

City Council Meeting 2017-02

Tuesday December 20, 2016 at 4:45 pm
in the Council Chamber at City Hall.

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

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(Council Chamber)

Call Meeting to Order

Roll Call

The Committee Of The Whole “Closed Meeting”

1. **That** Council resolve itself into the Committee of the Whole “Closed Meeting” to consider the following items:
 - a) Labour Relations or Employee Negotiations – CUPE Collective Agreement;
 - b) Education or training of members pursuant to Section 239(3.1) of the Municipal Act, 2001, S.O. 2001, c. 25 – Code of Conduct and Role of Council;
 - c) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose – SMG Canada ULC Contract.

Approval of Addeds

Disclosure of Potential Pecuniary Interest

Presentations

Delegations

1. Ryan Hanes, resident, will appear before Council to speak to Clause a) of Report Number 08: Received from the Chief Administrative Officer (Consent) with respect to Belle Park Working Group Update.

Briefings

1. Gerard Hunt, Chief Administrative Officer will provide introductory remarks. Terry Young, Vice President, Conservation and Corporate Relations, Independent Electricity System Operator will provide a briefing to Council with respect to LDC Target Champion Award – Awarded to: Kingston Hydro Corporation.
2. Ruth Noordegraaf, Executive Director, Sustainable Kingston, will provide a briefing to Clause b) of Report Number 08: Received from the Chief Administrative Officer (Consent) with respect to Sustainable Kingston Plan Implementation.

Petitions

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

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

Motion of Speedy Recovery

1. Moved by Councillor Hutchison
Seconded by Councillor Stroud

That the thoughts and best wishes of Kingston City Council be extended to Doug Knapp as we wish Doug a speedy recovery from a recent fall. For over thirty years Doug has been a driving force behind the development of urban and rural trails and pathways in the City of Kingston. The City appreciates Doug's vision and dedication in pursuing this worthy endeavour.

Deferred Motions

Reports

Report Number 08: Received from the Chief Administrative Officer (Consent)

Report Number 08

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

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

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

a) Belle Park Working Group Update

That Council direct staff to explore options to reduce, modify or eliminate some or all golf activity and increase alternate outdoor recreational and naturalization opportunities at Belle Park; and

That Council direct staff to report back to Council with recommendations on the future opportunities and planning for Belle Park after public consultation.

(The Report of the Commissioner of Community Services (17-012) is attached as schedule pages 1-11)

(File Number CSU-R04-000-2017)

b) Sustainable Kingston Plan Implementation

That Council endorse the one (1) year extension to the service level agreement with the Sustainable Kingston Corporation for a total of up to \$118,000 and for the continued implementation of the Sustainable Kingston Plan to the end of 2017, in compliance with the general terms of reference described within Report Number [15-140](#) and Report Number 17-013 as it relates to the implementation of the Kingston Community Climate Action Plan; and

That Council authorize the Mayor and Clerk to enter into a renewed service level agreement, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Community Services (17-013) is attached as schedule pages 12-18)

(File Number CSU-E05-000-2017)

c) Initiation of the Brownfield Tax Increment-Based Redevelopment Grant for 121 Queen Street (Anna Lane Condominiums)

That Council give all three readings to the by-law, attached as Exhibit A to Report Number 17-020, to initiate the Tax Increment-Based Redevelopment Grant for the Brownfields Site Agreement between the City of Kingston and Anna Lane Co-operative Development Corporation for the property at 121 Queen Street, known as Anna Lane Condominiums.

(The Report of the Commissioner of Community Services (17-020) is attached as schedule pages 19-32)

(File Number CSU-E05-001-2017)

(See By-Law Number (7), 2017-13)

d) Approval of an Application for Brownfield Property Tax Financial Assistance - 661 Montreal Street

That Council approve the Brownfield Property Tax Financial Assistance Application submitted by 1880561 Ontario Inc., owner of the property at 661 Montreal Street, for an amount not to exceed \$584,590 subject to the establishment of, and in accordance with the terms and conditions of a Brownfield Site Agreement; and

That a by-law be presented to Council for all three readings that establishes the property as eligible to receive future property tax rebates under the Tax Increment Rebate Grant Program (TIRGP) subject to a Brownfield Site Agreement between the owner and the City; and

That staff be directed to negotiate a Brownfield Site Agreement with 1880561 Ontario Inc., establishing the terms and conditions governing the payment of the Brownfields Rehabilitation Grant for the redevelopment of 661 Montreal Street, consistent with the terms set out within Report Number 17-021; and

That the Mayor and Clerk be authorized to execute the Brownfield Site Agreement in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Community Services (17-021) is attached as schedule pages 32-44)

(File Number CSU-E05-001-2017)

(See By-Law Number (8), 2017-14)

e) **Renewal of the Service Level Agreement Between the City of Kingston and the Kingston Association of Museums, Art Galleries and Historic Sites (KAM), and Approval of the Project and Operating Grant Recommendations for the 2017 City of Kingston Heritage Fund**

That the Mayor and Clerk be authorized to execute a Service Level Agreement between the City of Kingston and the Kingston Association of Museums, Art Galleries and Historic Sites (KAM) that identifies the services to be provided by KAM and the associated funding to be issued by the City of Kingston for those services, in a form satisfactory to the Director of Legal Services; and

That Council approve an amendment to KAM's 2016 Service Level Agreement in order to be able to release an Operating Grant in the amount of \$95,041 for 2017; and

That Council approve the recommendations submitted by KAM with regard to the 2017 City of Kingston Heritage Fund in support of both Operating and Project Grants as outlined in the 'Year End Report to City of Kingston, December 2016', attached as Exhibit A to Report Number 17-027; and

That Council approve the release of \$196,669 in funding in support of the City of Kingston Heritage Fund and direct KAM to release the Operating and Project Grants totalling \$197,555 to the successful applicants.

(The Report of the Commissioner of Community Services (17-027) is attached as schedule pages 45-63)

(File Number CSU-F25-000-2017)

f) **Appointment of Alternate Acting City Clerk**

That a by-law be presented to Council to amend By-Law 98-8, as amended, being a "By-law to appoint Statutory Officials of The Corporation of the City of Kingston" as follows:

- Benjamin Poirier is appointed as Alternate Acting City Clerk when the City Clerk and Deputy City Clerk are absent or unable to carry on the duties of the Clerk through illness or otherwise; and

That the by-law be given three readings at the December 20, 2016 Council meeting.

(The Report of the Commissioner of Corporate & Emergency Services (17-031) is attached as schedule pages 64-68)

(File Number CSU-C12-000-2017)

(See By-Law Number (9), 2017-15)

g) Annual Amendment to Fees and Charges By-law 2005-10

That a by-law be presented to Council for all three readings to amend By-Law 2005-10 "A By-Law to Establish Fees and Charges to be Collected by the Corporation of the City of Kingston", as amended, in order to establish fees and charges for 2017.

(The Report of the Chief Financial Officer and City Treasurer (17-010) is attached as schedule pages 69-131)

(File Number CSU-F21-000-2017)

(See By-Law Number (10), 2017-16)

Report Number 09: Received from the Chief Administrative Officer (Recommend)

Report Number 09

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

1. Social Infrastructure Fund – Rental Housing Project Allocations

That Council approve the allocation of provincial Social Infrastructure Fund Rental Housing funding in the amount of \$750,000 to Dawn House for the creation of affordable housing units with a minimum affordability period of twenty (20) years at 965 Milford Drive; and

That Council approve the by-law, attached as Exhibit A to Report Number 17-023, “A By-Law to Permit Council to Enter into a Municipal Contribution Agreement with Dawn House for the Provision of Affordable Housing Units at 965 Milford Drive”; and

That Council approve the allocation of Social Infrastructure Fund Rental Housing funding in the amount of \$750,000 to Addiction and Mental Health Services – Kingston, Frontenac, Lennox & Addington for the creation of affordable housing units with a minimum affordability period of twenty (20) years at 35 Lyons Street; and

That Council approve the by-law, attached as Exhibit B to Report Number 17-023, “A By-Law to Permit Council to Enter into a Municipal Contribution Agreement with Addiction and Mental Health Services – Kingston, Frontenac, Lennox & Addington for the Provision of Affordable Housing Units at 35 Lyons Street”, and

That Council authorize the Commissioner of Community Services or her delegate to review and approve all documents and agreements related to the funding allocations outlined in this report which are in a form satisfactory to the Director of Legal Services; and

That Council authorize the Mayor and Clerk to execute all documents and agreements, reviewed and approved, related to the funding allocations and property dispositions outlined in Report Number 17-023, as approved by the Commissioner of Community Services or her delegate.

(The Report of the Commissioner of Community Services (17-023) is attached as schedule pages 132-140)

(File Number CSU-S18-000-2017)

(See By-Law Number (1), 2017-07)

(See By-Law Number (2), 2017-08)

2. Investment in Affordable Housing Extension and Made in Kingston Rent Supplement Program Funding

That the federal/provincial Investment in Affordable Housing rent supplement funding in the amount of \$1,155,138 or \$159,329 annually, be allocated to Kingston Home Base Housing for 16 units at 37 Joseph Street and to Addiction and Mental Health Services – Kingston, Frontenac, Lennox & Addington for 47 units at 31 Lyons Street by way of rent supplement agreements, which will expire on March 31, 2024, in a form satisfactory to the Director of Legal Services; and

That the annual funding for the municipal Made in Kingston rent supplement program in the amount of \$158,236 be allocated to the Housing First/Rapid Re-Housing program through rent supplement agreements with landlords wishing to participate in that program, which will expire on March 31, 2024, in a form satisfactory to the Director of Legal Services; and

That on April 1, 2024, the annual Made in Kingston funding be reallocated to Kingston Home Base Housing for their 16 units at 37 Joseph Street and to Addiction and Mental Health Services–KFLA for their 47 units at 31 Lyons Street, through rent supplement agreements with these agencies in a form satisfactory to the Director of Legal Services; and

That any annual municipal Made in Kingston rent supplement funding which remains unspent at year end for 2017 to 2023 be transferred to the Homelessness Implementation Plan Reserve to be allocated to rent supplements or rent assistance for Housing First/Rapid Rehousing clients being assisted with rent subsidies until March 31, 2024, as per the Service Manager policy.

(The Report of the Commissioner of Community Services (17-025) is attached as schedule pages 141-146)

(File Number CSU-S18-000-2017)

Report Number 10: Received from the Planning Committee

Report Number 10

To the Mayor and Members of Council:

The Planning Committee reports and recommends as follows:

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

1) Approval of an Application for Zoning By-Law Amendment – 22 Davidson Street (Debbie Radloff-Gabriel)

That the application for a zoning by-law amendment (File Number D14-040-2016) submitted by Debbie Radloff-Gabriel, for the property municipally known as 22 Davidson Street, be approved; and

That By-Law Number 8499, entitled "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston", as amended, be further amended, as per Exhibit A (Draft By-Law and Schedule A to amend Zoning By-Law Number 8499) to Report Number PC-17-002; and

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

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

(By-Law Number (11), 2017-17 is attached as schedule pages 147-149)

2) Approval of an Application for Official Plan & Zoning By-Law Amendment – 1138 Sunnyside Road and 1397 Sydenham Road (FOTENN Consultants Incorporated)

That the applications for Official Plan and zoning by-law amendment (File Numbers D09-024-2014 & D14-102-2014) submitted by FOTENN Consultants Incorporated, on behalf of G. Williams Paving Limited, for the property municipally known as 1138 Sunnyside Road and 1397 Sydenham Road, be approved; and

That the City of Kingston Official Plan, as amended, be further amended, amendment number 53, as per Exhibit A (Draft By-Law and Schedule A to amend the Official Plan) to Report Number PC-17-005; and

That By-Law Number 76-26, entitled "Township of Kingston Restricted Area By-Law", as amended, be further amended, as per Exhibit B (Draft By-Law and Schedule A to amend Zoning By-Law Number 76-26) to Report Number PC-17-005; and

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

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

(By-Law Number (12), 2017-18 is attached as schedule pages 150-152)

(By-Law Number (13), 2017-19 is attached as schedule pages 153-156)

Report Number 11: Received from Heritage Kingston

Report Number 11

To the Mayor and Members of Council:

Heritage Kingston reports and recommends as follows:

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

1. Applications Recommended for Approval (Statutory Consultation with Heritage Kingston)

i. Addition of Non-Designated Properties to Heritage Register – 82 Beverley Street; 67 Kensington Avenue; 771 Kingston Mills Road; 911 Purdy’s Mill Road; 919 Sydenham Road; 923-927 Sydenham Road; 965 Sydenham Road; 974 Sydenham Road; 975 Sydenham Road; 983 Sydenham Road; 991 Sydenham Road; 995 Sydenham Road; and 1370 Woodfield Crescent

That Council approve the following thirteen (13) properties for listing on the City of Kingston Heritage Properties Register under the *Ontario Heritage Act*.

- € 82 Beverley Street;
- € 67 Kensington Avenue;
- € 771 Kingston Mills Road;
- € 911 Purdy’s Mill Road;
- € 919 Sydenham Road;
- € 923-927 Sydenham Road;
- € 965 Sydenham Road;
- € 974 Sydenham Road;
- € 975 Sydenham Road;
- € 983 Sydenham Road;
- € 991 Sydenham Road;
- € 995 Sydenham Road; and
- € 1370 Woodfield Crescent.

ii. Notice of Intention to Designate under the Ontario Heritage Act - 4255 Bath Road and 1517 Sunnyside Road

That Council serve a Notice of Intention to Designate the property located at 4255 Bath Road, known as the Aiken House, as a property of cultural heritage value or interest pursuant to Section 29 of the *Ontario Heritage Act*, attached as Exhibit A to Report Number HK-17-005; and

That should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, that Council approve the designation by-law for 4255 Bath Road, known as the Aiken House, attached as Exhibit B to Report Number HK-17-005, and carry out the requirements as prescribed under Section 29(6) of the *Act*; and

That Council serve a Notice of Intention to Designate the property located at 1517 Sunnyside Road, known as the Johnson Farmhouse, as a property of cultural heritage value or interest pursuant to Section 29 of the *Ontario Heritage Act*, attached as Exhibit A to Report Number HK-17-005; and

That should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, that Council approve the designation by-law for 1517 Sunnyside Road, known as the Johnson Farmhouse, attached as Exhibit C to Report Number HK-17-005, and carry out the requirements as prescribed under Section 29(6) of the *Ontario Heritage Act*.

(Exhibits A is attached as schedule pages 157-158)

(By-Law Number (3), 2017-09 (Exhibit B) is attached as schedule pages 159-162)

(By-Law Number (4), 2017-10 (Exhibit C) is attached as schedule pages 163-166)

iii. Approval of an Application for Heritage Permit under the Ontario Heritage Act - 752 King Street West/17 Gable Lane/Beechgrove/Kingston Provincial Campus

That alterations to the property at 752 King Street West (17 Gable Lane) be approved in accordance with the details described in the application (File Number P18-087-2016) which was deemed complete on November 7, 2016, with said alterations to include the following:

1. Construction of black metal fire escape, exiting from an upper storey window, traversing the roof and down the rear wall of the building;
2. Replacement of the upper storey window with one capable of swinging outward onto the new fire escape;

3. Replacement of four (4) exterior doors with new partially glazed metal doors;
4. Replace the rectangular transom in the main front door with an arched fanlight transom with tracery;
5. Widening of the lower level lobby entrance opening, facing south, including the replacement of the lintel with a new limestone lintel; unless it can be shown that the stones can be cut back cleanly and hammer dressed in situ to match existing, it is recommended that the widening of the opening for the new doorway be accomplished by labeling and removing the existing stones with hammer dressed edges, cut back the stones as necessary and then reattached to the existing dressed stone;
6. Replacement of the existing concrete walkway and parking layby with a new concrete walkway and two barrier free parking stalls; and

That the approval of the alterations be subject to the following conditions:

1. All window alterations shall be completed in accordance with the City's Policy on Window Renovations on Heritage Buildings;
2. The railings on the fire escape be a simple picket design with no meshing;
3. The new limestone lintel be selected to match, as close as possible, the existing stones throughout the building;
4. The applicants consider the use of double-doors for the main front entrance as an alternative to the single door with sidelights;
5. A Building Permit be obtained; and
6. All masonry works shall be completed in accordance with the City's Policy on Masonry Restoration on Heritage Buildings; and
7. That the applicant consider supporting the fire escape with posts in ground where possible, rather than with brackets on the walls.

iv. Heritage Assets Working Group Appointment

That Barb Neatby be appointed to the Heritage Assets Working Group.

v. Acceptance of Civic Collection Transfers

That Council accept the transfer of remaining items from the Market Square archaeology collection held by Nick Gromoff to the stewardship of the City as part of the civic archaeology collection; and

That Council accept two William Pipe Bottling Co. bottles owned by Mike Sargent for the civic collection; and

That Council accept the transfer of a collection of heritage furniture from the Kingston Frontenac Public Library, Central Branch to the City of Kingston for use as heritage assets at City Hall.

2. Applications Supported for Approval by Heritage Kingston (Non Statutory Consultation)

i. Approval of an Application for Heritage Permit under the Ontario Heritage Act - 92 Sydenham Street

That alterations to the property at 92 Sydenham Street be approved in accordance with the details described in the application (File Number P18-083-2016) which was deemed complete on November 3, 2016, with said alterations to include the following:

1. Construction of a gabled roofed, three-bay dormer (south side);
2. Enlargement of a previously approved second storey wooden deck, from 20 feet long to 24 feet long, over the rear addition; and
3. Construction of a 2.5 foot tall privacy screen on the north side deck railing of the second storey rear deck; and

That the approval of the alteration be subject to the following three conditions:

1. All window alterations shall be completed in accordance with the City's Policy on Window Renovations on Heritage Buildings;
2. A Building Permit be obtained; and
3. Drawings and specifications submitted as part of the Building Permit process be provided to Planning staff for review to ensure consistency with the heritage permit.

(Report Number HK-17-003 is attached as schedule pages 167-193)

Report Number 12: Received from the Administrative Policies Committee

Report Number 12

To the Mayor and Members of Council:

The Administrative Policies Committee reports and recommends as follows:

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

a) Revisions to the Private Property Parking By-Law and Request for Delegated Authority

That a by-law be presented to amend By-law 99-166, "A by-law to prohibit the parking or leaving of motor vehicles on private property without the consent of the owner or occupant of the property, or on property owned or occupied by the City Of Kingston or any local board thereof, without the consent of the City Of Kingston or local board", as amended, as outlined in Exhibit A to Report 17-004; and

That pursuant to Section 23.1(1) of the *Ontario Municipal Act 2001*, S.O., 2001, c.25, Council delegate the power to execute agreements, in a form satisfactory to the Director of Legal Services, to the Director of Transportation Services, or her or his designate; and

That pursuant to Section 23.1(1) of the *Ontario Municipal Act 2001*, S.O., 2001, c.25, Council delegate the power to appoint persons for the purpose of issuing parking infraction notices under the provisions of By-law Number 99-166 on designated properties, and to revoke the authorization of any person, as deemed necessary, to the Director of Transportation Services, or her or his designate; and

That an annual information report be submitted to Council summarizing the agreements executed during the year pursuant to this delegated authority.

(By-Law Number (5), 2017-11 is attached as schedule pages 194-201)

Report Number 13: Received from the Committee of the Whole

Report Number 13

To the Mayor and Members of Council:

The Committee of the Whole reports and recommends as follows:

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

Note: Deputy Mayor Boehme declared a pecuniary interest with respect to Clauses 1 through 3, and Clause 4, Paragraph 10 as he is an employee of Utilities Kingston.

Note: Councillor Hutchison declared a pecuniary interest with respect to Clause 4, Paragraphs 2a, 2b and 10, specifically with respect to Community Services, Administration and Employment Assistance for Employment support expenses and Community Services, Housing and Social Services, Rent Supplement and Non-Profit Housing Providers as his employer Kingston Co-operative Homes Inc. participates in the City of Kingston's Affordable Housing Program and his spouse's employer provides a literacy program to Ontario Works, respectively.

Note: Councillor Candon declared a pecuniary interest with respect to Clause 4, Paragraphs 2b, 3 and 10, specifically with respect to Community Services, Housing and Social Services, Rent Supplement and Non-Profit Housing Providers and Community Services, Housing and Social Services, Community Services Investment and Provincial Programs, as his spouse is employed by Home Base Housing, and the organization receives funding from the City of Kingston.

Note: Councillor Holland declared a pecuniary interest with respect to Clause 4, Paragraphs 4 and 10, specifically with respect to the approval of the KEDCO budget requisition as her employer, Keys Job Centre, regularly partners with KEDCO.

Note: Councillor Neill declared a pecuniary interest with respect to Clause 4, Paragraphs 5 and 10, specifically with respect to the approval of the Kingston Community Hospital Foundation 2017 budgeted transfer, as he has a family member who is an employee of Kingston General Hospital.

Note: Councillor Stroud declared a pecuniary interest with respect to Clause 4, Paragraphs 5 and 10, specifically with respect to the approval of the Kingston Community Hospital Foundation 2017 budgeted transfer, as he is an employee of Kingston General Hospital.

1. Approval of the 2017 Operating Budgets for the Municipal Utilities

That Council approve the 2017 Municipal Utility Operating Budgets in the amounts noted below; and

WASTEWATER

Operating Budget	\$14,421,000	
Debt Costs		\$4,443,000
Transfer to Facility Repair Fund – Debt 85 Lappan’s Lane		\$476,000
Transfer to Capital Reserve Fund		<u>\$10,604,000</u>
Total Revenue		\$29,944,000

WATER

Operating Budget		\$13,611,000
Debt Costs		\$2,166,000
Transfer to Facility Repair Fund – Debt 85 Lappan’s Lane		\$476,000
Transfer to Capital Reserve Fund		<u>\$9,733,000</u>
Total Revenue		\$25,986,000

GAS

Operating Budget		\$4,592,000
Commodity Purchase, Transportation & Storage, Cap and Trade Allowances		\$25,000,000
Transfer to Facility Repair Fund – Debt 85 Lappan’s Lane		\$173,000
Transfer to Gas Capital Reserve Fund		\$3,141,000
Transfer to City Municipal Capital Reserve Fund		<u>\$2,000,000</u>
Total Revenue		\$34,906,000

APPLIANCE RENTAL BUSINESS

Operating Budget		\$505,000
Transfer to Capital Reserve Fund		\$1,005,000
Transfer to Municipal Capital Reserve Fund		\$375,000
Transfer to City Environmental Reserve Fund		<u>\$665,000</u>
Total Revenue		\$2,550,000

That the City’s budget By-Laws include the municipal utility operating budget as approved.

2. Approval of Rate Changes for 2017 for Miscellaneous Charges and the Appliance Rental Business

That Council approve:

1. The proposed Miscellaneous Charges and Appliance Rental rates adjustments as detailed in this report (16-382), effective January 1, 2017; and
2. By-Law Number 2017-XX being a By-Law to Amend By-Law No. 2012-22 "A By-Law to Impose Miscellaneous Charges and Appliance Rental Rates (Utilities Kingston)" to reflect the approved rates 2017 (Exhibit A), be presented for all three readings.

(See By-Law Number (14), 2017-20 is attached as schedule pages 202-212)

3. Approval of Local Distribution Rate Changes for Natural Gas

That Council approve:

1. The proposed Gas Rate changes effective January 1, 2017 as detailed in this report (16-381); and
2. By-Law Number 2017-XX A By-Law to Amend By-Law Number 2010-17 "A By-Law to Impose Gas Rates, as amended by By-Law 2013-18, and as amended by By-law 2015-28. (Exhibit A); and
3. Representatives of Utilities Kingston be authorized to act, on behalf of The Corporation of the City of Kingston, in order to comply with the legislated requirements of the Ontario Cap & Trade Program; and
4. Utilities Kingston be authorized to execute any required operational documents that falls within the provisions of the Ontario Cap & Trade Program.

(See By-Law Number (15), 2017-21 attached as schedule pages 213-214)

4. Deliberations and Approval of Municipal Operating and Capital Budgets

That Council approve the 2017 General Municipal (tax-supported) Operating Budget in the amount of \$349,477,039 (\$359,166,362 less \$9,689,323 approved in Recommendations 2), 3), 4) and 5); and

That Council approve the following 2017 General Municipal Operating Budget items:

- (a) Community Services, Housing & Social Services, Administration and Employment Assistance in the amount of \$244,676 for Employment Support expenses; and
- (b) Community Services, Housing & Social Services, Rent Supplement and Non Profit Housing Providers in the amount of \$6,080,996; and

That Council approve the following 2017 General Municipal Operating Budget item:

- (a) Community Services, Housing & Social Services, Community Services Investment and Provincial Programs in the amount of \$895,109; and

That Council approve, under Agencies and Boards, the Kingston Economic Development Corporation 2017 budget in the amount of \$1,418,542; and

That Council approve the Hospital Foundation 2017 budgeted transfer in the amount of \$1,050,000; and

That any variance between final assessment growth and the growth estimates included in the 2017 general municipal operating budget be transferred to/funded from the Working Fund Reserve, to offset unanticipated variances in assessment growth in future years as a stabilization measure; and

That Council approve the 2017 Municipal Capital Budget, as follows:

Proposed capital expenditures	<u>\$43,086,546</u>
Financing:	
General Municipal Reserve Funds (PAYG)	\$34,311,517
Working Fund Reserve	85,645
Government grants	8,661,570
Contributions from others	<u>27,814</u>
Total financing	<u>\$43,086,546</u>

and

That Council receive the following provided as part of the budget documentation:

- a. 15 year capital expenditure forecast
- b. Capital Works in Progress listing as at September 30, 2016
- c. Municipal Reserve Funds Schedules of Continuity; and

That the City Treasurer be authorized to report the approved budget estimates for 2017 in accordance with Public Sector Accounting Board (PSAB) reporting requirements as an attachment to the by-law; and

That the necessary by-laws be established to formally adopt these estimates; and be given three readings at the December 20, 2016 meeting of Council.

(See By-Law Number (16), 2017-22 attached as schedule pages 215-230)

(See By-Law Number (17), 2017-23 attached as schedule pages 231-237)

Committee of the Whole

Information Report

1. Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of October 2016

This information report provides Council with details of purchases greater than \$50,000 that meet the established criteria of delegated authority as well as contracts awarded by senior staff between the \$20,000 and \$50,000 level for the month of October 2016.

(The Report of the Chief Financial Officer and City Treasurer (17-015) is attached as schedule pages 238-243)

(File Number CSU-F18-000-2017)

Information Reports from Members of Council

Miscellaneous Business

1. **That** the resignation of Max Nolet from the Arts Advisory Committee be accepted with regret.

(See Communication Number 02-045)

2. **That** Council affirm the appointment of Jane Karges, Managing Director, Juvenis Festival to the Arts Advisory Committee as a technical representative with a term ending November 30, 2018.

(See Communication Number 02-047)

New Motions

1. Moved by Councillor Candon
Seconded by Councillor Holland

Whereas the Boys and Girls Club expanded its operations and service delivery in the West end by leasing space at the Frontenac Mall in 2015; and

Whereas the Frontenac Mall is taxed at Commercial Rate and Boys and Girls Club have applied and were denied by MPAC for a change in property class for the space they occupy from Commercial to Residential; and

Whereas the Commercial tax rate is not sustainable for the Boys & Girls Club to ensure long term service delivery in the West end; and

Whereas the City has been investing in expanding its community services in the North and East areas of the City;

Therefore Be It Resolved That Council direct staff to review options to establish a partnership with the Boys and Girls Club to provide financial support in exchange for community services in order to minimize the impact of paying taxes at the commercial tax rate; and

That staff report back to Council during Q1 of 2017.

2. Moved by Councillor Neill
Seconded by Councillor M^cLaren

Whereas on October 26, 2016 the KFL&A Board of Health passed the following motion:

That the KFL&A Board of Health urge the provincial government to implement taxation of sugar-sweetened beverages at 20 percent or greater and to direct the monies collected through this tax to province-wide efforts to promote healthy eating and prevent obesity; and

That this correspondence be sent to:

- 1) Honourable Charles Sousa, Provincial Minister of Finance
- 2) Honourable Dr. Eric Hoskins, Provincial Minister of Health and Longterm Care
- 3) Honourable Kathleen Wynne, Premier of Ontario

Therefore Be It Resolved That the Council of the City of Kingston hereby supports the aforementioned motion; and

That this motion be circulated to the aforementioned Ontario Ministers, Kingston & Islands MPP Sophie Kiwala, and the Leaders of both Ontario Opposition Parties; and

That this motion be forwarded to all municipalities bordering on Kingston and those with populations greater than 40,000 for their consideration.

Notices of Motion

Minutes

That the Minutes of City Council Meeting Number 2017-01, held Tuesday December 6, 2016 be confirmed.

(Distributed to all Members of Council on Friday December 16, 2016)

Tabling of Documents

- 2017-08 Kingston Police Services Board
 Agenda December 15, 2016
 Minutes November 17, 2016
 (File Number CSU-P17-000-2016)

Communications

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

Filed

- 02-030 From the Committee of Adjustment, a Notice of Decision for the following applications:
CONSENT – In respect of an application for consent to sever the property at 2989 Unity Road, the Committee decided that the application **Should be Provisionally Approved**, subject to conditions. The final date for appeal is December 20, 2016.
CONSENT – In respect of an application for consent to sever the property at 1641 Perth Road, the Committee decided that the application **Should be Provisionally Approved**, subject to conditions. The final date for appeal is December 19, 2016.
(File Number CSU-D19-000-2017)
- 02-031 Notice of Public Meeting - 1182 Montreal Street (E.R. Trought Design)
(File Number CSU-D14-000-2017)
- 02-032 Notice of a Public Meeting - 1072 Johnson Street (Randy Leach)
(File Number CSU-D14-000-2017)
- 02-033 From the Committee of Adjustment, a Notice of Decision for the following applications:
CONSENT – In respect of an application for consent to sever the property at 1383 Gardiners Road, the Committee decided that the application **Should be Provisionally Approved**, subject to conditions. The final date for appeal is December 22, 2016.
CONSENT – In respect of an application for consent to sever the property at 1375 Gardiners Road, the Committee decided that the application **Should be Provisionally Approved**, subject to conditions. The final date for appeal is December 22, 2016.
CONSENT – In respect of an application for consent to sever the property at 1347 Gardiners Road, the Committee decided that the application **Should be Provisionally Approved**, subject to conditions. The final date for appeal is December 22, 2016.
CONSENT – In respect of an application for consent to sever the property at 1343 Gardiners Road, the Committee decided that the application **Should be Provisionally Approved**, subject to conditions. The final date for appeal is December 22, 2016.

CONSENT – In respect of an application for consent to sever the property at 1329 Gardiners Road, the Committee decided that the application **Should be Provisionally Approved**, subject to conditions. The final date for appeal is December 22, 2016.

(File Number CSU-D19-000-2017)

02-034 Public Notice of a Complete Application - Zoning By-Law Amendment - 213-219 Princess Street (Colbourne & Kembel Architects Inc.)
(File Number CSU-D14-000-2017)

02-035 Public Notice of a Complete Application - Draft Plan of Subdivision and Draft Plan of Condominium - 311 Conacher Drive (Nicholas Kyriacopoulos)
(File Number CSU-D14-000-2017)

02-036 From Kingston Axe Throwing, an application for a liquor licence from the Alcohol and Gaming Commission of Ontario for an establishment located at 785 Sir John A Macdonald Boulevard.
(File Number CSU-P09-000-2015)

Referred to All Members of Council

02-037 From Guy Caron, Member of Parliament for Rimouski-Neigette, Bill C-274 Private Member's Bill - ending unfair taxation on family business transfers.
(Distributed to all members of Council on December 14, 2016)
(File Number CSU-L10-000-2017)

02-038 From Ronan Ryan, Chief Development Officer, Canadian Red Cross, Alberta Fires Six Month Donor Update.
(Distributed to all members of Council on December 14, 2016)
(File Number CSU-P03-000-2017)

02-039 From Association of Municipalities of Ontario (AMO) - AMO Communications - AMO Policy Update - Bill 151 - The Waste-Free Ontario Act.
(Distributed to all members of Council on December 14, 2016)
(File Number CSU-L11-000-2017)

02-040 From Association of Municipalities of Ontario (AMO) - AMO Communications - Federal Infrastructure Phase 2 Incrementality - AMO Needs Your Support.
(Distributed to all members of Council on December 14, 2016)
(File Number CSU-F11-000-2017)

02-041 From Cataraqui Region Conservation Authority (CRCA) - CRCA Announces New General Manager-Secretary Treasurer.
(Distributed to all members of Council on December 14, 2016)
(File Number CSU-D03-000-2017)

City Council Meeting 2017-02

Agenda

Tuesday December 20, 2016

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- 02-042 From Donna Campbell, Administrative Assistant, Cataraqui Region Conservation Authority (CRCA) - Invitation to CRCA Celebration Open House - Thursday December 15, 2016.
(Distributed to all members of Council on December 12, 2016)
(File Number CSU-D03-000-2017)
- 02-043 From Ontario Good Roads Association (OGRA) - November 2016 Board of Directors Highlights.
(Distributed to all members of Council on December 14, 2016)
(File Number CSU-A01-000-2017)
- 02-044 From Greg McLean, Policy & Program Coordinator, Licensing & Enforcement, Communication to Council and By-Law Amendment - Marine Museum.
(Distributed to all members of Council on December 14, 2016)
(File Number CSU-P01-002-2017)
(See By-Law (6), 2017-12)
- 02-045 From Max Nolet, advising of his resignation from the Arts Advisory Committee.
(Distributed to all members of Council on December 14, 2016)
(File Number CSU-C12-000-2017)
(See Miscellaneous Business Item Number 1)
- 02-046 From Don Taylor, resident, letter to Council regarding 92 Sydenham & 771 Kingston Mills Road.
(Distributed to all members of Council on December 14, 2016)
(File Number CSU-P18-000-2017)
- 02-047 From Danika Lochhead, Executive Director, Kingston Arts Council - KAC appointment - Jane Karges to Arts Advisory Committee.
(Distributed to all members of Council on December 14, 2016)
(File Number CSU-C12-000-2017)
(See Miscellaneous Business Item Number 2)
- 02-048 From George Clark, resident, letter to Council regarding the proposed third crossing.
(Distributed to all members of Council on December 14, 2016)
(File Number CSU-T04-000-2017)
- 02-049 From Association of Municipalities of Ontario (AMO) - AMO Communications - AMO Policy Update - Members' Legislative Update.
(Distributed to all members of Council on December 14, 2016)
(File Number CSU-L11-000-2017)
- 02-050 From Frank Dixon, resident, letter to Council regarding a further idea for the City of Kingston to honour Nobel Prize winner Professor Art McDonald.
(Distributed to all members of Council on December 14, 2016)
(File Number CSU-M11-000-2017)

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- 02-051 From David Shurtleff, resident, letter to Council regarding the proposed Third Crossing.
(Distributed to all members of Council on December 14, 2016)
(File Number CSU-T04-000-2017)
- 02-052 From Marilyn Shurtleff, resident, letter to Council regarding the proposed Third Crossing.
(Distributed to all members of Council on December 14, 2016)
(File Number CSU-T04-000-2017)
- 02-053 From Allison Rutter, resident, letter to Council regarding construction in Doug Fluhrer Park.
(Distributed to all members of Council on December 14, 2016)
(File Number CSU-R04-000-2017)

Other Business

By-Laws

- a) **That** By-Laws (1) through (21) be given their first and second reading.
- b) **That** Clause 11.34 of By-Law Number 2010-1 be suspended for the purpose of giving By-Laws (7) to (10) and (14) to (17) three readings.
- c) **That** By-Laws (7) through (21) be given their third reading.
- (1) A By-Law To Permit Council To Enter Into A Municipal Contribution Agreement With Dawn House For The Provision Of Affordable Housing Units At 965 Milford Drive
First and Second Readings Proposed Number 2017-07
(See Clause (1), Report Number (09))
- (2) A By-Law To Permit Council To Enter Into A Municipal Contribution Agreement With Addiction And Mental Health Services – Kingston, Frontenac, Lennox & Addington For The Provision Of Affordable Housing Units At 35 Lyons Street
First and Second Readings Proposed Number 2017-08
(See Clause (1), Report Number (09))
- (3) A By-Law To Designate The Aiken House At 4255 Bath Road To Be Of Cultural Heritage Value And Interest Pursuant To The Provisions Of The *Ontario Heritage Act* (R.S.O. 1990, 0.18)
First and Second Readings Proposed Number 2017-09
(See Clause (1 (ii)), Report Number (11))

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- (4) A By-Law to Designate The Johnson Farmhouse At 1517 Sunnyside Road To Be Of Cultural Heritage Value And Interest Pursuant to The Provisions Of The *Ontario Heritage Act* (R.S.O. 1990, 0.18)
First and Second Readings Proposed Number 2017-10
(See Clause (1 (ii)), Report Number (11))
- (5) A By-Law To Amend By-Law Number 99-166 “A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or Local Board”
First and Second Readings Proposed Number 2017-11
(See Clause (a), Report Number (12))
- (6) A By-Law to Amend By-Law No. 99-166, “A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board”, Remove: Doug Cowie, Sandrena Raymond, Stephen Duncan and the location, Marine Museum.
First and Second Reading Proposed Number 2017-12
(See Communication Number 02-044)
- (7) A By-Law To Provide Annual Tax Increment-Based Rehabilitation Grants Pursuant To The Community Improvement Plan For Brownfields For The Property At 121 Queen Street, Plan OS Lot 305 And; Part Lot 306; Also Known As Anna Lane Condominiums, Condo Plan Number 74 (FSCP74) Formerly Known As 326 Bagot Street
Three Readings Proposed Number 2017-13
(See Clause (c), Report Number (08))
- (8) A By-Law To Approve Brownfield Financial Benefits And Associated Brownfield Site Agreement Pursuant To The Requirements Of The City Of Kingston’s Brownfield Community Improvement Plan Program For The Property Known As 661 Montreal Street
Three Readings Proposed Number 2017-14
(See Clause (d), Report Number (08))

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- (9) A By-Law To Amend By-Law No. 98-8, "A By-Law To Appoint Statutory Officials Of The Corporation Of The City Of Kingston" (To Appoint Benjamin Poirier As Alternate Acting City Clerk)
Three Readings Proposed Number 2017-15
(See Clause (f), Report Number (08))
- (10) A By-Law to Amend By-Law Number 2005-10, "A By-Law to Establish Fees and Charges to be Collected by The Corporation of the City Of Kingston, as Amended."
Three Readings Proposed Number 2017-16
(See Clause (g), Report Number (08))
- (11) A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Zone Change from A to A.513, 22 Davidson Street)
Three Readings Proposed Number 2017-17
(See Clause (1), Report Number (10))
- (12) A By-Law To Amend The Official Plan For The City Of Kingston Planning Area (Amendment Number 53, 1397 Sydenham Road)
Three Readings Proposed Number 2017-18
(See Clause (2), Report Number (10))
- (13) A By-Law to Amend By-Law Number 76-26, "A By-Law to Regulate the use of lands and the Character, Location and use of Buildings and Structures in The Township of Kingston" (Zone Change from Highway Commercial C3 Zone to Special Light Industrial M2-35 Zone, 1138 Sunnyside Road and Zone Change from Restricted Agricultural A1 Zone to Special Light Industrial M2-35 Zone, 1397 Sydenham Road)
Three Readings Proposed Number 2017-19
(See Clause (2), Report Number (10))
- (14) A By-Law to Amend By-Law Number 2012-22 "A By-Law to Impose Miscellaneous Charges and Appliance Rental Rates (Utilities Kingston)"
Three Readings Proposed Number 2017-20
(See Clause (2), Report Number (13))
- (15) A By-Law to Amend By-law Number 2010-17, "A By-Law to Impose Gas Rates (1425445 Ontario Limited operating as Utilities Kingston)"
Three Readings Proposed Number 2017-21
(See Clause (3), Report Number (13))

- (16) A By-Law to Approve the 2017 Operating Budget
Three Readings Proposed Number 2017-22
(See Clause (4), Report Number (13))
- (17) A By-Law to Approve the 2017 Capital Budget
Three Readings Proposed Number 2017-23
(See Clause (4), Report Number (13))
- (18) A By-Law to Establish Parts 4, 5 and 6 on Reference Plan 13R-21119, known as Gardiners Road, as Part of the Public Highway in the City of Kingston, In Accordance with Section 31(4) of the Municipal Act, Chapter 25, S.O. 2001, As Amended
Three Readings Proposed Number 2017-24
(Delegated Authority)
- (19) A By-Law to Provide for the Assumption of the Public Highways in Greenwood Park Subdivision Phase 9F and G, Registered Plan 13M-78, in the City of Kingston, in Accordance with Section 31 (4) of the Municipal Act, Chapter 25, S.O. 2001; and to provide for the Acceptance by the City of Kingston, of the associated Public Works within
Three Readings Proposed Number 2017-25
(Delegated Authority)
- (20) A By-Law to provide for the assumption of the Public Highways in Greenwood Park Subdivision Phase 9B, C, D and E, Part of Registered Plan 13M-71, in the City of Kingston, in Accordance with Section 31 (4) of the Municipal Act, Chapter 25, S.O. 2001; and to provide for the acceptance by the City of Kingston, of the associated Public Works within
Three Readings Proposed Number 2017-26
(Delegated Authority)
- (21) A By-Law to confirm the proceedings of Council at its meeting held on Tuesday December 20, 2016
Three Readings Proposed Number 2017-27
(City Council Meeting Number 2017-02)

Adjournment