



## **City of Kingston By-Law Number 2023–204**

### **“Committee By-Law”**

**Passed:** November 21, 2023

#### **As Amended By By-Law Number:**

By-law Number 2024-103      January 9, 2024

By-Law Number 2024-145      March 5, 2024

# City of Kingston By-Law Number 2023–204

## *Committee By-Law*

### Table of Contents

|           |   |           |
|-----------|---|-----------|
| <b>1.</b> | <b>Interpretation</b>   | <b>5</b>  |
| <b>2.</b> | <b>Administration</b>   | <b>6</b>  |
| <b>3.</b> | <b>Committees</b>   | <b>7</b>  |
| <b>4.</b> | <b>Committee Meeting Procedures</b>   | <b>9</b>  |
| <b>5.</b> | <b>Subcommittees</b>  | <b>11</b> |
| <b>6.</b> | <b>Working Groups</b>   | <b>13</b> |
| <b>7.</b> | <b>Miscellaneous</b>  | <b>14</b> |
| <b>8.</b> | <b>Transition</b>   | <b>14</b> |
|           | <b>Schedule 1 – Administrative Policies Committee</b>                                   | <b>16</b> |
|           | <b>Schedule 2 – Arts, Recreation &amp; Community Policies Committee</b>                 | <b>17</b> |
|           | <b>Schedule 3 – Environment, Infrastructure &amp; Transportation Policies Committee</b> | <b>18</b> |
|           | <b>Schedule 4 – Nominations Committee</b>   | <b>19</b> |
|           | <b>Schedule 5 – Planning Committee</b>  | <b>20</b> |
|           | <b>Schedule 6 – Arts and Culture Advisory Committee</b>                                 | <b>21</b> |
|           | <b>Schedule 7 – Equity, Diversity &amp; Inclusion Advisory Committee</b>                | <b>22</b> |
|           | <b>Schedule 8 – Housing &amp; Homelessness Advisory Committee</b>                       | <b>24</b> |
|           | <b>Schedule 9 – Kingston Environmental Advisory Committee</b>                           | <b>25</b> |
|           | <b>Schedule 10 – Kingston Heritage Programs Committee</b>                               | <b>27</b> |

*Committee By-Law*

|   |           |
|---|-----------|
| <b>Schedule 11 – Kingston Heritage Properties Committee</b>                   | <b>29</b> |
| <b>Schedule 12 – Municipal Accessibility Advisory Committee</b>               | <b>31</b> |
| <b>Schedule 13 – Appeals Committee</b>  | <b>33</b> |
| <b>Schedule 14 –Committee of Adjustment</b>                                   | <b>34</b> |
| <b>Schedule 15 – Planning Advisory Committee</b>                              | <b>39</b> |
| <b>Schedule 16 – Court of Revision</b>  | <b>41</b> |
| <b>Schedule 17 – Court of Revision – Drainage Act Requirements</b>            | <b>42</b> |
| <b>Schedule 18 – Election Compliance Audit Committee (2022 – 2026)</b>        | <b>43</b> |
| <b>Schedule 19 – Art in Public Places Subcommittee</b>                        | <b>46</b> |
| <b>Schedule 20 – Heritage Properties Subcommittee</b>                         | <b>48</b> |
| <b>Schedule 21 – Local Music Subcommittee</b>                                 | <b>49</b> |
| <b>Schedule 22 – Mayor’s Arts Awards Nominations Subcommittee</b>             | <b>51</b> |
| <b>Schedule 23 – Poet Laureate Subcommittee</b>                               | <b>54</b> |
| <b>Schedule 24 – Rural Community &amp; Economic Development Working Group</b> | <b>56</b> |
| <b>Schedule 25 – Sir John A Macdonald History and Legacy Working Group</b>    | <b>58</b> |
| <b>Schedule 26 – Post Secondary Working Group</b>                             | <b>61</b> |

# City of Kingston By-Law Number 2023–204

## Committee By-Law

### Whereas:

The *City* is a single-tier municipality incorporated pursuant to an order made under section 25.2 of the *Municipal Act*, R.S.O. 1990, c. M.45.

The powers of a municipality must be exercised by its council (*Municipal Act*, 2001, s. 5 (1)).

A municipal power must be exercised by by-law unless the municipality is specifically authorized to do otherwise (*Municipal Act*, 2001, s. 5 (3)).

A municipality may delegate legislative and quasi-judicial powers under certain listed Acts to a council committee or a body having at least two members of whom at least 50 per cent are members of its council, individuals appointed by its council, or a combination thereof (*Municipal Act*, 2001, ss. 9, 10, 11 & 23.2 (1)).

A single tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public (*Municipal Act*, 2001, s. 10 (1)).

A single-tier municipality may pass by-laws respecting the governance structure of the municipality and its committees and other local boards (*Municipal Act*, 2001, s. 10 (2)).

The powers of the *City* to establish or dissolve *standing committees*, to appoint chairs and vice chairs of *standing committees*, and to assign functions to *standing committees* were assigned to the *mayor* (*Municipal Act*, 2001, s. 284.8 (1)).

On July 12, 2023, the *mayor* delegated to *council* the *mayor's* power to establish or dissolve *standing committees*, to appoint chairs and vice-chairs of *standing committees* and to assign functions to *standing committee*.

*Council* considers it necessary and desirable for the public to establish *committees*, *subcommittees* and *working groups* for the purposes of providing advice to *council* on certain matters.

## Committee By-Law

Therefore, council enacts:

### 1. Interpretation

1.1 This by-law may be cited as the *Committee By-Law*.

1.2 In this by-law:

“**City**” means The Corporation of the City of Kingston;

“**clerk**” means the *person* appointed by the *City* as clerk and includes the *clerk’s* designate;

“**council**” means the council of the *City*;

“**Council Procedural By-Law**” means *City of Kingston By-Law Number 2021-41, A By-Law to Provide Rules for Governing the Order and Procedures of the Council of The Corporation of the City of Kingston, and to Repeal By-Law Number 2010-1, Council Procedural By-Law, as Amended, in its Entirety*;

“**committee**” means any advisory or other committee or similar entity established by *council* or the head of *council*, as the case may be, and includes a *standing committee* but does not include the *Committee of the Whole*, a *subcommittee* or a *working group*;

“**City of Kingston**” means the geographic area of the City of Kingston;

“**Committee of the Whole**” means a quorum of members of *council* sitting as a *committee* of the whole *council*;

“**main motion**” means a *motion* that is not incidental to a *committee* proceeding;

“**mayor**” means the head of *council*;

“**motion**” means a proposal, moved by a member of *council* or a *committee*, and seconded by another member of *council* or a *committee*, as the case may be, to adopt, amend or otherwise deal with a matter before *council* or the *committee*;

“**Municipal Act, 2001**” means the *Municipal Act, 2001*, S.O. 2001, c.25;

“**Planning Act**” means the *Planning Act*, R.S.O. 1990, c. P.13;

## Committee By-Law

**"resident"** means a person who carries on a business in the *City of Kingston*, is a permanent resident of the *City of Kingston*, is a temporary resident having a permanent dwelling within the *City of Kingston*, or is a temporary resident having resided in the *City of Kingston* for at least one year, and who is a Canadian citizen or has acquired permanent resident status and has not subsequently lost that status under the *Immigration and Refugee Protection Act*, S.C. 2001, c. 27;

**"standing committee"** means a *committee* that consists solely of members of *council*;

**"subcommittee"** means an entity established by a *committee* to advise the *committee* on matters related to its functions; and

**"working group"** means an entity established by *council* to assist *council* to perform its duties.

1.3 For the purposes of interpreting this by-law:

- (a) a reference to any legislation, regulation, or by-law or to a provision thereof includes a reference to any legislation, regulation or by-law enacted, made or passed in substitution thereof or amendment thereof;
- (b) any reference to legislation includes all of the regulations made thereunder; and
- (c) "include", "includes" and "including" indicate that the subsequent list is not exhaustive.

## 2. Administration

2.1 The *clerk* is responsible for the administration of this by-law.

2.2 Where this by-law provides that the *clerk* may do an act, the *clerk* may, when doing the act, seek and consider information or documents from any *person*, and may consult with other *City* employees, legal counsel, or other advisors, all as the *clerk* considers necessary.

2.3 Where this by-law provides that the *clerk* may do an act, it may be done by a person authorized by the *clerk* to do the act.

2.4 In the event of a conflict between this by-law and the *Council Procedural By-Law*, this by-law prevails.

## *Committee By-Law*

2.5 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*.

2.6 When *council* or the *mayor*, as the case may be, establishes or dissolves or changes a *committee*, a *subcommittee*, or a *working group*, the *clerk* must recommend that *council* pass a by-law to amend the schedules to this by-law, as the *clerk* considers appropriate.

### **3. Committees**

3.1 *Council* may:

- (a) establish or dissolve a *committee*;
- (b) appoint a chair of a *committee*;
- (c) appoint a vice-chair of a *committee*;
- (d) appoint one or more members of a *committee*; or
- (e) assign one or more functions to a *committee*.

3.2 If the *mayor* revokes the delegation to *council* of the power to establish or dissolve *standing committees*, to appoint chairs and vice-chairs to *standing committees*, or to assign functions to *standing committees*, then:

- (a) the *mayor* may, and *council* must not, :
  - (i) establish or dissolve a *standing committee*;
  - (ii) appoint chairs and vice-chairs of a *standing committee*; and
  - (iii) assign functions to a *standing committee*;as the case may be.

3.3 When *council* or the *mayor*, as the case may be, is considering whether to establish a *committee*, *council* or the *mayor*, in addition to any other factors it wishes to consider, must have regard to:

- (a) the well-being and interests of the public and the *City*;
- (b) the financial integrity of the *City*;

## *Committee By-Law*

- (c) any legislative requirements;
- (d) *council's* strategic priorities;
- (e) the appointment of a chair and vice-chair of the *committee*;
- (f) the functions to be assigned to the *committee*;
- (g) composition of the members of the *committee*;
- (h) when the *committee's* term will commence;
- (i) if and when the *committee's* term will end; and
- (j) if and how the services of *City* staff will be provided to the *committee*.

3.4 When the *mayor* or *council*, as the case may be, establishes a *committee*, the *mayor* or *council* must:

- (a) assign one or more functions to the *committee*;
- (b) provide for when the *committee's* term will commence;
- (c) provide for if or when the *committee's* term will end; and
- (d) provide for the *committee's* reporting relationship with *council*.

3.5 When the *mayor* or *council*, as the case may be, establishes a *committee*, the *mayor* or *council* may provide for the qualifications of persons who may be appointed members of the *committee*.

3.6 When *council* or the *mayor*, as the case may be, is considering whether to assign functions to an already established *committee*, *council* or the *mayor*, in addition to any other factors it wishes to consider, must have regard to:

- (a) the functions currently assigned to the *committee*; and
- (b) the factors enumerated in section 3.3.

3.7 When *council* or the *mayor*, as the case may be, is considering whether to dissolve a *committee*, *council* or the *mayor*, in addition to any other factors it wishes to consider, must have regard to:

- (a) the well-being and interests of the public and the *City*;



## *Committee By-Law*

- (b) the financial integrity of the *City*;
- (c) any legislative requirements;
- (d) *council's* strategic priorities;
- (e) the functions assigned to the *committee*;
- (f) if or when the *committee's* term has ended;
- (g) if and how the services of *City employees* have been provided to the *committee*; and
- (h) how efficiently and effectively the *committee* has performed the functions assigned to it.

3.8 If neither *council* nor the *mayor* have appointed a chair of the *committee*, the *committee* must appoint one of its members the chair of the *committee*.

3.9 If neither *council* nor the *mayor* have appointed a vice-chair of the *committee*, the *committee* may appoint one of its members the vice-chair of the *committee*.

3.10 Upon the expiry of a *committee* member's term and the appointment of a successor, the *committee* member's appointment to the *committee* is deemed to be revoked by *council* or the *mayor*, as the case may be.

## **4. Committee Meeting Procedures**

4.1 If a *committee* decides a *main motion* in the positive, the *committee* must promptly report such to *council* by making a positive recommendation and *council* may debate and may vote on a motion to deal with the matter in accordance with the *Council Procedural By-Law*.

4.2 If a *committee* decides a *main motion* in the negative, the *committee* must promptly report such to *council* by making a negative recommendation and *council* may debate and may vote on a motion to deal with the matter in accordance with the *Council Procedural By-Law*.

4.3 If a *committee* decides a *main motion* as a tie, the *committee* must promptly report such to *council* by making no recommendation and *council* may debate and vote on a motion to deal with the matter in accordance with the *Council Procedural By-Law*.

## *Committee By-Law*

- 4.4 A *committee* may defer any matter for a period not exceeding in the aggregate 90 days, following which the *committee* must promptly report the matter to *council* with no recommendation and *council* may debate and vote on a motion to deal with the matter in accordance with the *Council Procedural By-Law*.
- 4.5 Unless otherwise provided in this by-law, the *clerk* must prepare and deliver the agenda for all *committee* meetings with the order of business listed in the following order:
- (a) meeting to order;
  - (b) approval of the agenda;
  - (c) confirmation of minutes;
  - (d) disclosure of pecuniary interest;
  - (e) delegations;
  - (f) briefings;
  - (g) business;
  - (h) motions;
  - (i) notices of motion;
  - (j) other business;
  - (k) correspondence;
  - (l) date of next meeting; and
  - (m) adjournment.
- 4.6 A *committee* member may introduce new business at a *committee* meeting by giving the *clerk* a notice of *motion* in accordance with the following:
- (a) the notice of *motion* must have a mover and a seconder; and
  - (b) the notice of *motion* must be received by the *clerk* at least nine days before the date of the meeting on which the new business will be introduced and listed on the agenda.

## Committee By-Law

- 4.7 The chair of a *committee* may, at any time, call a special meeting of the *committee* by directing the *clerk* to issue a notice of special meeting and giving the members of the *committee* at least 24 hours' notice.
- 4.8 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 must ask if a *motion* is forthcoming. If a *motion* is proposed, the *committee* may debate and vote on the *motion* in accordance with the *Council Procedural By-Law*.
- 4.9 A maximum of five delegations may address a *committee* meeting.
- 4.10 A delegation may address a *committee* meeting with respect to a matter on the agenda or a matter directly related to the functions assigned to the *committee*.
- 4.11 If a delegation wishes to address a *committee* meeting with respect to a matter on the agenda, it must register with the *clerk* at least one day before the date of the meeting at which the delegation wishes to address the *committee*.
- 4.12 If a delegation wishes to address a *committee* meeting with respect to a matter directly related to the functions assigned to the *committee* but not on the agenda, it must register with the *clerk* at least seven days before the date of the meeting at which the delegation wishes to address the *committee*.

## 5. Subcommittees

- 5.1 A *committee* may:
- (a) establish or dissolve a *subcommittee* to assist the *committee* in carrying out its functions;
  - (b) appoint members of a *subcommittee*; and
  - (c) request that a *subcommittee* provide advice respecting the following matters related to the *committee*'s functions:
    - (i) legislative requirements;
    - (ii) changes in *council*'s strategic priorities;
    - (iii) consultation with the public;

## *Committee By-Law*

- (iv) research and advice from *City employees* on policies and programs; and
- (v) any other municipal issue.

5.2 When a *committee* is considering whether to establish a *subcommittee*, the *committee*, in addition to any other factors it wishes to consider, must have regard to:

- (a) the *committee's* function;
- (b) the advice to be requested from the *subcommittee*;
- (c) composition of the members of the *subcommittee*;
- (d) when the *subcommittee's* term will commence; and
- (e) if and when the *subcommittee's* term will end.

5.3 When a *committee* establishes a *subcommittee*, the *committee* must:

- (a) request that the *subcommittee* provide the *committee* with advice on one or more matters related to the *committee's* functions;
- (b) appoint one or more members of the establishing *committee* to the *subcommittee*;
- (c) appoint one or more non-members of the establishing *committee* to the *subcommittee*;
- (d) provide for when the *subcommittee's* term will commence;
- (e) provide for if or when the *subcommittee's* term will end;
- (f) provide for procedures governing the calling, place and proceedings of the *subcommittee's* meetings; and
- (g) provide for the *subcommittee's* reporting relationship with the *committee*.

5.4 A *committee* may not appoint a person to a *subcommittee* if doing so would result in at least 50 per cent of the members of the *subcommittee* being also members of *council* or local boards.

## Committee By-Law

- 5.5 A *subcommittee* must make its activities open to the public.
- 5.6 All members of a *subcommittee* must govern themselves according to the rules and procedures set out in the *City's "Policy on Council/Staff Relations"*, "*Member Code of Conduct*" and "*Respect in the Workplace Policy*".

## 6. Working Groups

- 6.1 *Council* may:
- (a) establish or dissolve a *working group* to assist *council* in carrying out its duties;
  - (b) appoint members of a *working group*; and
  - (c) request that a *working group* provide advice respecting the following matters related to the *council's* duties:
    - (i) legislative requirements;
    - (ii) changes in *council's* strategic priorities;
    - (iii) consultation with the public;
    - (iv) research and advice from *City employees* on policies and programs; and
    - (v) any other municipal issue.
- 6.2 When *council* is considering whether to establish a *working group*, *council*, in addition to any other factors it wishes to consider, must have regard to:
- (a) the duties of *council*;
  - (b) the assistance to be requested from the *working group*;
  - (c) composition of the members of the *working group*;
  - (d) when the *working group's* term will commence; and
  - (e) when the *working group's* term will end.
- 6.3 When *council* establishes a *working group*, *council* must:

## Committee By-Law

- (a) request that the *working group* provide *council* with assistance with one or more duties of *council*;
- (b) appoint two or more members of the *working group*;
- (c) when appointing members of the *working group*, appoint one or more *City* staff as a liaison of the *working group*;
- (d) provide for when the *working group*'s term will commence;
- (e) provide for when the *working group*'s term will end;
- (f) when providing for when the *working group*'s term will end, provide that the *working group*'s term will not extend beyond the term of *council*;
- (g) provide for procedures governing the calling, place and proceedings of the *working group*'s meetings; and
- (h) provide for the *working group*'s reporting relationship with *council*.

6.4 *Council* must not appoint a person to a *working group* if doing so would result in at least 50 per cent of the members of the *working group* being also members of *council* or local boards.

6.5 A *working group* must make its activities open to the public.

6.6 All members of a *working group* must govern themselves according to the rules and procedures set out in the *City's* "*Policy on Council/Staff Relations*", "*Member Code of Conduct*" and "*Respect in the Workplace Policy*".

## 7. Miscellaneous

7.1 If a court of competent jurisdiction declares any provision, or any part of a provision, of this by-law to be invalid, or to be of no force and effect, it is the intention of *council* in enacting this by-law that each and every provision of this by-law authorized by law be applied and enforced in accordance with its terms to the extent possible according to law.

## 8. Transition

8.1 *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*, is repealed.

### *Committee By-Law*

- 8.2 A person who held a position as a member of a *committee* immediately before this by-law came into force will continue in that position unless the person's appointment is revoked, as the case may be, by *council* or the *mayor*.
- 8.3 This by-law will come into force and take effect on January 1, 2024.

**This By-Law had Three Readings and was Passed on November 21, 2023**

## **Schedule 1 – Administrative Policies Committee**

**Reporting To:** *council*.

**Composition:** six members of *council*.

**Term of Appointment:** annually.

**Functions:** the Administrative Policies Committee must consider policies, programs or other matters related to the following *council* duties:

- financial services, including accounting, taxation, purchasing and other related policies;
- facility management for *City*-owned or leased facilities, including fleet services and asset management;
- human resources and organizational development matters;
- communications and customer experience, including the *City* website and public engagement;
- information systems & technology;
- by-law enforcement & licensing;
- performance management and standards;
- corporate policies, both internal and external;
- Kingston Airport; and
- accessibility.

*Council* also hereby appoints the Administrative Policies Committee as a committee of management for Rideaucrest Long-Term Care Home, pursuant to subsection 135 (1) of the *Fixing Long-Term Care Act, 2021*, S.O. 2021, c. 39, Sched 1.

**Regular Meeting Frequency:** every two months.



## **Schedule 2 – Arts, Recreation & Community Policies Committee**

**Reporting To:** *council*.

**Composition:** six members of *council*.

**Term of Appointment:** annually.

**Functions:** the Arts, Recreation & Community Policies Committee must consider policies, programs or other matters related to the following *council* duties:

- 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 and safety, social services, school crossing guards, policing;
- day care;
- cemeteries;
- community grant programs;
- emergency planning and community health and safety;
- fire services;
- general by-law enforcement;
- health & safety;
- social housing, including seniors and nursing homes;
- social services, including Ontario Works and children's services and programs; and
- long term residential care and seniors' issues.

**Regular Meeting Frequency:** every two months.

## **Schedule 3 – Environment, Infrastructure & Transportation Policies Committee**

**Reporting To:** *council*.

**Composition:** six members of *council*.

**Term of Appointment:** annually.

**Functions:** the Environment, Infrastructure & Transportation Policies Committee must consider policies, programs or other matters related to the following *council* duties:

- environmental issues, including brownfields, LEED program, household hazardous waste, and partners in climate protection;
- transportation, including public transit, bicycling, including paths, bridges and structures;
- energy supply including conservation, potential energy sources, and 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, and signalization;
- snow removal;
- utilities including water and storm water management;
- solid waste, including collection and disposal; recycling; waste management; and
- 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.

**Regular Meeting Frequency:** every two months.

## **Schedule 4 – Nominations Committee**

**Reporting To:** *council*.

**Composition:** six members of *council*.

**Term of Appointment:** annually.

**Functions:** the Nominations Committee may make recommendations to *council* regarding the appointment of members of the public to *committees* and local boards in accordance with the *City's "Public Appointment Policy"*.

**Regular Meeting Frequency:** annually.

## **Schedule 5 – Planning Committee**

**Reporting To:** *council*.

**Composition:** six members of *council*.

**Term of Appointment:** annually.

**Functions:** the Planning Committee may consider policies, programs or other matters related to certain *council* duties the *Planning Act*, including:

- applicant initiated development applications under the *Planning Act*, including draft plans of condominium, final plans of condominium, draft plans of subdivision, Official Plan amendments, Community Improvement Plan amendments, and zoning by-law amendments;
- municipally initiated applications under the *Planning Act*, including draft plans of subdivision, Official Plan amendments, Community Improvement Plan amendments, and zoning by-law amendments;
- land use policy documents, including the Official Plan and five-year reviews, urban design guidelines and studies, secondary planning studies, area-specific studies, and community improvement plans;
- long-term planning studies, such as those related to urban growth, population projections, natural heritage, archaeology, etc.;
- amendments to by-laws passed under the *Planning Act*, including the Kingston Zoning By-Law (By-Law Number 2022-66), Site Plan Control By-Law (By-Law Number 2010-217), Community Benefits Charge By-Law (By-Law Number 2023-143), Parkland Conveyance By-Law (By-Law Number 2022-145) and interim control by-laws;
- planning fees;
- delegated the duty to hold community meetings;
- delegated the duty to hold public meetings pursuant to the *Planning Act*;
- delegated the duty to hold information meetings for site plan control applications;
- Brownfields (Community Improvement Project Plans program administration);  
and
- updates to the Civic Addressing and Road Naming By-Law (By-Law Number 2005-98).

**Regular Meeting Frequency:** twice per month.

## **Schedule 6 – Arts and Culture Advisory Committee**

**Reporting To:** *council*.

**Composition:**

- up to two members of *council*;
- a representative from the Kingston Arts Council;
- a representative from the *City's* Equity, Diversity & Inclusion Advisory Committee;
- five professional artists, creatives or arts workers;
- four *residents* who demonstrate relevant experience or knowledge, abilities and skills related to the functions of the *committee*; and
- one *resident* between the ages of 15 and 24.

**Term of Appointment:** two-year terms in accordance with the *Public Appointment Policy*.

**Functions:** the Arts and Culture Advisory Committee may consider policies, programs or other matters related to arts and culture, including:

- ensure that arts and culture are appropriately represented in *City* policies and programs;
- ensure that arts and culture serve the needs of *residents*;
- provide input into the development of arts and culture-related strategies, policies and programs;
- advise *City employees* and *council* on the impact, actual and potential, of *City* priorities, plans, policies, programs and regulations on the arts and culture sectors;
- advise *City employees* and *council* on active strategies and plans led by the Arts & Culture Services Department, as they are implemented and updated;
- invite delegations and make *City employees* and *council* aware of changing conditions, challenges, and opportunities within the arts and culture sectors;
- engage in outreach to disseminate information and encourage participation from those affected by arts and culture policies and strategies, and with the broader community; and
- maintain close links to and liaise with other municipal advisory committees to ensure coordination of initiatives.

**Regular Meeting Frequency:** up to six times per year.

## **Schedule 7 – Equity, Diversity & Inclusion Advisory Committee**

**Reporting To:** *council*.

**Composition:**

- two members of *council*;
- up to five *residents* who are part of an equity deserving population, including:
  - Indigenous communities, including First Nations, Metis and Inuit;
  - newcomers (recent immigrants and refugees);
  - racialized persons;
  - persons with disabilities;
  - linguistic minorities;
  - women;
  - youth; and
  - people from 2SLGBTQIA\* communities;
- up to four *residents* who represent one of the following classes of organizations or groups:
  - multi-cultural services and ethno-cultural;
  - youth;
  - justice and legal services;
  - newcomer settlement;
  - gender-based;
  - 2SLGBTQIA\*;
  - faith-based;
  - Indigenous community;
  - persons with disabilities; and
  - social justice; and
- One *resident* between the ages of 15 and 24.

**Term of Appointment:** two-year terms in accordance with the *Public Appointment Policy*.

**Functions:** to provide guidance to *City* staff and *council* in the development of policies, programs and other matters aimed at reducing barriers in the workplace at the *City* and fostering diversity and inclusion in all areas of the organization, both internal and external, while being guided by the vision and principles in the *Workplace Inclusion Charter*, which aims to create and promote safe spaces for equity deserving populations.

## *Committee By-Law*

These functions include:

- with the support of the Workplace Inclusion Charter team, assess the *City's* current employment practices and determine needs;
- invite input by a broader representation of community members who face systemic barriers and others with relevant experience, including subject matter experts;
- review and consider current institutional practices, programs and projects through an Indigeneity, Inclusion, Diversity, Equity and Accessibility lens to identify barriers and opportunities for improvement;
- review best practices from other municipalities;
- provide advice on best practices regarding facilitation of more inclusive-culturally competent service provision for equity deserving or equity seeking populations;
- provide advice with respect to the development, maintenance and refinement of policies, programs and other matters that facilitate an inclusive and equitable work environment;
- identify both training and action-oriented opportunities for *City* staff and *council* with aims to foster cultural awareness and sensitivity and to create and promote more diverse, inclusive and safe spaces for equity deserving and equity seeking populations;
- identify short, medium, and long-term recommendations for *council's* consideration;
- develop an annual action plan to perform the functions of the *committee* in partnership with *City* staff; and
- actively foster greater inclusion of equity deserving and equity seeking populations in the *City of Kingston*.

**Regular Meeting Frequency:** up to six times per year.

## **Schedule 8 – Housing & Homelessness Advisory Committee**

**Reporting To:** *council*.

**Composition:**

- two members of *council*;
- one representative from the County of Frontenac;
- one representative from the Kingston Home Builders' Association;
- one representative from the Homeless Community Impact Committee (as established by the United Way KFL&A)
- six *residents*, with preference given to:
  - members of the Indigenous community;
  - individuals with lived or living experience of homelessness;
  - individuals with lived or living experience as a tenant of social/affordable housing;
  - youth;
  - veterans; and
  - members of 2SLGBTQIA\*; and
- one *resident* between the ages of 15 and 24.

**Term of Appointment:** two-year terms in accordance with the *Public Appointment Policy*.

**Functions:** through onboarding education and training, members of the *committee* must work to ensure that there is a comprehensive understanding of housing services, and affordable housing and homelessness issues, initiatives, and developments, including the following:

- provide advice to *council* on housing, publicly assisted affordable housing and homelessness policies and funding opportunities;
- provide advice regarding the implementation of the 10 Year Municipal Housing and Homelessness Plan and other municipal housing strategies, policies and directives; and
- develop an annual action plan to perform the functions of the *committee*.

**Regular Meeting Frequency:** up to six times per year. One regular meeting of the *committee* must be for the purpose of bringing together organizations that specifically provide support to the housing and homelessness sector to make presentations to the *committee*.



## **Schedule 9 – Kingston Environmental Advisory Committee**

**Reporting To:** *council*.

**Composition:**

- two members of *council*;
- nine *residents*; and
- one *resident* between the ages of 15 and 24.

**Term of Appointment:** two-year terms in accordance with the *Public Appointment Policy*.

**Functions:** to draw on knowledge within the *City of Kingston* community to provide advice and information to *council* and *City* staff when requested to do so. The *committee* must seek out experts in environmental matters from community institutions, authorities and practitioners, and representatives of the public to collaborate on specific projects designed to support the environmental aspects of *council's* strategic priorities and related community plans.

The *committee* must provide advice and information to *council* through the compilation and provision of an annual State of the Environment (SOE) report that provides an account of various measures of local environmental performance, examines trends and provides commentary on challenges and opportunities to prevent the degradation of and to restore and sustain our environmental assets.

The *committee* must, when requested to do so by *council* or within the context of preparing an annual environmental report:

- assist and advise on environmental aspects of *council* strategic priorities;
- assist and advise on environmental issues, action plans or policies; and
- identify and prioritize important and emerging environmental issues through stakeholder consultation, research and systematic analysis.

The *committee* must assist *City* staff in the evaluation of Kingston Community Climate Action Fund grants against the established criteria.

**Regular Meeting Frequency:** up to four times per year.

**Project Teams:** *committee* members may organize into project teams in accordance with the subject areas of the SOE report to conduct the following work:

### *Committee By-Law*

- provide feedback to staff on the core and secondary metrics for each of the subject areas of the SOE;
- suggestions for possible data sources for the metrics; and
- input on the commentary that is associated with each of the metrics.

## **Schedule 10 – Kingston Heritage Programs Committee**

**Reporting To:** *council*.

**Composition:**

- two members of *council*;
- six *residents* that represent a cross-section of local interests and perspectives and demonstrate an understanding and appreciation of Kingston's cultural heritage sector; and
- one *resident* between the ages of 15 and 24.

**Term of Appointment:** two-year terms in accordance with the *Public Appointment Policy*.

**Functions:** to address the broad array of issues, opportunities and projects related to Kingston's cultural heritage and lead by example in terms of responsible stewardship of associated cultural heritage resources. It is the responsibility of the *committee* to apply its knowledge and expertise with a focus on the programming and operations of *City* museums, City Hall as a National Historic Site, the management of the *City of Kingston* Civic Artifact Collection, community cultural heritage education and programming and support for the cultural heritage sector which includes cultural tourism. The *committee* must provide advisory and consultative support to *City*-led cultural heritage initiatives and is involved in educating and informing the community at-large about matters related to the *City of Kingston's* cultural heritage.

*Council* must consult with the *committee* on matters as required either by the *Procedural By-Law for Heritage*, or as set out in this by-law.

The *City* is responsible for managing the MacLachlan Woodworking Museum, the Pump House Steam Museum, Kingston City Hall National Historic Site and a sizeable civic artifact collection. They exist as part of a larger network of museums in Kingston and, in that context, the *committee* shall provide recommendations to *council* regarding the two *City*-owned museums, Kingston City Hall National Historic Site – including the Heritage Resource Centre, the civic artifact collection and the museums sector as a whole in accordance with the following:

- act as the *City's* Museums Advisory Committee and must provide recommendations, 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 artifact collection as well as stakeholders

## *Committee By-Law*

with a vested interest in the City's history and museums and other related cultural heritage resources; and

- provide recommendations to *council* on civic artifact collections management, collections development and related policies, collections acquisitions and de-accessions, and other collections-based matters.

The *committee* must seek to enhance the role of the *City of Kingston's* museums within the community and must provide recommendations to *council* as to current best practices, issues of concern and the overall state of the museums sector.

The *committee* must provide recommendations related to the development, implementation and/or review of policy and programming respecting:

- council's strategic priorities;
- cultural tourism;
- museum operations;
- civic artifact collection;
- commemorations;
- educational and community heritage programming; and
- diversifying the Kingston story.

**Regular Meeting Frequency:** up to four times per year.

*Council* and the Nominations Committee must use their best efforts to make the *committee's* membership possess a diversity of skills, experience and qualifications including:

- cultural heritage, local and architectural history and historical research (prioritized);
- museum policy development, collections development and management (prioritized);
- museum collections conservation knowledge;
- demonstrated interest in fostering equity, diversity and inclusion and in decolonizing museum, collections and cultural heritage practices;
- archives representation/awareness of archival resources;
- interest and/or experience in educational program development in the heritage sector;
- community engagement strategies and techniques; and
- familiarity with the cultural tourism sector.

## **Schedule 11 – Kingston Heritage Properties Committee**

**Reporting To:** *council*.

**Composition:**

- two members of *council*; and
- seven *residents* that represent a cross-section of local interests and perspectives and that demonstrate an understanding and appreciation of Kingston's heritage properties.

**Term of Appointment:** two-year terms in accordance with the *Public Appointment Policy*.

**Functions:** *council* must consult with the *committee* 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*, and as follows:

- 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;
- 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;
- make recommendations to define a study area for a future heritage conservation district as well as the approval of heritage conservation district plans and any amendments to district plans; and
- 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.

## *Committee By-Law*

The *committee* must provide recommendations related to the development, implementation and/or review of policy respecting:

- the *City's* Official Plan;
- the Kingston Archaeological Master Plan;
- *council's* strategic priorities;
- the incorporation of accessibility issues into heritage buildings and structures; and
- the development of municipal heritage conservation guidelines and significance criteria, and municipal heritage policies, plans and programs.

The *committee* must:

- champion all aspects of Kingston's cultural heritage resources, tangible, intangible and natural;
- use best efforts to develop working relationships with owners of heritage-designated properties; and
- contribute to the development of new content for the *City's* Heritage Resource Centre.

Accordingly, *committee* membership must possess a diversity of skills, experience and qualifications including interest in and knowledge of:

- building restoration;
- architectural building conservation;
- heritage building renovation;
- heritage architectural and design practices;
- heritage trades and construction practices;
- cultural heritage;
- architectural history;
- historical research;
- heritage property ownership;
- local land use planning policies and regulations; and
- the *Ontario Heritage Act*.

## **Schedule 12 – Municipal Accessibility Advisory Committee**

**Reporting To:** *council*.

**Composition:**

- one member of *council*;
- 14 *residents*, including *persons* with disabilities; and
- one *resident* between the ages of 15 and 24.

**Term of Appointment:** two-year terms in accordance with the *Public Appointment Policy*.

**Functions:** to ensure the *City* meets the requirements to establish an accessibility advisory committee as detailed in Section 29 of the *Accessibility for Ontarians with Disabilities Act, 2005*, including:

- advise *council* in each year about the preparation, implementation, and effectiveness of its Multi-Year Accessibility Plan;
- review in a timely manner the site plans and drawings described in section 41 of the *Planning Act*;
- 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;
  - for which *council* enters into a new lease;
  - that a person provides as municipal capital facilities under an agreement entered into by the Council, in accordance with Section 110 of the *Municipal Act, 2001*;
- 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 *City* staff and *council* regarding accessibility issues as requested;
- perform all other functions that may be specified in the regulations; and
- serve on project teams as described in the *Accessible Consultation Process Policy*.

## *Committee By-Law*

The *committee* may establish and maintain the following project teams:

- site plan review: responsible for reviewing site plan and drawings as described in section 41 of *Planning Act*. This project team may also, upon *City* staff request, provide feedback on *City* projects of built environment interest; and
- awareness & education: responsible for assisting in the selection of award winners for the Celebrating Accessibility Awards, organizing of the awards ceremony, and in the creation of public awareness and education campaigns related to accessibility. This project team may also, upon *City* staff request, provide feedback on *City* programs or services that relate to accessibility.

**Regular Meeting Frequency:** up to six times per year.



## **Schedule 13 – Appeals Committee**

**Legislative Authority:** the *City's Property Standards By-Law* established the Appeals Committee as the *City's* property standards committee (*Building Code Act*, s. 15.6).

**Composition:** two members of *council* and three *residents*.

**Term of Appointment:** two-year terms in accordance with the *Public Appointment Policy*.

**Functions:** to hear appeals commenced under the *Property Standards By-Law* and to hear appeals, applications or requests under any other by-law provided for in *By-Law Number 2015-159, the Appeals Committee Procedure By-Law*.

The *committee* must hold hearings in accordance with *By-Law Number 2015-159*, this by-law, and the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S.22.

**Regular Meeting Frequency:** monthly.

## **Schedule 14 –Committee of Adjustment**

**Legislative Authority:** *council* may constitute and appoint a committee of adjustment for the municipality (*Planning Act*, s. 44 (1)).

**Composition:**

- no less than three but no more than five residents;
- two members of council.

(By-Law 2023-204; 2024-145)

**Term of Appointment:**

- members must hold office for the term of the *council* that appointed them, unless their appointment is revoked earlier;
- subject to the following, members may serve on the *committee* for a maximum of two complete *council* terms;
- if a member is appointed for a term that is less than a complete *council* term, the member may serve on the *committee* for that incomplete *council* term and up to two additional complete *council* terms; and
- members must hold office in accordance with subsection 44 (4) of the *Planning Act*.

**Functions:** consider applications under the *Planning Act* related to minor variances from the provisions of the *City's Zoning By-Law*, permissions for extensions, enlargements or variations of existing legal non-conforming uses, interpretation of uses that are defined in general terms, and consent requests from an owner of land who wishes to sell, convey, or transfer an interest in part of their land.

**Committee Executive:**

- the *committee* must appoint a *city* staff member to be secretary-treasurer and a *city* staff member to be deputy secretary-treasurer, to whom the secretary-treasurer may delegate some or all of the powers and duties of the secretary-treasurer and who may exercise all of the powers and perform all of the duties of the secretary-treasurer in the absence of the secretary-treasurer;
- the *committee* must appoint a member to be chair of the *committee* at the first meeting in each year of *committee* term;

## *Committee By-Law*

- the *committee* must appoint a member to be vice-chair at the first meeting in each year of *committee* term, and the vice-chair may exercise all of the powers and perform all of the duties of the chair in the absence of the chair;
- in the event the chair and vice-chair are both absent, the *clerk* must call for the *committee* to appoint a member to be acting chair for the meeting, who may exercise all of the powers and perform all of the duties of the chair in the absence of the chair and vice-chair;
- the *committee* may elect to alternate the chair and vice-chair appointments among the members each year during the *committee* term, and the *committee* may establish the order of rotation the first meeting in each year of the *committee* term; and
- for clarity, the chair and vice-chair may exercise all of the powers of a member, including voting.

### **Conduct of Meetings:**

- the *committee* must hear the applicant and every other person who desires to be heard on the application, and the *committee* may adjourn the hearing or reserve its decision;
- the *committee* meets on a monthly basis and the normal hour to call the meeting to order is 5:30 p.m., subject to minor and reasonable variations as considered by those members present due to unforeseen circumstances or to ensure a quorum for the meeting;
- the chair must ensure that each meeting proceeds as follows:
  - the chair calls the meeting to order;
  - the chair calls for declaration of pecuniary interests;
  - the chair calls for any requests for adjournment/deferral of an application or any requests for withdrawal of an application; and
  - the secretary-treasurer calls each application in the order in which it appears on the agenda or otherwise at the secretary-treasurer and committee's discretion;
- the chair must ensure that the hearing of each application proceeds as follows:
  - the secretary-treasurer, the *clerk*, or the assigned planner presents the application;
  - the applicant and/or their agent is permitted to present the application and provide additional information and/or comments, provided that the applicant and/or their agent may have a maximum of five (5) minutes to present the nature of the application to the committee and any presentations beyond such maximum time period will be at the discretion of the *committee*;

### *Committee By-Law*

- the *committee* may ask questions of the applicant and/or their agent at any time during or after the presentation;
- the chair must seek public input on the application, provided that each person giving public input must state their name and address for the record and limit their submissions to five minutes each and any presentations beyond such maximum time period will be at the discretion of the *committee*;
- following three clear requests by the chair for further comments and/or submissions from the public, the committee chair closes the public portion of the meeting;
- the applicant and/or their agent is permitted to respond to any comments or questions received by members of the public;
- the chair asks the members of the *committee* for a motion for disposition of the application;
- upon a motion by a *committee* member, the chair asks for a remaining member to second the motion;
- the chair permits discussion on the motion;
- the chair calls for a vote by the *committee* on the motion and each member of the *committee*, when requested by the chair, indicates by show of hands, their position on the motion;
- the majority decision of the *committee* on the motion constitutes the decision of the *committee*;
- the chair announces the decision of the *committee*; and
- the written decision of the *committee* is signed at the end of the meeting by all those concurring in the decision and the secretary-treasurer prepares and issues a copy of the decision in accordance with the provisions of the *Planning Act*.

#### **Agenda Package:**

- the secretary-treasurer must use reasonable efforts to deliver, via email or as otherwise permitted under the *Planning Act*, an agenda package to the *committee* and the applicant or their agent at least 10 days prior to the date of the *committee* meeting, which agenda package must include: the agenda; the planner's report and recommendation, including conditions (if applicable) for each application; and a copy of all public correspondence received as of the date of the agenda package;
- the secretary-treasurer must make copies of any additional correspondence or materials received by the secretary-treasurer following delivery of the agenda

## Committee By-Law

package available at the meeting or as soon thereafter receipt as is practicable; and

- The *clerk* must not provide the agenda package to the public until it has been delivered to the *committee* and the applicant or their agent.

### Consent Applications:

Notwithstanding anything to the contrary, applications for consent pursuant to section 53 of the *Planning Act* are subject to the same public meeting and notice requirements as applications for minor variances pursuant to section 45 of the *Planning Act*, subject to any *council* requirements for such consent applications processed under *By-Law Number 2006-75, "A By-Law to Delegate Various Planning Approvals to Staff and to Adopt Certain Procedures for the Processing of Planning Applications Subject to Delegated Authority"*. The foregoing public meeting and notice requirements do not apply to applications for consent for a power of sale/foreclosure or for consent for validation of title.

### Filing of Documents, Correction of Errors:

- in accordance with section 44 (10) of the *Planning Act*, the secretary-treasurer must keep on file minutes and records of all applications and decisions thereon and of all other official business of the *committee*, and section 253 of the *Municipal Act, 2001*, S.O. 2001, c.25, applies with necessary modifications; and
- in accordance with section 21.1 of the *Statutory Powers Procedure Act*, R.S.O. 1990, c.S.22, the secretary-treasurer may at any time correct a typographical error, error of calculation or similar error made in its decision or order.

### Written Requests for Deferral, Etc.

A communication in writing from the applicant or their agent requesting a deferral of the hearing, a request to close the file, or to proceed in the absence of the applicant or the agent, may be dealt with in the absence of the applicant or the agent.

### Fees

Fees for *committee* matters are established by *council* through *By-Law Number 2005-10, "A By-Law to Establish Fees and Charges to be Collected by The Corporation of the City of Kingston"*. In accordance with subsection 69 (2) of the *Planning Act*, the *committee*, in processing an application may reduce the amount of or waive the requirement for the payment of a fee in respect of the application where the *committee* is satisfied that it would be unreasonable to require payment in accordance with the above-noted by-law.

### Discretionary Dispute Resolution

In accordance with section 65 of the *Planning Act*, the *committee* may, if they consider it

## *Committee By-Law*

appropriate, at any time before a decision is made under the *Planning Act*, use mediation, conciliation or other dispute resolution techniques to attempt to resolve concerns or disputes in respect of any application or matter and may lay an item on the table (defer) for future decision in order to provide the parties an opportunity to resolve disputed situations. Where a legal dispute is identified, such as a boundary dispute or other matter, the *committee* may lay the item on the table (defer) until the legal issue is resolved by the parties and written proof is provided to the secretary-treasurer of the resolution.

### **Public Information:**

Pursuant to section 1.0.1 of the *Planning Act*, the *clerk* must make information and material that is required to be provided to the committee under the *Planning Act* available to the public.

**Regular Meeting Frequency:** monthly.

## **Schedule 15 – Planning Advisory Committee**

**Legislative Authority:** in accordance with the provisions of subsection 8 (1) of the *Planning Act*, R.S.O. 1990, c.P.13.

**Reporting To:** Planning Committee

**Composition:** eight *residents* 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 Indigenous community;
- one representative of the institutional community;
- one representative of Kingston Economic Development Corporation; and
- one representative of the business community.

**Term of Appointment:** term of *council*.

**Functions:** to provide an opportunity for *resident* perspectives on planning matters. Planning Advisory Committee members should demonstrate an informed interest in planning and development, including 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.

The *committee'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:

- *City*-initiated amendments to the *Official Plan* and/or zoning by-law(s) with broad application to the *City of Kingston*;
- 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 of Kingston*; and
- major *City*-initiated land use planning projects.

The Planning Advisory Committee must consider and provide advice on similar broad land use planning matters generally affecting the *City of Kingston* as may be directed by

### *Committee By-Law*

*council*, the Planning Committee and/or the Director of Planning Services. For clarity, the Planning Advisory Committee is not a decision-making committee of *council* and it is not responsible in any way for the review of development applications made pursuant to the *Planning Act*. The Planning Advisory Committee activity must be reported to the Planning Committee through circulation of meeting notes and through content summarized within staff reports.

**Regular Meeting Frequency:** quarterly, with no less than two meetings per year.



## **Schedule 16 – Court of Revision**

**Legislative Authority:** section 18 of *Ontario Regulation 119/03*, made under the *Municipal Act, 2001*, provides that a municipality may establish a court of revision.

**Composition:** three *council* members.

**Term of Appointment:** annually.

**Functions:** before the *City* imposes a special charge for the undertaking of a work as a local improvement, the *City* must 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.

The Court of Revision must conduct hearings in accordance with *Ontario Regulation 119/03*.

**Regular Meeting Frequency:** as required.

## **Schedule 17 – Court of Revision – Drainage Act Requirements**

**Legislative Authority:** subsection 97 (1) of the *Drainage Act*, R.S.O 1990, c. D.17, provides that a court of revision must consist of three or five members appointed by *council*.

**Composition:** three *council* members.

**Term of Appointment:** annually.

**Functions:** to hear appeals made by an owner of land assessed for drainage works in accordance with the grounds set out in subsection 52 (1) of the *Drainage Act*, R.S.O 1990, c. D.17.

The Court of Revision – Drainage Act Requirements must conduct hearings in accordance with the *Drainage Act*, R.S.O 1990, c. D.17.

**Regular Meeting Frequency:** as required.

## **Schedule 18 – Election Compliance Audit Committee (2022 – 2026)**

**Legislative Authority:** section 88.37 of the *Municipal Elections Act, 1996*, S.O. 1996, c. 32, Sched., requires the *City* to establish a compliance audit committee before October 1 of an election year for the purposes of the *Municipal Elections Act*.

**Composition:** the *committee* must be composed of three (3) members and must not include:

- employees or officers of the *City* or a local board;
- members of the *council* or a local board;
- any persons who are candidates in the election for which the *committee* is established; and
- any *persons* who are registered third parties in the *City of Kingston*.

In appointing members to the *committee*, *council* and the Nominations Committee must have regard to the following eligibility criteria:

- accounting and audit – accountants or auditors with experience in preparing or auditing the financial statements of municipal candidates;
- academic – college or university professors with expertise in political science or local government administration;
- legal; or
- other individuals with knowledge of the campaign financing rules in the *Municipal Elections Act, 1996*.

**Term of Appointment:** the Election Compliance Audit Committee must serve for a term that is the same as the term of office of the *council* or local board that takes office in 2022 and must 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*.

**Functions:** 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 *clerk* requesting a review of contributions to a candidate's or third-party advertiser's campaign.

## Committee By-Law

The *committee* must:

- within 30 days of receiving an application under subsection 88.33 (4) of the *Municipal Elections Act, 1996*, consider it and decide whether it should be granted or rejected;
- the *committee* must give its decision to grant or reject the application, and brief written reasons for the decision, to the candidate, the *clerk*, the secretary of the local board, if applicable, and the applicant;
- if the *committee* decides to grant the application, it must appoint an auditor to conduct a compliance audit of the candidate's election campaign finances in accordance with section 88.33 of the *Municipal Elections Act, 1996*;
- within 30 days of receiving an auditor's report under subsection 88.33 (14) of the *Municipal Elections Act, 1996*, consider it and, if the report concludes that the candidate appears to have contravened a provision of the *Municipal Elections Act, 1996* relating to election campaign finances, decide whether to commence a legal proceeding against the candidate for the apparent contravention; and
- within 30 days of receiving a report under subsections 88.34 (4) or (7) of the *Municipal Elections Act, 1996*, consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention within 30 days of receiving a report subsection 88.36 (4) of the *Municipal Elections Act, 1996*, consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention.

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 *City of Kingston*. If any member fails to comply with this requirement, the member's appointment to the *committee* is deemed to have been revoked by *council*.

### **Committee Chair**

The *committee* must appoint a member as chair at its first meeting.

### **Role of Clerk or Secretary of the Local Board**

The *clerk* or the secretary of the local board, as the case may be, must establish administrative practices and procedures for the *committee* and must carry out any other duties required under the *Municipal Elections Act, 1996*, to implement the *committee's* decisions.

## *Committee By-Law*

### **Staffing and Funding**

Staff from the *clerk's* office must provide administrative support to the *committee*. *Council* or the local board, as the case may be, must otherwise pay all costs in relation to the *committee's* activities.

### **Compensation**

Compensation for members of the Kingston Election Compliance Audit Committee (2022–2026) will be \$220 per meeting attended, including any orientation meeting(s) that may be held. There will be no additional compensation for mileage.

### **Committee Meetings**

All meetings of the *committee* must be open to the public and the *clerk* must give reasonable notice of the meetings to the applicable candidate, third party advertiser or contributor, as the case may be, the *clerk*, the secretary of the local board (if applicable), the applicant and the public. The *clerk* may use the *City's* website to give notice of the meetings to the public.

**Regular Meeting Frequency:** as required.

## **Schedule 19 – Art in Public Places Subcommittee**

**Reporting To:** Arts and Culture Advisory Committee.

**Composition:**

- at least two members of the Arts Advisory Committee; and
- seven to nine *residents*, as follows:
  - two artists active in the community that can include one emerging artist and/or student artist;
  - three other art professionals (curators, gallery directors, administrative, executive and/or artistic directors, arts programmers, educators, conservators, etc.) who have a thorough knowledge of contemporary visual and/or public art, and who are established in the arts community;
  - one urban designer (architects, landscape architects, designers or others);
  - one developer recognized by the community;
  - one member of the business community; and
  - one general member of the community.

The *subcommittee* must be chaired by a member who is a member of the Arts Advisory Committee.

**Term of Appointment:** annual, with no member to serve more than three consecutive terms.

**Advice Requested:** to support the implementation of the *City's* Public Art Program that facilitates the creation of contemporary public art by emerging and established artists through commissions and artist collaborations and contributes to developing a vibrant public realm in the *City of Kingston* and enhances a sense of community across the *City of Kingston*, in the downtown, suburban, rural, and natural areas.

The *subcommittee* is responsible for:

- reviewing processes, policies, plans related to the *City's* Public Art Program, including the renewal of the Public Art Master Plan, updates to the Public Art Policy, and the public art proposed for sites, developments or projects falling with the *City's* responsibility, in order to make recommendations to staff;
- acting as a resource to staff, *City* departments and agencies, the arts community, partners including developers, and *residents*;

### *Committee By-Law*

- advising on the development and implementation of maintenance for the public art collection and for accessioning and de-accessioning of works associated with the Public Art Policy and Civic Collections Policy in coordination with the Kingston Heritage Programs Committee;
- reviewing donation requests for public art in order to make recommendations to staff;
- providing expertise, fair advice and guidance to staff on matters involving public art;
- raising awareness and understanding of the importance of public art in the *City of Kingston*;
- reviewing, nominating and approving individuals to be members of Art Selection Juries; and
- advising *City* staff as to the changing conditions and impact of broader policies, programs, and regulations on the Kingston arts sector.

**Regular Meeting Frequency:** as required.

## **Schedule 20 – Heritage Properties Subcommittee**

**Reporting To:** Kingston Heritage Properties Committee.

**Composition:** four *residents*.

**Term of Appointment:** annually.

**Advice Requested:** to research information to support the designation of properties under the *Ontario Heritage Act* or the listing of properties on the *City's* Heritage Properties Registry.

The *subcommittee* is responsible for:

- supporting owners of heritage properties through information sharing and education;
- supporting roundtable events where matters of interest to heritage property owners can be discussed; and
- sharing ideas regarding approaches to heritage property management and conservation.

**Regular Meeting Frequency:** as required.



## **Schedule 21 – Local Music Subcommittee**

**Reporting To:** Arts and Culture Advisory Committee.

**Composition:** five to seven *residents* with a range of expertise and perspectives relevant to the local music scene, including musicians, presenters and broadcasters as well as people who play supporting roles related to the local music scene through production and promotion.

The *subcommittee* must be chaired by a member of the Arts and Culture Advisory Committee and include at least three members of the Arts and Culture Advisory Committee, one of whom is a member of *council*. Members may include appointees who are not members of the Arts and Culture Advisory Committee.

**Term of Appointment:** annually.

**Advice Requested:** to support the successful delivery of YGK Music, an annual program designed to promote local music and musicians through curated playlists to be made available online on the *City* website and Visit Kingston website, through the *City*'s call waiting system, and through various *City*-owned properties, where appropriate. The *subcommittee* will be responsible for following the selection process as defined and for working with *City* staff to create the curated playlists for distribution.

The *subcommittee* will be responsible for:

- following the selection process as defined and for working with *City* staff to create the curated playlists for distribution:
  - **Kingston Sounds:**
    - reviewing and listening to all submissions and selecting 20 musicians to be featured; and
    - curating the Kingston Sounds playlist to be inclusive of contemporary (rock, pop, dance, electronic, hip-hop and indie music) and traditional (classical, jazz, blues, folk and world music) genres.
  - **Music on Hold:**
    - reviewing and listening to all submissions and selecting 10 musicians to be featured; and
    - curating the Music on Hold playlist to feature instrumental music, including jazz and classical; and

*Committee By-Law*

- helping to develop support material about the artists to be featured for the purposes of public education and artist promotion.

**Regular Meeting Frequency:** as required.

## **Schedule 22 – Mayor’s Arts Awards Nominations Subcommittee**

**Reporting To:** Arts and Culture Advisory Committee.

**Composition:** five to seven *residents* with a range of expertise and perspectives, who are respected, knowledgeable and representative of a spectrum of artistic practices.

The *subcommittee* must be chaired by a member of the Arts and Culture Advisory Committee and include at least three members of the Arts and Culture Advisory Committee, one who is a member of *council*. Members may include appointees who are not members of the Arts and Culture Advisory Committee.

**Term of Appointment:** annually, with no member allowed to serve more than two consecutive years and each year, the *subcommittee* may include up to two members who served in the previous year.

**Advice Requested:** to identify and select award recipients in accordance with the program criteria as defined.

The *subcommittee* is responsible for:

- selecting receipts of the Creator Award (up to three per year), Arts Champion Award (up to one per year) and Limestone Arts Legacy Award (up to one per year); and
- providing a short-written statement (80 to 150 words) identifying and briefly describing the reason for each award.

**Meeting Frequency:** as required.

**Other Information:**

### **Creator Award**

Creator Award recipients are living individual artists. Active creative collectives and arts organizations are also eligible. Recipients must reside and/or work in and be active in the *City of Kingston* at the time of the award. As Creator Award program administrators, the *City’s* Arts & Culture Services Department and Kingston Arts Council programs and employees are not eligible for consideration.

## Committee By-Law

Creator Award recipients must:

- create works of art of outstanding artistic merit and achievement;
- create art of a distinctive, powerful artistic voice or character;
- create art that offers vivid expression of the civic context;
- create art that enriches and inspires the *City of Kingston* art scene;
- be an active, contributing and respected member of the artistic community; and
- bring a distinguished profile to Kingston's arts presence and influence beyond the region.

Recognition may be for recent achievement, for a body of work produced over several years, or for lifetime achievement. Creator Awards must, over time, recognize high achievement in a range of art forms and reflect diverse cultures active in the *City of Kingston*.

### **Arts Champion Award**

Arts Champion Award recipients are living individuals, non-arts organizations or businesses that advance the arts in the *City of Kingston*.

Arts Champion Award recipients must:

- make an extraordinary contribution to the arts in the *City of Kingston* through sustained volunteer efforts in arts advocacy, operations, education, philanthropy, sponsorship and/or creative leadership;
- through their actions, inspire others to contribute to and participate in the arts; and
- have a strong record of increasing the health, profile and impact of the arts.

To sustain the value of this award, the *subcommittee* may or may not give this award in any given year.

### **Limestone Arts Legacy Award**

Limestone Arts Legacy Award recipients are individuals of the *City of Kingston's* storied artistic past who have made a substantial, lasting contribution to advancing the arts in the *City of Kingston*. This is a posthumous award.

Limestone Arts Legacy Award recipients must have:

- made a profound impact on the arts in the *City of Kingston* through sustained contributions as artists and/or arts leaders;

### *Committee By-Law*

- created new transformative initiatives in the arts; and
- enlivened and inspired the cultural environment of the *City of Kingston*, increasing participation, creation and/or appreciation of the arts.

To sustain the value of this award, the *subcommittee* may or may not give this award in any given year.

## **Schedule 23 – Poet Laureate Subcommittee**

**Reporting To:** Arts and Culture Advisory Committee.

**Composition:** three to five *residents*, which may include the outgoing Poet Laureate, writers, publishers, book sellers, teachers, librarians, journalists, and/or any member of the public with suitable knowledge of poetry, and must include at least one member of the Arts and Culture Advisory Committee.

**Term of Appointment:** term of *council*.

**Advice Requested:** to deliberate and identify a candidate for Poet Laureate in accordance with the eligibility and appointment criteria.

The *subcommittee* is responsible for:

- deliberating and identifying a candidate in accordance with the eligibility and appointment criteria as defined;
- working with *City* staff to confirm the willingness of their candidate to serve in this role and has the authority, on behalf of *council*, to appoint the Poet Laureate they have selected; and
- providing a short-written statement (80 to 150 words) highlighting the reasons for their selection.

**Regular Meeting Frequency:** as required.

### **Other Information:**

In order to be eligible for Poet Laureate, candidates must:

- hold a record of high achievement in poetry demonstrated by peer and/or public recognition.
- have published a minimum of one book of poetry (not including self-publication), and other publications that display literary excellence.
- live and/or work in the *City of Kingston*. If the Poet Laureate leaves the *City of Kingston* permanently or is absent for a period greater than one year during their term, the *subcommittee* will be deemed to revoke the Poet Laureate's appointment.
- be willing to fulfill the responsibilities of the position.

## *Committee By-Law*

### **Appointment Criteria:**

- the quality and character of the poet's work;
- significant contribution to poetry and the literary life of the *City of Kingston*;
- knowledge and understanding of Kingston indicating a capacity to capture the life, times and place in poetry; and
- personal qualities and stature to effectively fulfill the ambassadorial duties of the Poet Laureate.

## **Schedule 24 – Rural Community & Economic Development Working Group**

**Reporting To:** *council*.

**Composition:**

- the Countryside District member of *council* and one additional member of *council*;
- two rural residential *residents*;
- two rural agricultural *residents*; and
- one *resident* who carries on a rural business (farm or non-farm).

**Term of Appointment:** two-year appointments in accordance with the *Public Appointment Policy*.

**Assistance Requested:** to represent the interests of the *City of Kingston's* rural *residents* and businesses, including farms, as they relate to rural community, business development and agricultural matters.

The *working group* must examine issues of interest or impact to the rural community, including:

- local food and local food production;
- municipal services/infrastructure;
- use of public land;
- environmental issues;
- rural economic development opportunities;
- emergency services, access to health and social services and service delivery in rural areas; and
- proposed or existing federal or provincial legislation, policies and programs.

The *working group* must give advice as required on issues of interest or impact to the rural community, businesses and agricultural field including:

- municipal studies, plans, by-laws and proposed projects that may have potential rural implication;
- development of policies and programs;
- implementation of federal and provincial legislation and programs;



### *Committee By-Law*

- strategies to improve the delivery of municipal services, programs and information and ways in which these strategies can meet the needs of rural residents; businesses and agriculture; and
- rural land stewardship programs or proposed projects of the city in relation to the Kingston Solar (LP) Community Benefit Fund.

The *working group* must receive feedback from the rural community and provide advice to *City* staff regarding the disbursement of funds from the Kingston Solar (LP) Community Benefit Fund.

The *working group* must provide feedback to the Rural Economic & Community Development Manager regarding the Rural Kingston Economic Strategy and Council strategic priorities.

The *working group* must review and recommend appropriate means and methods of communicating *City* information to rural *residents*, businesses and the agriculture field, including the promotion of two-way communication with the *City*.

**Regular Meeting Frequency:** no less than four times per year.

## **Schedule 25 – Sir John A Macdonald History and Legacy Working Group**

**Reporting To:** *council*.

**Composition:**

- one member of Alderville First Nation to be requested for selection by Chief and members of Council of the Alderville First Nation and brought forward through the Nominations Committee of the *City* for affirmation and appointment;
- one member of the Mohawks of the Bay of Quinte to be requested for selection by Chief and members of Tyendinaga Mohawk Council and brought forward through the Nominations Committee of the *City* ;
- three Indigenous *residents* to be brought forward through an open nominations process and then selected by Indigenous residents through a culturally supported selection process facilitated by First Peoples Group, and the three members will then be brought forward through the Nominations Committee of the *City* for affirmation and appointment;
- three *residents* with interest in assisting to build inclusive history, with an understanding of the shared responsibility of reconciliation, and a commitment to fostering equity, diversity and inclusion in the history and stories Kingston shares as a community, and these *working group* members will be appointed through the *City's* nominations process which includes public notice, the review of applications by the Nominations Committee and final approval made by *council*.

**Term of Appointment:** until the end of 2022 or until the final recommendations have been presented to *council*, at which time *council* is deemed to dissolve the *working group*.

**Assistance Requested:** The *working group* must consider the history and legacy of Sir John A. Macdonald in the *City of Kingston* and develop interpretive text that addresses issues specific to that history and legacy that can be shared across various platforms, on-site at Kingston City Hall, online through the *City's* website, on interpretive panels located in relation to local landmarks managed by the *City* and at other locations as appropriate. The *working group* must be available to advise *council* on matters related to the history and legacy of Sir John A. Macdonald in the *City of Kingston* where appropriate and requested.

## Committee By-Law

The *working group* must participate in the community working sessions providing feedback and ideas on the future interpretive use of the location in City Park where the statue of Sir John A. Macdonald was previously located. The *working group* must also consider the output of engagement and consultation with Indigenous community members around the potential future installation of the Sir John A. Macdonald statue at the Cataraqui Cemetery and if appropriate draft interpretive text to assist with the contextualizing of the statue in this location.

The *working group* must also offer suggestions to *council* on additional ways that the history and legacy of Sir John A. Macdonald in Kingston could be shared through interpretive installations, educational programming and/or at community events.

The *working group* must represent diverse perspectives and work to build consensus, with membership coming from the *City of Kingston* community including Indigenous and non-Indigenous community members. The *working group* must also include two additional members representing the Alderville First Nation and the Mohawks of the Bay of Quinte. The *working group* must support the *City's* efforts in taking meaningful steps to address issues of systemic racism and the negative impacts of colonial policies and practices in the histories that are shared about the *City of Kingston* and the lands on which it is located.

*City* staff in the Heritage Services Department will provide administrative support such as meeting coordination including circulating agendas and taking minutes, as well as provide advice on strategic documents such as the Cultural Heritage Strategy, Kingston Commemorations Strategy, and Civic Collections and Municipal Museums Policy. Facilitation support will be provided by First Peoples Group. The *working group* may request outside technical and advisory support as needed to fulfill its mandate, such requests for supplemental support will be facilitated by *City* staff and First Peoples Group, as appropriate.

The *working group* must:

- critically review the existing text on the *City's* website, interpretive materials as well as on plaques and panels located adjacent to local landmarks managed by the *City* and related to Sir John A. Macdonald (complete);
- develop interpretive text that addresses issues specific to the history and legacy of Sir John A. Macdonald in the *City of Kingston* that can be shared across various platforms and that adds to and balances the ways local history is written, interpreted and shared (draft text to be completed by end of 2021); and

### *Committee By-Law*

- participate in the working sessions with the general public focused on interpretive ideas for the prior location of the statue in City Park (fall/winter 2021);
- develop a set of guiding principles to be referenced by *City* staff when developing future content that represents and interprets local history (spring 2022);
- make suggestions to *council* for additional ways that the history and legacy of Sir John A. Macdonald in the *City of Kingston* could be shared through interpretive installations, educational programming and/or at community events moving forward (spring/summer 2022);
- consider the output of engagement and consultation with Indigenous community members around the potential future installation of the Sir John A. Macdonald statue at the Cataraqui Cemetery and if appropriate draft interpretive text to assist with the contextualizing of the statue in this location (by end of 2022);
- consider the feedback received as part of the projects Engage for Change and Your Stories, Our Histories (ongoing); and
- consider the diverse demographics and backgrounds of *residents* as well as adjacent Nations and Indigenous communities (ongoing).

**Regular Meeting Frequency:** The *working group* meeting format and associated work planning will be supported by First Peoples Group (until end of Q1, 2022) and *City* staff from the Heritage Services Department. The *working group* must meet as required, both in-person and virtually.

## **Schedule 26 – Post Secondary Working Group**

**Reporting To:** *Council*.

**Composition:**

- two members of *council*;
- *City* administration;
- *city* by-law enforcement staff;
- an administrative representative (non-student) from each of Queen’s University, St. Lawrence College and the Royal Military College;
- a representative from the Queen’s University Alma Mater Society who represents undergraduate students;
- a representative from the Society of Graduate and Professional Students of Queen’s University who represents graduate students;
- a representative from the student government at St. Lawrence College known as Student Association who represents college students;
- a representative from the student government from the Royal Military College of Canada who represents college students; and
- one landlord or property manager.

**Term of Appointment:** two-year appointments in accordance with the *Public Appointment Policy*, with student representatives having one-year appointments due to the nature of their studies.

**Assistance Requested:** to represent the interests of the town-gown community as they relate to the member organizations.

The *working group* must examine issues of interest or impact to the *City*, member post-secondary organizations and the community including:

- housing;
- economic development;
- experiential learning opportunities;
- community involvement and off campus student activities;
- health and safety; and
- public education on shared initiatives and priorities.

The *working group* must give advice as required on issues of interest or impact to the *City*, member post-secondary organizations and the community including:

### *Committee By-Law*

- improving communications across the working group member organizations
- identifying opportunities and concerns related to campus/community interactions, solutions and outcomes;
- increasing accountability of students and landlords with respect to off campus behaviors and their impact on the community;
- addressing community quality of life concerns;
- developing recommendations to enhance town gown relations; and development of policies and programs.

The *City's* Manager of Intergovernmental Relations will provide administrative support such as meeting coordination including circulating agendas and taking notes. The *working group* may request outside technical and advisory support as needed to fulfill its mandate, such requests for supplemental support will be facilitated by *City* staff.

**Regular Meeting Frequency:** no less than four times per year.

(By-Law 2023-204; 2024-103)