications filed concurrently with a minor variance application, and site plan control review.

**Schedule B-4 – Advisory Committees cont'd**

4. **Scope of Activities – Museums and Civic Collection:** The City of Kingston is responsible for managing the MacLachlan Woodworking Museum, the Pump House Steam Museum, Kingston City Hall National Historic Site and a sizeable civic collection. They exist as part of a larger network of museums in Kingston and, in that context, Heritage Kingston shall provide advice to Council regarding the two City-owned museums, Kingston City Hall National Historic Site, the civic collection and the museums sector as a whole in accordance with the following:
  - a. Heritage Kingston will act as the City's Museums Advisory Committee and will provide advice, demonstrate leadership and serve as an avenue of communication to Council regarding the two City-owned museums, Kingston City Hall National Historic Site and the civic collection as well as stakeholders with a vested interest in the City's history and museums and other related cultural heritage resources;
  - b. Heritage Kingston will advise Council on civic collections management, and collections development and related policies, collections acquisitions and de-accessions, and other collections-based matters;
  - c. Heritage Kingston will seek to enhance the role of Kingston's museums within the community and will advise Council as to current best practices, issues of concern and the overall state of the museums sector.
5. **Scope of Activities – Policy Development / Implementation –** Heritage Kingston will provide advice related to the development, implementation and/or review of policy respecting:
  - a. The City of Kingston Official Plan;
  - b. Council's Strategic Priorities;
  - c. The Kingston Culture Plan;
  - d. The Integrated Cultural Heritage and Cultural Tourism Strategy;
  - e. The Kingston Commemoration Policy;
  - f. The incorporation of accessibility issues into heritage buildings and structures;
  - g. The creation and review of a framework and policy for collecting, narrating, and commemorating the Kingston story;
  - h. The development of municipal heritage conservation guidelines and significance criteria, and municipal heritage policies, plans and programs.

**Schedule B-4 – Advisory Committees cont'd**

6. **Scope of Activities – Cultural Heritage and Public Education:**  
Heritage Kingston will promote community understanding, appreciation of and pride in local history by:
- a. Championing all aspects of Kingston's cultural heritage resources, tangible, intangible and natural;
  - b. Developing working relationships with owners of heritage designated properties through such means as the resources available at the Heritage Resource Centre;
  - c. Communicating with the general public as well as the Frontenac Heritage Foundation, Kingston Historical Society, Kingston Association of Museums, Art Galleries and Historic Sites (KAM) and other like groups to promote Kingston's cultural heritage;
  - d. Informing the development of frameworks and policies that can be used to interpret Kingston's cultural heritage;
  - e. Developing educational materials that promote Kingston's cultural heritage and contributing to the development of new content/display materials for the Heritage Resource Centre.
7. **Working Groups:** Council may authorize creation of temporary Working Groups on certain specific subject matters related to duties as approved by Council in association with other municipal committees, other organizations and members of the public. Working Group authorizations shall be reviewed annually.

The following three Working Groups are deemed necessary to assist Heritage Kingston in fulfilling its Mandate/Terms of Reference:

**Heritage Properties Working Group:** This Working Group shall be primarily responsible for researching information to support the designation of properties under the Ontario Heritage Act or the listing of properties on the City's Heritage Properties Registry. This Working Group will also support owners of heritage properties through information sharing and education.

**Cultural Heritage Working Group:** This Working Group shall provide reports and make recommendations to Heritage Kingston respecting the following matters:

- Champion all aspects of Kingston's cultural heritage - including natural, tangible and intangible elements – with a particular emphasis on intangible elements;
- Promote Kingston's cultural heritage through initiatives that align with the City's strategic priorities and the Official Plan as well as the recommendations of the Kingston Culture Plan and the Integrated Cultural Heritage and Cultural Tourism Strategy;

**Schedule B-4 – Advisory Committees cont'd**

- Support the implementation of other relevant policies such as the Kingston Commemoration Policy;
- Develop educational materials and contribute to the development of new content/display materials for the Heritage Resource Centre to support community awareness and appreciation of Kingston's cultural heritage;
- Provide input related to the City of Kingston Heritage Fund.

**Heritage Assets Working Group:** This Working Group shall provide reports and make recommendations to Heritage Kingston with respect to the following:

- Address issues that impact the City-owned museums, including the fulfillment of museum standards for the purposes of CMOG Grants;
  - Support the development and implementation of comprehensive Collections Management and Collections Development Plans for the civic collection as a whole housed, in part, within the Pump House Steam Museum, MacLachlan Woodworking Museum and City Hall National Historic Site, including recommendations for acquisitions or de-accessions;
  - Enhance the role of Kingston's museums and other heritage assets within the community.
8. **Annual Report:** Heritage Kingston must submit an Annual Report to Council, on or before May 31 each year, with respect to the matters outlined in Section 2.5 of this By-law.

(By-law Number 2010-205; 2016-3; 2016-67; 2016-78)

### **Schedule B-5 – Advisory Committees**

**Committee Name:** Pine Grove Cemetery Board

**Reporting To:** Council

**Composition (As Appointed by Council):**

3 residents in the neighbourhood  
District 1 Councillor

**Term of Appointment:** Term of Council

**Mandate/Terms of Reference:**

- Make recommendations to Council regarding the operations of the cemetery.
- Review rates and fees for services provided at the cemetery as set out in By-Law 99-280, being a by-law to provide for the maintenance, management, and control of Pine Grove Cemetery, as may be amended, from time to time.

(By-law Number 2010-205)

**(Note: Schedule B-6 repealed by By-law Number 2013-90; B-7 Deleted by By-law Number 2016-3)**

### **Schedule B-8 – Advisory Committees**

**Committee Name:** Municipal Accessibility Advisory Committee

**Reporting To:** Council – established under provisions of Ontarians with Disabilities Act

**Composition (As Appointed by Council):**

One (1) member of Council;  
Fifteen (15) members of the public, including individuals with disabilities.

**Term of Appointment:** staggered one and two-year appointments;

**Mandate/Terms of Reference:**

As outlined in the Ontarians with Disabilities Act:

- Advise Council in each year about the preparation, implementation and effectiveness of its Accessibility Plan; the first version of the plan which is to be developed by staff by September 30, 2003;
- Review in a timely manner the site plans and drawings described in Section 41 of the Planning Act that the Committee selects and provide advice to the Manager of Planning;
- Provide advice to Council on the accessibility for persons with disabilities to a building, structure or premise, or part of a building, structure or premise that council purchases, constructs or significantly renovates; or for which Council enters into a new lease; or that a person provides as municipal capital facilities under an agreement entered into by the Council, in accordance with Section 210.1 of the Municipal Act;
- Provide advice to Council regarding the City's purchase of goods or services through the City's procurement process for the use of the City, its employees or the public in order to assist Council to meet its obligation to have regard to the accessibility for persons with disabilities to the goods and services;
- Consult with and advise staff and Council regarding accessibility issues as requested;
- Perform all other functions that may be specified in the Regulations.

(By-law Number 2010-205)

### **Schedule B-9 – Advisory Committees**

**Committee Name:** Nomination Advisory Committee

**Reporting To:** Council

**Composition (As Appointed by Council):**

Six (6) members of Council;

**Term of Appointment:** Annually

**Mandate/Terms of Reference:**

- The Nominations Advisory Committee makes recommendations to Council regarding the appointment of members of the public to all external and internal Committees. They receive and review all applications from members of the public and Council who wish to serve on Committees.

(By-law Number 2010-205; 2011-6)

**(Note: Schedule B-10 & Schedule B-11 repealed by By-law Number 2013-90  
Schedule B-12 repealed by By-law Number 2014-119)**

### **Schedule B-13 – Advisory Committees**

**Committee Name:** Rural Advisory Committee

**Reporting To:** Council

**Composition (As Appointed by Council):**

Membership from outside the urban boundary identified in schedule 2 of the official Plan:

- a) two rural residential representatives
- b) two rural agricultural representatives
- c) one rural-business (farm or non-farm) representative
- d) two city councillors

**Term of Appointment:**

To expire with the 2010-2014 term of Council or until such time as successors are appointed

**Mandate/Terms Of Reference:**

The mandate of this committee is to represent the interests of Kingston's rural residents, as they relate to residential, agricultural and rural-business matters, specifically:

1. To serve as a forum for public discussion to examine issues of interest or impact to the rural community, including but not limited to:
  - a. municipal services/infrastructure
  - b. use of private and/or public land
  - c. environmental issues
  - d. socio-economic matters
  - e. wildlife management
  - f. transportation and utility corridors
  - g. snowmobile and ATV use
  - h. hunting and firearms
  - i. trails and private property
  - j. emergency services, access to health and social services and service delivery in rural areas
  - k. proposed or existing federal or provincial legislation, policies and programs
2. To provide input and advice as required , through Council or a standing committee of Council on issues of interest or impact to the rural community, including but not limited to:
  - a. municipal studies, plans, by-laws and proposed projects that may have a potential rural implication
  - b. development of policies and programs
  - c. municipal economic strategies



**Rural Advisory Committee cont'd**

- d. implementation of federal and provincial legislation and programs
  - e. potential funding opportunities
  - f. strategies to improve the delivery of municipal services, programs and information and ways in which these strategies can meet the needs of rural residents
  - g. rural land stewardship programs or proposed projects of the city, community groups or other agencies
3. Review and recommend appropriate means and methods of communication, including information sessions, public meetings or other to communicate City information to rural residents and promote two-way communication between rural residents and the city.

**Annual Report**

The Rural Advisory Committee must submit an Annual Report to Council, on or before May 31 each year, with respect to the matters outlined in Section 2.5 of this By-law.

**Schedule of Meetings:** This committee will meet on a quarterly basis or at the call of the chair.

(By-law Number 2010-205; 2011-64; 2016-3)

**Schedule B-14 was deleted**

### **Schedule B-15 – Advisory Committees**

**Committee Name:** Housing and Homelessness Advisory Committee

**Reporting To:** Arts, Recreation and Community Policies Committee

**Composition (as appointed by Council):**

- 2 members of City of Kingston Council
- 1 representative from the County of Frontenac
- 1 representative from Kingston Home Builders Association (KHBA)
- 1 representative from the Kingston Not for Profit Housing Association
- 1 representative from homelessness service providers (involved with Community Advisory Board on Homelessness)
- 1 representative from the Community Leadership Committee (as established by United Way KFLA)
- 1 tenant of social/affordable housing services
- 2 members of the public at large

**Term of Appointment:**

All representatives to be appointed for two year terms.

**Meetings:**

This Committee will meet quarterly. Additional meetings may be called by the Chair as necessary.

**Mandate/Terms of Reference:**

- Members of the Committee will work to ensure that there is a comprehensive understanding of housing, affordable housing and homelessness issues, initiatives and developments, with a mandate to:
- Provide advice to Council on housing, publicly assisted affordable housing and homelessness policies;
- Provide advice regarding the implementation of the Municipal Housing Strategy, Homelessness Plan and other municipal housing strategies, policies and directives;
- Provide information and input on housing matters as related to poverty reduction through the appointment of one member of the Housing and Homelessness Advisory Committee to the Poverty Reduction Group, for a term of two years and two members of Housing and Homelessness Advisory Committee to the Poverty Reduction Housing Sub Working Group for a term of two years.
- Maintain close linkages with other City Committees and working groups to ensure co-ordination of housing, affordable housing and homelessness initiatives.

### **Housing And Homelessness Advisory Committee cont'd**

- Provide housing and homelessness advice.
- Provide advice on overall financial investment tools for housing and homelessness but not on individual funding allocation.

#### **Annual Report**

The Housing and Homelessness Advisory Committee must submit an Annual Report to Council, on or before May 31 each year, through the Arts, Recreation and Community Policies Committee with respect to the matters outlined in Section 2.5 of this By-law.

(By-law Number 2010-205; 2011-116; 2012-98; 2014-38; 2016-3)

**Schedule B-16 was deleted**

**Schedule C-1 - Legislated Committees****Committee Name: Appeals Committee**

**Reporting to:** Statutory Committee established under the provisions of the Building Code.

**Composition (As Appointed by Council):**

Two (2) members of Council;

Three (3) members of the public

**Term of Appointment:** Annually

**Mandate/Terms of Reference:**

The Appeals Committee is directed through the Building Code and various City of Kingston by-laws to hear appeals on the following matters:

- Section 3.21 of By-law 2003-4, to license, regulate and govern certain trades and occupations, decisions on licensing matters may be appealed to the Appeals Committee.
- Sections 3.5 and 5.1 of By-law 2003-405, to regulate fences, variances to the Fence By-law may be granted by the Appeals Committee.
- Section 3.13 of By-law 2004-144, to regulate animals, decisions regarding a kennel permit, hen coop permit, or a breeder permit may be appealed to the Appeals Committee.
- Section 9.3 of By-law 2005-100, regarding property standards, an owner or occupant who is served an order with respect to section 8.1 may make an appeal to the Appeals Committee.
- Section 3.13 of By-law 2006-213, to regulate business licenses, decisions regarding business licenses may be appealed to the Appeals Committee.
- Sections 6.2 of By-Law 2009-140, to regulate signs in the City of Kingston, variances to the Sign By-Law may be granted by the Appeals Committee.

(By-law Number 2010-205; 2015-158; 2017-155)

**Schedule C-2 - Legislated Committees**

**Committee Name:** Committee of Adjustment

**Reporting To:** Statutory Committee established under Section 44 of Planning Act

**Composition (As Appointed by Council):**

Seven (7) members of the public.

Note: for the balance of the 2006 to 2010 Council term, the Committee composition shall include two (2) members from the rural panel and five (5) members from the urban panel. After that time, an urban and rural area definition split will not be set for the Committee.

**Term of Appointment:** Term of Council

**Mandate/Terms Of Reference:**

Please refer to By-Law 2009-16, being a by-law to continue the establishment of a Committee of Adjustment for the City of Kingston and to establish the composition of the Committee of Adjustment, and to govern the calling, place and procedures of the Committee of Adjustment, and to repeal By-Law 98-4.

(By-law Number 2010-205)

**Schedule C-3 - Legislated Committees**

**Committee Name:** Taxi Commission

**Reporting To:** Stand Alone - Established under Private Members Bill

**Composition (As Appointed by Council):**

Seven (7) Public members:  
Six (6) from the City of Kingston  
One (1) from Loyalist Township

**Term of Appointment:** Annually

**Mandate/Terms Of Reference:**

The commission may pass by-laws for the licensing, regulating and governing owners, drivers and brokers of taxi cabs.

(By-law Number 2010-205)

**Schedule C-4 - Legislated Committees**

**Committee Name:** Court of Revision – Municipal Act Requirements

**Reporting To:** Statutory Committee established under the Municipal Act, Section 18

**Composition (As Appointed by Council):**

Three (3) to Five (5) members (Municipal Act requirement)

**Term of Appointment:** Annually

**Mandate/Terms Of Reference:**

Municipal Act (Ont. Reg. 119/03)

- a) Before a special charge is imposed, the municipality shall set a time and a place for the hearing by the Court of Revision of objections against the proposed local improvement roll and of the municipality's proposed revisions to the proposed local improvement roll.
- b) The court of revision at a hearing held pursuant to section 20 (as outlined in a) above) may review the proposed local improvement roll and correct it as to all or any of the following matters:
  1. The cost of the work.
  2. The names of the owners of the lots.
  3. The frontage or other measurements of the lots.
  4. The amount of the reduction or increase to be made under section 15 or 16 in respect of any lot.
  5. The lots which, but for subsection 9 (5) would be exempt from being specially charged.
  6. The lifetime of the work.
  7. The charge per metre frontage to be imposed on any lot.
  8. If all or part of the owners' share of the cost is to be specially charged on lots not abutting on the work, those non-abutting lots that are to be specially charged and the amount of the special charge to be imposed on those lots. O. Reg. 119/03, s. 23.
- c) The court of revision may, at any time after the certification of the local improvement roll, reduce any special charge for the current year and the remaining years for which the special charge is imposed if it determines that the special charge is incorrect by reason of any gross or manifest error. O. Reg. 119/03, s. 26 (1).
- d) The court of revision does not have the authority to change the proportion of the municipality's and the owners' share of the cost except to the extent that the proportion may be affected by a decision made under section 23, 24, 25 or 26. O. Reg. 119/03, s. 27.

(By-law Number 2010-205)

### **Schedule C-5 - Legislated Committees**

**Committee Name:** Court of Revision – Drainage Act Requirements

**Reporting To:** Statutory Committee established under the Drainage Act, Section 97

**Composition (As Appointed by Council):**

Three (3) or Five (5) members (Drainage Act requirement) All landowners on the Central Pittsburgh Drain shall be invited to serve on the Committee and 10 landowners will be selected.

In the case of the Central Pittsburgh Drain which extends into the Township of Leeds and 1000 Islands, two (2) members of Kingston City Council (one of whom shall be Chair) and one (1) member from the Township of Leeds and 1000 Islands.

**Term of Appointment:** Annually

**Mandate/Terms Of Reference:**

**Drainage Act (Section 52)**

52.(1) Any owner of land assessed for the drainage works who complains that any land or road has been assessed too high or too low or that any land or road that should have been assessed has not been assessed, or that due consideration has not been given as to type of use of land, may personally, or by agent, appeal to the court of revision by giving notice in writing to the clerk of the initiating municipality setting out the grounds of the appeal, and the appeal shall be heard by the court of revision. R.S.O. 1990, c. D.17, s. 52 (1).

(By-law Number 2010-205)



**Schedule C-6 - Legislated Committees****1. Committee Name**

Kingston Election Compliance Audit Committee (2018 - 2022)

**2. Term of Office**

The Kingston Election Compliance Audit Committee must be established by September 30, 2018 and shall serve for a term that is the same as the term of office of the Council or local board that takes office in 2018 and shall therefore serve in the instance of any By-Election that may take place during that time. The term of office for the individual members of the Committee is the same as the term of the Committee.

**3. Committee Mandate**

The Kingston Election Compliance Audit Committee has the authority provided by Sections 88.33 to 88.37 of the *Municipal Elections Act, 1996*, as amended, (the Act) to address applications requesting an audit of a candidate's or a third party advertiser's election campaign finances and to address reports from the City Clerk requesting a review of contribution's to a candidate's or third party advertiser's campaign. The Committee will be required to:

- a) hold a meeting to consider elector applications received for a compliance audit relating to election campaign finances and grant or reject such compliance audit requests, with brief written reasons for the Committee's decision, within thirty (30) days of receipt of the application. The decision shall be provided to the candidate or third party advertiser as the case may be, to the City Clerk or to the secretary of the local board (if applicable), and the applicant;
- b) where an application is granted, the Committee shall appoint an auditor to conduct a compliance audit;
- c) hold a meeting to consider the auditor's report within thirty (30) days after receiving it and:
  - i) if the report concludes that the candidate, or third party advertiser, appears to have contravened a provision of the Act relating to election campaign finances, the Committee shall decide whether to commence a legal proceeding against the candidate or third party advertiser. The decision, and brief written reasons for the Committee's decision, shall be provided to the candidate or third party advertiser as the case may be, to the City Clerk or to the secretary of the local board (if applicable), and the applicant;
  - ii) if the report concludes that the candidate, or third party advertiser, does not appear to have contravened a provision of the Act relating to election campaign finances, make a finding as to whether there was reasonable grounds for the application;
- d) based on the finding in c) ii) above, the Committee can recommend to Council whether or not to pursue the recovery of the auditor's costs from the applicant if the Committee finds there were no reasonable grounds for the application; and

- e) hold a meeting to consider a report from the City Clerk, within thirty (30) days after receiving it, with respect to a contributor who appears to have exceeded the contribution limits to a candidate's or a third party advertiser's campaign and decide whether to commence a legal proceeding against the contributor for an apparent contravention. The decision, and brief written reasons for the Committee's decision, shall be provided to the contributor and the City Clerk or to the secretary of the local board, as the case may be.

#### 4. **Limitation**

The Committee does not have any authority to set penalties. Only the Court can decide if a candidate, third party advertiser or contributor contravened the provisions of the Act and, if so, which penalties should apply.

#### 5. **Committee Membership**

The Committee will be composed of three (3) members and shall **NOT** include:

- i. employees or officers of the municipality or local board;
- ii. members of the Council or local board;
- iii. any persons who are candidates in the election for which the Committee is established; and
- iv. any persons who are registered third parties in the municipality in the election for which the Committee is established.

Membership will be drawn from the following groups:

- a) **Accounting and Audit** – accountants or auditors with experience in preparing or auditing the financial statements of municipal candidates; and/or;
- b) **Academic** – college or university professors with expertise in political science or local government administration; and/or
- c) **Legal**; and/or
- d) **Other** individuals with knowledge of the campaign financing rules of the *Municipal Elections Act, 1996*, as amended.

#### 6. **Membership Selection**

The City Clerk will contact individuals from the groups listed above. Members will be selected on the basis of the following:

- a) a demonstrated knowledge and understanding of municipal election campaign financing rules;
- b) proven analytical and decision-making skills;
- c) experience working on a committee, task force or similar setting;
- d) availability and willingness to attend meetings; and
- e) excellent oral and written communications skills.

To avoid a conflict of interest, any auditor or accountant appointed to the Committee must agree in writing to not undertake the audits or preparation of the financial statements of any candidates in the election for which the Committee is established or any third party advertiser registered in the municipality in the election for which the Committee is established. Failure to adhere to this requirement will result in the individual being removed from the Committee.

All members of the Committee are subject to the approval of Kingston City Council.

**7. Committee Chair**

The Committee members will select a Chair from amongst its members at its first meeting.

**8. Role of City Clerk or Secretary of the Local Board**

The City Clerk or the Secretary of the Local Board, as the case may be, shall establish administrative practices and procedures for the Committee and shall carry out any other duties required under the *Municipal Elections Act, 1996*, as amended, to implement the Committee's decisions.

**9. Staffing and Funding**

Staff from the City Clerk's Office will provide administrative support to the Committee. The Council or local board, as the case may be, shall pay all costs in relation to the Committee's operation and activities.

**10. Compensation**

Compensation for members of the Kingston Election Compliance Audit Committee (2018 – 2022) shall be \$200.00 per meeting attended, including any orientation meeting(s) that may be held. There shall be no additional compensation for mileage.

**11. Committee Meetings**

All meetings of the Committee will be open to the public and reasonable notice shall be given to the candidate, third party advertiser or contributor, as the case may be the City Clerk and the secretary of the local board (if applicable), the applicant and the public. The City's website will be used to communicate the meeting notices and agendas to the public.

(By-law Number 2010-205; 2014-119; 2018-108)

**Schedule D-1 - Agencies And Boards With Council Appointees**

1. The **Catarqui Region Conservation Authority** - four members of Council, appointed annually. This body sets policies and reviews the operations of the Conservation Authority pursuant to the *Conservation Authorities Act* of Ontario.
2. The **Downtown Kingston BIA!** - two members of Council, plus one alternate; appointed for the term of Council. This body promotes Downtown Kingston! as the vibrant and healthy commercial, retail, residential and entertainment centre of our region. The Board of Management is made up of all property and business owners operating within the Central Business District.
3. The **Kingston Access Services** - two members of Council, appointed for the term of Council. Kingston Access Bus was established to coordinate community transportation and broker non-medical transportation. It provides door to door service on a first-come, first-served basis, while maintaining strict eligibility criteria for its registered passengers. The Councillors act as a liaison between the KAB Committee Board of Directors and City Council. They are full voting members of the Board of Directors, but do not make up the quorum
4. The **Kingston Economic Development Corporation** - the Mayor, and three members of Council, appointed for one year. The Kingston Economic Development Corporation (KEDCO) works collaboratively with the City of Kingston and local and regional partners to achieve prosperity by developing and promoting economic advantages to sustain and grow the economy of Kingston. Activities of primary concern include, but are not limited to, fostering local investment, job creation, assessment growth, and community prosperity through the support of strategic economic activities in the industrial, commercial, institutional, technology and tourism sectors, and such other complementary purposes not inconsistent with these objects.
5. The **Kingston Electricity Distribution Limited** – The Mayor of the City of Kingston
6. The **Kingston & Frontenac Housing Corporation** – Three (3) Members of City Council, two tenants, and three members of the community-at-large, and the Chief Administrative Officer of the City of Kingston or designate approved by the Shareholder appointed annually, constitute the Board of Directors for this Corporation.
  - Terms for tenant and public at large appointees will be three years
  - Members of City Council and the Chief Administrative Officer of the City of Kingston will be appointed annually.
7. The **Kingston, Frontenac, Lennox & Addington Public Health, Board of Health**
  - three members of Council, appointed for a two-year term. This body provides advice and makes recommendations to KFLA Public Health on the programs and services to be offered, sets the annual budget and oversees expenditures.

**Schedule D-1 continued**

8. The **Kingston Frontenac Public Library Board** - one member of Council and seven members of the public, appointed for the term of Council. Provides for the information, education and leisure needs of the citizens of the City of Kingston and the Townships of Frontenac through its 5 urban and 12 rural branches; establishes policies and appoints the Chief Librarian/CEO, who administers the library under the guidance of established board policies.

(By-law Number 2010-205; 2011-33; 2014-86)

9. The **Kingston Non-Profit Housing Corporation (Town Homes Kingston)** - two members of Council, appointed annually, and five members of the public, appointed for staggered one, two, and three year terms. The mandate of this committee is to provide and maintain a high standard of affordable, suitable, and community-integrated non-profit housing in Kingston.
10. The **Kingston Police Services Board** - the Mayor one member of Council, and one member of the public, will be appointed for a two-year term. Under the *Police Services Act*, for every municipality that maintains a police force, there is a requirement for a Police Services Board. This Board provides civilian governance of the municipal police force pursuant to the *Police Services Act*. Its responsibilities include determining objectives and priorities with regard to police services in the municipality and establishing policies for the effective management of the police force.
11. The **Pittsburgh Community Benefit Fund** - two members of Council from District 1 and District 12, appointed for the term of Council.
12. The **Rural/Urban Liaison Advisory Committee (RULAC)** – The Mayor and two members of Council, appointed annually, two members of the Frontenac Management Board, appointed annually; and the Warden of Frontenac County. The Rural/Urban Liaison Advisory Committee was established by the order of the Minister of Municipal Affairs under Section 25.2(4) of the Municipal Act. The Committee shall meet at least quarterly with the Chief Administrative Officer of the City and the Frontenac Management Board for the purposes of discussing issues arising from joint agreements and recommending solutions to matters of common concern.
13. The **Sustainable Kingston Plan Corporation** - One member of Council appointed annually. The Corporation is responsible for the Sustainable Kingston Corporation. The member of Council will act as Councils representative to this corporation during the term of the Service Legal Agreement between the City of Kingston and the Sustainable Kingston Corporation. The Service Level Agreement will ensure that the governance and implementation of the Sustainable Kingston Plan will be performed by the Sustainable Kingston Corporation in exchange for a monetary contribution by the City.

(By-law Number 2010-205; 2011-33; 2012-70)

**Schedule F-1 - Advisory Committee Reporting To A Committee**

**Committee Name:** Central Pittsburgh Drain Committee

**Reporting To:** Administrative Policies Committee

**Composition (As Appointed by Council):**

Invitations shall be forwarded to all landowners on the Central Pittsburgh Drain encouraging applications of interest;

All landowners on the Central Pittsburgh Drain shall be invited to serve on the Committee and 10 landowners will be selected.

Up to ten (10) landowners, as follows:

One (1) member of the Administrative Policies Committee, who is not a landowner on a municipal drain and has no pecuniary interest in a municipal agricultural drain

**Term of Appointment:** Annually

**Mandate/Terms Of Reference:**

Provide advice on agricultural drainage and report to the Administrative Policies Committee.

(By-law Number 2010-205)

**Schedule F-2 - Advisory Committee Reporting To A Committee**

**Committee Name:** Lemoine Point – Cataraqui Region Conservation Authority

**Reporting To:** Cataraqui Region Conservation Authority

**Composition (As Appointed by Council):**

Two (2) Councillors who are also members of the Cataraqui Region  
Conservation Authority  
Six (6) members of the public

**Term of Appointment:** Staggered two and four-year appointments

**Mandate/Terms Of Reference:**

This Committee provides advice and makes recommendations to the Cataraqui Region Conservation Authority pertaining to Lemoine Point.

(By-law Number 2010-205; 2011-132)

**Schedule F-3 - Advisory Committee Reporting To A Committee**

**Committee Name:** Arts Advisory Committee

**Composition (As Appointed by Council):**

Up to two (2) Members of Council (one to be a member of the Arts, Recreation and Community Policies Committee (appointed annually)  
The Executive Director of the Kingston Arts Council plus four (4) arts professionals nominated by the Board of Kingston Arts Council  
Two (2) representatives from community-based arts groups  
Two (2) representatives from the education sector  
Two (2) members of the Public that represent the full range and diversity of Kingston's population  
Qualifications and experience related to culture, the arts and arts community are required as are qualifications and experience related to operations, programming, community engagement and community cultural engagement.

**Reporting To:** Arts, Recreation and Community Policies Committee

**Term of Appointment:** Staggered term of two to four years

**Meetings:** TBD

**Mandate/Terms of Reference:**

The Arts Advisory Committee will serve as an avenue of communication and consultation between the arts community and the municipal government, it being understood that the arts include creative expression in all its forms. The mandate of the Arts Advisory Committee is to ensure that City of Kingston arts policies and strategies serve the needs of the arts community and, in turn, the residents of Kingston. Through regular communication with staff and Council, the Arts Advisory Committee will foster awareness of City of Kingston's corporate goals pertaining to the arts community. Its mandate includes reporting on the following to the Arts, Recreation and Community Policies Committee:

Ensure the continuing implementation of the recommendations contained in the Kingston Culture Plan;

Provide input into the development of arts policies and strategies offered by effectiveness and best practices;

Making staff and Council aware of changing conditions and opportunities within the arts, and;



**Schedule F-3 - Advisory Committee Reporting To A Committee cont'd**

Advising staff and Council as to the impact, actual and potential, of broader policies, programs and regulations on the Kingston arts sector.

Maintain close linkages with Heritage Kingston and its Working Groups to ensure co-ordination of initiatives related to the implementation of the Kingston Culture Plan.

Working Groups: Council may authorize creation of temporary working groups on certain specific subject matters related to duties as approved by Council in association with other municipal committees, other organizations and members of the public. Working group authorizations shall be reviewed annually.

**Professional Development Working Group – Terms of Reference**

This Working Group shall undertake work on behalf of the Arts Advisory Committee (AAC) related to targeted professional development opportunities to help strengthen the arts sector as follows:

- Research, identify and develop professional development opportunities relevant to the arts community;
- Forge stakeholder relationships as needed to identify professional opportunities;
- Support the efforts of the Kingston Arts Council, Queen's University and the local Boards of Education as it relates to the professional development programs they offer; and
- Identify specific actions and activities the AAC may pursue to ensure that individual artists and arts organizations are provided with access to additional professional development opportunities that are meaningful, relevant and effective.

The membership of this working group will be comprised of three members of the AAC along with at least four members from the community. The working group is expected to provide the AAC with a verbal update regarding its progress by September 14, 2017 and complete a series of actions and activities by June 14, 2018.

(By-law Number 2010-205; 2017-121)

**Annual Report**

The Arts Advisory Committee must submit an Annual Report to Council, on or before May 31 each year, through the Arts, Recreation and Community Policies Committee with respect to the matters outlined in Section 2.5 of this By-law.

**(Note: Schedule F-4, F-5 & F-6 deleted see By-laws 2011-116; 2016-3)**

(By-law Number 2010-205; 2013-90; 2016-3)

**Schedule F-7 – Advisory Committees Reporting to A Committee****Committee name:** Planning Advisory Working Group**Reporting to:** Planning Committee**Composition (As appointed by Council):**

Eight (8) members of the public who are not employees of the City of Kingston or members of Council, and who represent the following areas or interests:

- One representative of the rural area;
- One representative of the Kingston West urban area;
- One representative of the Kingston Central urban area;
- One representative of the Kingston East urban area;
- One representative of the First Peoples;
- One representative of the institutional community;
- One representative of Kingston Economic Development; and
- One representative of the business community.

The Planning Advisory Working Group will provide an opportunity for resident perspectives on planning matters. Planning Advisory Working Group members should demonstrate an informed interest in planning and development, including but not limited to: planning legislation, land use planning, growth management, the conservation of natural or cultural heritage resources, transportation planning, brownfields remediation, open space planning, economic development, and/or the provision of public and social services.

**Term of Appointment:** The Term of Council**Meetings:** Meetings to be scheduled quarterly, with no less than two meetings held per year. Additional meetings may be held if needed at the call of the Chair.**Mandate/Terms of Reference:**

1. The Planning Advisory Working Group is established in accordance with the provisions of Section 8(1) of the *Planning Act*, R.S.O. 1990, c.P.13 and its members shall be appointed by City Council.
2. The Planning Advisory Working Group's role is consultative and is to provide advice to the Planning Committee through staff with respect to land use planning matters or projects which include, but are not limited to:
  - City-initiated amendments to the Official Plan and/or Zoning By-Law(s) with broad application to the City;

- Legislated updates to the Official Plan together with any updates of the major studies that support Official Plan updates;
  - *Planning Act* reform, updates to the Provincial Policy Statement and/or other proposed land use policy changes/legislation or initiatives introduced by the Province that affect planning matters in the City; and
  - Major City-initiated land use planning projects.
3. The Planning Advisory Working Group may consider and provide advice on similar broad land use planning matters generally affecting the City as may be directed by City Council, the Planning Committee and/or the Director of Planning, Building and Licensing Services.
  4. For clarity, the Planning Advisory Working Group is not a decision making committee of City Council and it is not responsible in any way for the review of development applications made pursuant to the *Planning Act*.
  5. Planning Advisory Working Group activity will be reported to the Planning Committee through circulation of meeting notes and through content summarized within staff reports.
  6. Planning Advisory Working Group meetings will be open to the public.

(By-Law Number 2010-205; 2017-204)