

City Council Meeting Number 2017-23

The Regular Meeting of Kingston City Council was held on Tuesday October 17, 2017, and was called to order at 7:32 pm in Currie Hall, Royal Military College. His Worship Mayor Bryan Paterson presided.

(Currie Hall)

Roll Call

Present: Mayor Paterson, Councillor Boehme, Councillor Candon, Councillor

George, Councillor Holland, Councillor Hutchison (arrived at 7:38 pm), Councillor M^cLaren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

Absent: (0)

Committee of the Whole "Closed Meeting"

None

Administrative Staff Present:

Mr. J. Bolognone, City Clerk

Ms. A. Bryant-Peller, Assistant to the Mayor

Mr. L. Coleman, Information Systems & Technology

Mr. G. Hunt, Chief Administrative Officer

Ms. L. Hurdle, Commissioner, Community Services

Ms. J. Jaynes, Deputy City Clerk

Ms. C. Keyes, Assistant Administrator, Rideaucrest

Mr. S. Laidman, Director, Housing & Social Services

Mr. D. Leger, Commissioner, Corporate & Emergency Services

Mr. G. Newman, Manager, Policy Planning

Mr. D. Ochej, Committee Clerk

Ms. L. Rabbie, Manager, Program Delivery

Mr. M. Van Buren, Acting Commissioner, Transportation & Infrastructure Services

Ms. D. Wawryk, Administrative Assistant, Mayor's Office

Report of the Committee of the Whole "Closed Meeting"

None

Approval of Addeds

Moved by Councillor Osanic Seconded by Councillor Holland

That the addeds be approved.

Carried

Disclosure of Pecuniary Interest

None

Presentations

None

Delegations

None

Briefings

None

Petitions

None

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

Council consented to the addition of Motion of Condolence Number 1.

Motions of Condolence

Moved by Mayor Paterson
 Seconded by Deputy Mayor Turner

That the sincere condolences of Kingston City Council be extended to Nick VanHerpt, Firefighter, on the passing of his mother, Mrs. Zetta VanHerpt, who passed away on Friday, October 6, 2017. Our thoughts are with the VanHerpt family during this difficult time.

Carried

Deferred Motions

None

Reports

Report Number 103: Received from the Chief Administrative Officer (Consent)

Moved by Councillor Boehme Seconded by Councillor Candon

That Report Number 103: Received from the Chief Administrative Officer (Consent) be received and adopted.

To the Mayor and Members of Council:

Council consented to the separation of Clause 6.

The Chief Administrative Officer reports and recommends as follows:

1. Provincial Offences Division, Kingston - Conditional Grant Agreement - French Language Training

That Council authorize the Mayor and Clerk to enter into a Conditional Grant Agreement, in a form satisfactory to the Director of Legal Services, with Her Majesty the Queen in Right of Ontario as represented by the Attorney General, for the implementation of the French language training initiatives for those involved in the prosecution, court administration and court support functions of the Ontario Court of Justice, Provincial Offences Division, Kingston.

(The Report of the Commissioner of Corporate & Emergency Services (17-290) was attached to the agenda as schedule pages 1-3) (File Number CSU-F11-000-2017)

2. Parking By-law - Minor Amendments

That a by-law be presented to amend City By-Law Number 2010-128 "A By-law to Regulate Parking", as amended, as per Exhibit A in Council Report 17-289; and

That the amending by-law be presented for all three readings to allow the correct signage to be installed prior to the winter season.

(The Report of the Acting Commissioner of Transportation & Infrastructure Services (17-289) was attached to the agenda as schedule pages 4-10) (File Number CSU-T02-000-2017)

(See By-Law Number (4), 2017-214)

Reports (continued)

3. Habitat for Humanity - Affordable Housing Capital Funding - 46 Cowdy Street

That Council approve the by-law, attached as Exhibit A to Report Number 17-254, "A By-Law to permit Council to enter into a Municipal Contribution Agreement with Habitat for Humanity Kingston Limestone Region for the provision of Affordable Housing at 46 Cowdy Street"; and

That Council approve the allocation of municipal Capital Investment in Affordable Housing Program funding in the amount of \$168,698 to Habitat for Humanity Kingston Limestone Region for the creation of six (6) affordable homeownership units at 46 Cowdy Street; and

That Council directs that any funds returned to the City as part of this agreement shall be used for future affordable housing projects; and

That Council authorize the Mayor and Clerk to execute all documents and agreements related to the funding allocation outlined in Report Number 17-254, as approved by the Commissioner of Community Services or his/her delegate, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Community Services (17-254) was attached to the agenda as schedule pages 11-17) (File Number CSU-S18-000-2017)

(See By-Law Number (1), 2017-211)

4. Proposed Contract 2017-2020 - Extendicare Canada

That Council approve the termination of the existing contract, expiring in May 2018, with Extendicare Canada to provide an Administrator and consulting services at Rideaucrest Home; and

That Council endorse a three (3) year contract (November 2017 - November 2020) with Extendicare Canada at a cost of \$144,000 per year, which includes a one-time additional fee of \$10,500 for Administrator support and a potential two (2) year extension with a 2% increase in fees for the provision of consulting services at Rideaucrest Home as described in Report Number 17-281; and

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

(The Report of the Commissioner of Community Services (17-281) was attached to the agenda as schedule pages 18-25)

(File Number CSU-S02-000-2017)

Reports (continued)

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

That Council authorize the Mayor and City Clerk to execute all necessary agreements and other documents as may be required to extend the license agreement with the Kingston Accommodation Partners (KAP), in a form satisfactory to the Director of Legal Services, for the care of a temporary installation adjacent to the Visitor Information Centre on Ontario Street for a period of one year, ending October 31, 2018.

(The Report of the Commissioner of Community Services (17-287) was attached to the agenda as schedule pages 26-33)

(File Number CSU-R04-000-2017)

Carried (Clauses 1 through 5)

6. Municipal GHG Challenge Fund Application

That Council approve the submission of a grant application to the Municipal GHG Challenge Fund for incorporation of a geothermal system and rooftop solar photovoltaic (PV) installations as part of the forthcoming construction of a new fleet maintenance garage at the 701 Division Street municipal campus; and

That Council approve the submission of a grant application to the Municipal GHG Challenge Fund for the purchase of two (2) fully-electric long-range transit buses to be incorporated into Kingston Transit operations; and

That Council approve the submission of a grant application to the Municipal GHG Challenge Fund for the replacement of the boilers at Rideaucrest Home; and

That Council approve the submission of a grant application to the Municipal GHG Challenge Fund to facilitate the recuperation of costs related to the installation of a series of lighting retrofit projects completed over the past 12 months; and

That the Chief Administrative Officer or designate be delegated the authority to sign applications for the Municipal GHG Challenge Fund for the above noted projects; and

That the Mayor and Clerk be authorized to sign funding agreements, in a form satisfactory to the Director of Legal Services, related to the applications outlined in Report Number 17-292; and

That the City Treasurer be authorized to make the necessary budget amendments for any project approved in the Municipal GHG Challenge Fund, as outlined in Report Number 17-292.

(The Report of the Commissioner of Community Services (17-292) was attached to the agenda as schedule pages 34-42)

(File Number CSU-E11-000-2017)

Carried

Report Number 104: Received from the Chief Administrative Officer (Recommend)

Moved by Councillor Schell Seconded by Deputy Mayor Turner

That Report Number 104: Received from the Chief Administrative Officer (Recommend) be received and adopted, clause by clause.

Report Number 104

To the Mayor and Members of Council:

Note: Clause 1 - Establishment of a Planning Advisory Working Group was deferred, as amended, from October 3, 2017 Council Meeting Number 2017-22

1. Establishment of a Planning Advisory Working Group

That a Planning Advisory Working Group be established in accordance with the Terms of Reference outlined in Exhibit A of Report Number 17-153, as amended, by deleting the words "or representatives of a local community group or neighbourhood association" in the composition section of said Terms of Reference; and

That a by-law be presented to Council to amend 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', as amended, as per Exhibit B to Report Number 17-153, as amended by deleting the words "or representatives of a local community group or neighbourhood association" in the composition section of said Terms of Reference, in order to insert a new Schedule F-7 for the Terms of Reference for the Planning Advisory Working Group; and

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

That the City Clerk be directed to invite the public to submit applications to participate on the Planning Advisory Working Group; and

That the applications be forwarded to the Nominations Advisory Committee for consideration and recommendation to Council for final approval.

(The Report of the Commissioner of Community Services (17-153) was attached to the October 3, 2017 agenda as schedule pages 15-34) (File Number CSU-C15-000-2017)

(See By-Law Number (5), 2017-204)

Carried (See Motion to Amend Which Lost)

Reports (continued)

Moved by Councillor Stroud Seconded by Councillor Osanic

That Clause 1 of Report Number 104: Received from the Chief Administrative Officer (Consent) be amended in Paragraph 1 (Exhibit A under the heading Composition) after the fifth bullet to add the words "and 3 members, possibly from, but not restricted to the following" so that the bulleted section reads as follows:

"and who represent the following areas or interests:

- One representative of the rural area;
- One representative of the Kingston West urban area;
- One representative of the Kingston Central urban area;
- One representative of the Kingston East urban area;
- One representative of the First Peoples; and

and 3 members, possibly from, but not restricted to the following:

- One representative of the institutional community;
- One representative of Kingston Economic Development; and
- One representative of the business community";

and be further amended in Paragraph 2 (Exhibit B under the heading Composition) after the fifth bullet to add the words "and 3 members, possibly from, but not restricted to the following" so that the bulleted section reads as follows:

"and who represent the following areas or interests:

- One representative of the rural area:
- One representative of the Kingston West urban area;
- One representative of the Kingston Central urban area;
- One representative of the Kingston East urban area:
- One representative of the First Peoples;

and 3 members, possibly from, but not restricted to the following:

- One representative of the institutional community;
- One representative of Kingston Economic Development; and
- One representative of the business community":

Lost

Report Number 106: Received from the Arts, Recreation and Community Policies Committee

Moved by Councillor Neill Seconded by Councillor Osanic

That Report Number 106: Received from the Arts, Recreation and Community Policies Committee be received and adopted.

Report Number 106

To the Mayor and Members of Council:

The Arts, Recreation and Community Policies Committee reports and recommends as follows:

1. New Provincial Child Care Funding Initiatives & Requirements

That Council approve an immediate "hold" on fee subsidy funding for new forprofit childcare operators until December 31, 2018; and

That Council approve a fee subsidy funding "hold" on expansion sites (new locations) for currently funded for-profit childcare operators that are not operational by December 1, 2017.

2. 2016 Arts Advisory Committee Report Card

That the 2016 Arts Advisory Committee Report Card be approved as a summary of the work accomplished by the Arts Advisory Committee.

(The 2016 Arts Advisory Committee Report Card was attached to the agenda as schedule pages 43-47)

Carried (Clause 1 and 2)

Committee of the Whole

None

Information Reports

1. Report on Agreements Executed Under Delegated Approval and Signing Authority - July 1, 2017 to September 30, 2017

This report provides Council with a broader understanding of the type and number of agreements that are involved under the delegated approval and execution process.

(The Report of the Commissioner of Community Services (17-272) was attached to the agenda as schedule pages 48-66)

(File Number CSU-L04-000-2017)

Information Reports (continued)

2. Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of August 2017

This 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 August 2017.

(The Report of the Chief Financial Officer and City Treasurer (17-267) was attached to the agenda as schedule pages 67-74) (File Number CSU-F18-000-2017)

Information Reports from Members of Council

None

Miscellaneous Business

 Moved by Councillor Neill Seconded by Councillor Osanic

That as requested by CRPS/RSD Foundation (Complex Regional Pain Syndrome/Reflex Sympathetic Dystrophy) that Council proclaim November 6, 2017 as "CRPS/RSD Awareness and Color the World Orange Day" in the City of Kingston.

(See Communication Number 23-795)

Carried

Moved by Councillor Boehme Seconded by Councillor George

That as requested by Kingston Mighty Preemies Organization that Council proclaim November 17, 2017 as "World Prematurity Day" in the City of Kingston.

(See Communication Number 23-796)

Carried

 Moved by Councillor Neill Seconded by Deputy Mayor Turner

That as requested by Francophone Immigration Support Network of East of Ontario, that Council proclaim October 30 - November 3, 2017 as National Francophone Immigration Week/Semaine Nationale de l'Immigration Francophone in the City of Kingston.

(See Communication Number 23-797)

Carried

New Motions

 Moved by Councillor M^cLaren Seconded by Councillor Hutchison

Whereas workers injured on the job turn to the Workplace Safety & Insurance Board (W.S.I.B.) for medical and financial assistance; and

Whereas navigating the W.S.I.B. system has become more onerous for workers; and

Whereas non-union workers may access assistance with dealing with the W.S.I.B., through the Office of the Worker's Adviser; and

Whereas non represented injured workers in the Kingston catchment area from Trenton to Brockville may only access the Office of the Worker Adviser in either Scarborough or Ottawa, putting an unfair burden on those workers; and

Whereas those two locations are currently experiencing caseload backlogs of one year or more; and

Whereas local advisory resources, such as legal clinics, require non-represented injured workers to have an income level that is below the poverty line, thus disqualifying most from representation; and

Whereas more new jobs in Kingston and more visits to Kingston is good for the local economy;

Therefore Be It Resolved That the City Council of Kingston requests that the Province of Ontario set up an Office of the Worker Advisor in Kingston as soon as possible; and

That this motion be sent to Kathleen Wynne, the Premier of Ontario, Kevin Flynn, Minister of Labour, and Sophie Kiwala, MPP for Kingston and the Islands.

Carried

2. Moved by Councillor George Seconded by Mayor Paterson

That Matthew Wilson, Senior Advisor, Association of Municipalities of Ontario (AMO) be authorized to appear before Council on November 7, 2017 to provide a briefing with respect to AMO's What's next Ontario, Local Share proposed action plan.

Carried

Notices of Motion

None

Minutes

Moved by Councillor M^cLaren Seconded by Councillor Stroud

That the Minutes of City Council Meeting Number 2017-22, held Tuesday October 3, 2017 be confirmed.

Carried

Tabling of Documents

2017-62 Kingston Police Services Board Special Meeting Agenda - October 11, 2017 (File Number CSU-P17-000-2017)

Communications

Council consented to the addition of Communication Number 23-806.

Filed

23-778	Committee of Adjustment Notice of Public Meeting - 2990 4th Concession Road (Consent for a new lot). (File Number CSU-D19-000-2017)
23-779	Committee of Adjustment Notice of Public Meeting - 217-219 Earl Street (Minor Variance). (File Number CSU-D19-000-2017)
23-780	Committee of Adjustment Notice of Public Meeting - 304 Napier Street (Minor Variance). (File Number CSU-D19-000-2017)
23-781	Committee of Adjustment Notice of Public Meeting - 218 King East (Minor Variance). (File Number CSU-D19-000-2017)
23-782	Delegated Authority Consent Application - Notice of Decision - 780 Division St Unit 1 (consent to create an easement). (File Number CSU-D19-000-2017)
23-783	Delegated Authority Consent Application - Notice of Decision - 2 Kirkpatrick Street (consent to create an easement). (File Number CSU-D19-000-2017)
23-784	Delegated Authority Consent Application - Notice of Decision - 760 Division Street (consent to sever and consent to create an easement). (File Number CSU-D19-000-2017)
23-785	Notice of a Second Public Meeting (Non-Statutory) - Official Plan Amendment & Zoning By-Law Amendment - 48A Point St. Mark Drive. (File Number CSU-D14-000-2017)

Communications (continued)

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	23-786	Notice of a Complete Application and Public Meeting - Proposed Zoning By-Law Amendment - 268 Victoria Street (Samantha Wasserman & Jacqueline Shinfield). (File Number CSU-D14-000-2017)	
	23-787	Public Notice of a Complete Application - Zoning By-Law Amendment - 276-284 Kingsdale Avenue (IBI Group). (File Number CSU-D14-000-2017)	
Referred to All Members of Council			
	23-788	Correspondence from Association of Municipalities of Ontario (AMO) dated October 2, 2017 - AMO Communications - Important Update from the AMO President. (Distributed to all members of Council on October 11, 2017)	
		(File Number CSU-A01-004-000-2017)	
	23-789	Correspondence from Jasmin Ralph, Clerk-Deputy Administrator, Township of Montague, dated October 2, 2017, providing notice of resolution re Ontario Wildlife Damage Compensation Program. (Distributed to all members of Council on October 11, 2017) (File Number CSU-P14-000-2017)	
	23-790	Correspondence from Jasmin Ralph, Clerk-Deputy Administrator, Township of Montague, dated October 2, 2017, providing notice of resolution regarding Farm House Severance. (Distributed to all members of Council on October 11, 2017) (File Number CSU-D19-000-2017)	
	23-791	Correspondence from Harbour Restaurant, dated October 6, 2017, providing notice of Catering services on Saturday November 4, 2017. (Distributed to all members of Council on October 11, 2017) (File Number CSU-P09-000-2017)	
	23-792	Correspondence from the Ministry of the Environment and Climate Change dated October 6, 2017 - Chief Drinking Water Inspector's Annual Report 2016-2017. (Distributed to all members of Council on October 11, 2017)	
		(File Number CSU-E05-000-2017)	
	23-793	Correspondence from Donna Campbell, Assistant Chair & General Manager, Cataraqui Region Conservation Authority (CRCA), dated October 6, 2017 - Appointment to the CRCA Board for 2018. (Distributed to all members of Council on October 11, 2017) (File Number CSU-C12-000-2017)	
	23-794	Correspondence from Frank Dixon, resident, dated October 7, 2017, regarding Belle Park.	

(Distributed to all members of Council on October 11, 2017) (File Number CSU-R04-000-2017)

Communications (continued)

23-795	Proclamation Application from CRPS-RSD Foundation (Complex Regional Pain Syndrom/Reflex Sympathetic Dystrophy) asking Council to proclaim November 6, 2017 as CRPS/RSD Awareness and Color the World Orange Day in the City of Kingston. (Distributed to all members of Council on October 11, 2017) (File Number CSU-M10-000-2017) (See Miscellaneous Business Item Number 1)
23-796	Proclamation Application from Kingston Mighty Preemies Organization that Council proclaim November 17, 2017 as World Prematurity Day in the City of Kingston. (Distributed to all members of Council on October 11, 2017) (File Number CSU-M10-000-2017) (See Miscellaneous Business Item Number 2)
23-797	Proclamation Application from Francophone Immigration Support Network of East of Ontario asking Council to proclaim October 30 - November 3, 2017 as National Francophone Immigration Week/Semaine Nationale de l'Immigration Francophone in the City of Kingston. (Distributed to all members of Council on October 11, 2017) (File Number CSU-M10-000-2017) (See Miscellaneous Business Item Number 3)
23-798	Correspondence from Jamie Nassar, Co-founder & Director of Operations, Events Locker, dated October 9, 2017 providing notice of Industry Promotional Event October 13-14, 2017. (Distributed to all members of Council on October 11, 2017) (File Number CSU-P09-000-2017)
23-799	Correspondence from Donald Mitchell, resident, dated October 11, 2017 - Engage for Change Talking Circle. (Distributed to all members of Council on October 11, 2017) (File Number CSU-R08-000-2017)
23-800	Correspondence from Robert Miller, resident, dated October 11, 2017, regarding Kingston Interim Control By-Law (ICBL) and Neighbourhood Stability. (Distributed to all members of Council on October 11, 2017) (File Number CSU-D14-000-2017)
23-801	Correspondence from Ontario Good Roads Association (OGRA) dated October 11, 2017 - 2018 OGRA Conference Keynote Announcement. (Distributed to all members of Council on October 11, 2017) (File Number CSU-A04-000-2017)
23-802	Correspondence from Greg Potvin, Assistant Manager, Cartronics, providing notice of event November 3, 2017 at 538 O'Connor Drive. (Distributed to all members of Council on October 11, 2017) (File Number CSU-P09-000-2017)

Communications (continued)

23-803 Correspondence from Chris Caners, General Manager, SolarShare, dated September 22, 2017, providing notice of proposal for solar project at 1560 Abbey Dawn Road.

(Distributed to all members of Council on October 11, 2017)

(File Number CSU-E11-000-2017)

23-804 Correspondence from Chris Caners, General Manager, SolarShare, dated September 22, 2017, providing notice of proposal for solar project at 2540

Unity Road.

(Distributed to all members of Council on October 11, 2017)

(File Number CSU-E11-000-2017)

23-806 Correspondence from Donna Gillespie, Chief Executive Officer, Kingston

Economic Development Corporation (KEDCO) dated October 17, 2017 -

EDO Annual Economic Development Performance Metrics. (Distributed to all members of Council on October 17, 2017)

(File Number CSU-A01-003-2017)

Referred to City Clerk

23-805 Proclamation Application from Crohn's and Colitis Canada asking Council

to proclaim November, 2017 as Crohn's and Colitis Awareness Month in the City of Kingston.

(Distributed to all members of Council on October 11, 2017)

(File Number CSU-M10-000-2017)

Other Business

None

By-Laws

Moved by Councillor Osanic
 Seconded by Councillor Schell

That By-Laws (1) through (4) and (7) be given their first and second reading.

Carried

b) Moved by Councillor Osanic Seconded by Councillor Schell

That Clause 11.34 of By-Law Number 2010-1 be suspended for the purpose of giving By-Laws (3) and (4) three readings.

Carried

By-Laws (continued)

c) Moved by Councillor Osanic Seconded by Councillor Schell

> That By-Laws (2) through (4), (5) as amended, (6) and (7) be given their third reading.

> > Carried

- (1) A By-Law to enter into a Municipal Contribution Agreement with Habitat for Humanity Limestone Region and the future home owners of 46 Cowdy Street First and Second Readings Proposed Number 2017-211 (See Clause (3), Report Number 103)
- (2) A By-Law to exempt certain Lands on Registered Plan 13M-110 from the provisions of Section 50 (5) of the Planning Act, R.S.O. 1990, Chapter P.13, and amendments thereto (part of Lots 3-5, 10-13, 16-18, 22-24, 26-29, 41-44, 47-50, 53-57, 60-63 inclusive and Block 65, 66, 69, specific to Parts 1-23 on Reference Plan 13R-21597 and Parts 1-14 on Reference Plan 13R-21568)

Three Readings (Delegated Authority) (See Schedule pages 75-77) Proposed Number 2017-212

(3)A By-Law to amend By-Law Number 2016-189, A By-Law to consolidate the delegation of powers and duties (sidewalk patio closures 2017)

Three Readings (See New Motion Number 3) Proposed Number 2017-213

(City Council Meeting Number 2017-22)

- (4) A By-Law to amend By-Law Number 2010-128 "A By-Law to regulate parking" Three Readings Proposed Number 2017-214 (See Clause (2), Report Number 103)
- (5) A By-Law to amend By-Law Number 2010-205, as amended, "A By-Law to define the mandate and meeting procedures for Committees established by The Corporation of the City of Kingston" as amended (New Schedule F-7 for the Terms of Reference for the Planning Advisory Working Group)

Third Reading

Proposed Number 2017-204

(See Clause (1), Report Number 104)

By-Laws (continued)

(6) A By-Law to authorize the Assessment Review Board to exercise certain powers and functions of Council of The Corporation of the City of Kingston with respect to tax appeals due to sickness or extreme poverty

Third Reading

Proposed Number 2017-205

(See Clause (2), Report Number 100) (City Council Meeting Number 2017-22)

(7) A By-Law to confirm the proceedings of Council at its meeting held on Tuesday October 17, 2017

Three Readings

Proposed Number 2017-215

(City Council Meeting Number 2017-23)

Adjournment

Moved by Councillor Boehme Seconded by Deputy Mayor Turner

That Council do now adjourn.

Carried

Council adjourned at 8:29 pm.

(Signed) John Bolognone Bryan Paterson

City Clerk Mayor