



City Council Meeting Number 2017-07

The Regular Meeting of Kingston City Council was held on Tuesday March 7, 2017, and was called to order at 7:34 pm in the Council Chamber, City Hall. His Worship Mayor Bryan Paterson presided.

(Council Chamber)

Roll Call

Present: Mayor Paterson, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Deputy Mayor Neill, Councillor Osanic, Councillor Schell, Councillor Stroud, Councillor Turner (12)

Absent: (0)

Committee of the Whole “Closed Meeting”

None

(Council Chamber)

Administrative Staff Present:

Ms. P. Agnew, Director of Planning, Building & Licensing
Mr. J. Bolognone, City Clerk
Mr. S. Davis, Community Emergency Management Coordinator
Mr. L. Follwell, Director, Recreation & Leisure Services
Mr. P. Huigenbos, Director, Real Estate & Environmental Initiatives
Ms. L. Hurdle, Commissioner, Community Services
Ms. M. Hyland, Communications Officer
Ms. J. Jaynes, Deputy City Clerk
Mr. B. Johnson, Corporate Records & Information Officer
Mr. S. Kanellos, Director, Facilities Management & Construction
Mr. J. Keech, President and CEO, Utilities Kingston
Ms. D. Kennedy, Chief Financial Officer and City Treasurer
Mr. M. Lagace, Information Systems and Technology
Mr. D. Leger, Commissioner, Corporate & Emergency Services
Ms. M. Mascaro, Project Manager, Facilities Management & Construction
Mr. G. Newman, Manager, Policy Planning
Ms. S. Nicholson, Director, Legal Services and City Solicitor
Mr. K. Riley, Director, Water & Waste Water Operations
Mr. C. Wiginton, Cultural Director, Cultural Services

Report of the Committee of the Whole “Closed Meeting”

None

Approval of Addeds

Moved by Deputy Mayor Neill
Seconded by Councillor Hutchison

That the addeds be approved.

Carried (12:0)
(A 2/3 Vote of Council was Received)
(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: (0)

Disclosure of Pecuniary Interest

- 1) Councillor Boehme declared a possible pecuniary interest in the matter of Clause f) of Report Number 32 Received from the Chief Administrative Officer (Consent) with respect to Receipt of the 2016 Water System Annual Compliance Reports as he is an employee of Utilities Kingston.
- 2) Councillor Candon declared a possible pecuniary interest in the matter of Clause g) of Report Number 32 Received from the Chief Administrative Officer (Consent) with respect to Site Plan Control Securities – Policy and Procedures Review, as well as By-Law Number (1), 2017-56 as he has site plan control securities with the City of Kingston.
- 3) Councillor Candon declared a possible pecuniary interest in the matter of Clause a) of Report Number 34 Received from the Planning Committee with respect to the Official Plan Update – Comprehensive Report including By-Law Number (2), 2017-57 and Clause b) of Report Number 34 Received from the Planning Committee with respect to the Approval of an Application for Zoning By-Law Amendment - 213-219 Princess Street including By-Law Number (3), 2017-58 as he is a licensed Realtor.
- 4) Councillor Hutchison declared a possible pecuniary interest in the matter of Clause g) of Report Number 32 Received from the Chief Administrative Officer (Consent) with respect to Site Plan Control Securities – Policy and Procedures Review, as well as By-Law Number (1), 2017-56 as his employer, Kingston Cooperative Homes Inc. is currently in negotiations' with the City of Kingston regarding site plan control securities.

Presentations

None

Delegations

Moved by Deputy Mayor Neill
Seconded by Councillor Stroud

That Clause 11.9 of City of Kingston Procedural By-law 2010-1, as amended, be waived in order to allow Christine Sypnowich, resident, on behalf of Coalition of Kingston Communities to speak to Clause a) of Report Number 34: Received from the Planning Committee with respect to Official Plan Update – Comprehensive Report.

Carried (12:0)
(A 2/3 Vote of Council was Received)
(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Deputy Mayor Holland, Councillor Hutchison, Councillor M^cLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: (0)

1. Christine Sypnowich, resident, on behalf of Coalition of Kingston Communities appeared before Council and spoke to Clause a) of Report Number 34 Received from the Planning Committee with respect to Official Plan Update – Comprehensive Report.

Briefings

None

Petitions

None

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

Council consented to the addition of the Motion of Congratulations and the Motions of Condolences 2, 3 and 4.

Motion of Congratulations (continued)

1. Moved by Councillor Boehme
Seconded by Mayor Paterson

That the congratulations of Kingston City Council be extended to the Barriefield Village Association which was honoured with a Lieutenant Governor's Ontario Heritage Award for Excellence in Conservation on February 17th for its celebrations of the 200th Anniversary of Barriefield. The annual Lieutenant Governor's Ontario Heritage Awards recognize exceptional contributions to cultural and natural heritage conservation, environmental sustainability and biodiversity.

Motions of Condolences

1. Moved by Mayor Paterson
Seconded by Deputy Mayor Neill

That the condolences of Kingston City Council be extended to Nicole Phillips, Human Resources and Organization Development Services, on the passing of her loving father Karl-Heinz Niemann, a longtime dedicated employee of Correctional Services of Canada. Karl-Heinz Niemann will be greatly missed by his extensive family and many friends.

2. Moved by Deputy Mayor Neill
Seconded by Mayor Paterson

That the sincere condolences of Kingston City Council be extended to the many friends and family of Dennis Curtis who passed away recently. Dennis is best known as a theatre icon in Kingston, having performed in many community plays, frequently at the Grand Theatre. He was also a long time employee at Correctional Services of Canada, working in public relations. His talent and humour will be missed.

3. Moved by Councillor Holland
Seconded by Deputy Mayor Neill

That the condolences of Kingston City Council be extended to Warren "Smokey" Thomas, Provincial OPSEU President, on the passing of his mother, Mary G. Thomas. She is survived by seven sons and daughters and numerous grandchildren and great grandchildren. Our sympathy to all Mrs. Thomas' friends and family.

4. Moved by Councillor Schell
Seconded by Deputy Mayor Neill

That the condolences of Kingston City Council be extended to Rob Crothers, Project Engineer, Facilities Management & Construction Services and his family on the death of his mother, Katherine Crothers. Katherine was a wonderful mother, nurse, author and artist, who loved Kingston and all its stories. She will be missed.

Motions of Condolences (continued)

**Carried (12:0)
(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: (0)

Deferred Motions

None

Reports

Report Number 32: Received from the Chief Administrative Officer (Consent)

Moved by Councillor George
Seconded by Councillor Osanic

That Report Number 32: Received from the Chief Administrative Officer (Consent) be received and adopted.

To the Mayor and Members of Council:

Council consented to the separation of Clauses c), d), f) and g).

The Chief Administrative Officer reports and recommends as follows:

a) Award of Contract – Corporate Records Storage Space and the Provision of Related Services

That Council authorize the Mayor and Clerk to enter into a two year limited service records storage contract with Martin's Data Management, pursuant to the results of Option 1 of RFP F31-CES-CC-2016-04, for 7,831 square feet of climate-controlled space to store the City's corporate records, at an annual storage rate of \$8.95/square foot, plus applicable taxes, in a form satisfactory to the City Solicitor; and

That the contract includes an option that the City may exercise to increase the square footage by up to 2,000 additional square feet, if required, at an annual rate of \$8.95/square foot, and a further one year renewal option at the sole discretion of the City; and

Reports (continued)

That the management of the records (including, but not limited to, cataloguing records, searching for records, retrieval of records, and delivery of most records upon request) continue to be completed by City staff.

(The Report of the Commissioner of Corporate & Emergency Services (17-068) was attached to the agenda as schedule pages 1-6)

(File Number CSU-F31-000-2017)

b) Award of Contract – Recycling Truck

That Francis Canada Truck Centre Inc. be awarded the contract for the purchase of one recycling truck, (F31-TIS-TS-FL-2017-01), for the total purchase price of \$205,571 plus applicable taxes; and

That an additional \$13,000 be funded from the Solid Waste and Recycling Equipment Reserve Fund to cover the difference between the approved budget of \$197,000 and the total cost of \$210,000, it being understood that the additional funds being requested are to cover the difference in the purchase price and applicable taxes, and the up-fitting required on the new unit; and

That the Director of Transportation Services be authorized to execute the required agreements, in a form satisfactory to the Director of Legal Services.

(The Report of the President and CEO of Utilities Kingston (17-072) was attached to the agenda as schedule pages 7-10)

(File Number CSU-V00-000-2017)

c) Award of Contract – Front Road Bridge Phase 2

That Council authorize the Mayor and Clerk to enter into a contract in a form satisfactory to the Director of Legal Services with R.W. Tomlinson Ltd. for the rehabilitation of the Front Road Bridge Phase 2.

(The Report of the President and CEO of Utilities Kingston (17-076) was attached to the agenda as schedule pages 11-15)

(File Number CSU-T04-000-2017)

Carried (12:0)
(Clause c))
(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor McLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: (0)

Reports (continued)

d) Award of Contract – Construction of Sidewalks Various Locations

That Council authorize the Mayor and Clerk to enter into a contract in a form satisfactory to the Director of Legal Services with Cruickshank Construction Limited, for the Tender ENG-2017-01 Construction of Sidewalks at Various Locations in the amount of \$488,782.65 (plus HST), it being the lowest bid received.

(The Report of the President and CEO of Utilities Kingston (17-081) was attached to the agenda as schedule pages 16-18)

(File Number CSU-F18-003-2017)

Carried (12:0)
(Clause d))
(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: (0)

e) Collapse of the Portsmouth Village Millennium Trust Fund

That Council authorize the City Treasurer to close-out and collapse the Portsmouth Village Millennium Trust Fund.

(The Report of the Chief Financial Officer and City Treasurer (17-067) was attached to the agenda as schedule pages 19-22)

(File Number CSU-F24-000-2017)

Councillor Boehme withdrew from the meeting.

f) Receipt of the 2016 Water System Annual Compliance Reports

That Council receive the 2016 Annual Compliance Reports for the King Street Water Treatment Plant, the Point Pleasant Water Treatment Plant and the Cana Well Water Treatment Supply System as required by the terms and conditions outlined in Schedule 22 of the Ontario Reg 170/03.

(The Report of the President and CEO of Utilities Kingston (17-073) was attached to the agenda as schedule pages 23-138)

(File Number CSU-E03-000-2017)

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Reports (continued)

Carried (11:0)
(Clause f)
(See Recorded Vote)

YEAS: Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor McLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (11)

NAYS: (0)

ABSENT: Councillor Boehme (1)

Councillor Boehme returned to the meeting.

Councillor Candon and Councillor Hutchison withdrew from the meeting.

g) Site Plan Control Securities – Policy and Procedures Review

That Council approve the revisions to the City's policies and procedures with respect to the calculation, reduction and release of Site Plan Control securities as outlined in this report; and

That Council approve the following amendments to the City's Site Plan Control By-Law Number 2010-217 to implement the revised policies and procedures in accordance with the draft by-law attached as Exhibit B to Report Number 17-077:

- 1) Add a definition for "On-site Improvements" as a new Subsection 7. (18) and renumber the subsequent Subsections accordingly;
- 2) Add a definition for "Qualified Person" as a new Subsection 7. (22) and renumber the subsequent Subsections accordingly;
- 3) Delete Subsection 8. (7) "Financial Securities" in its entirety and replace it with a new Subsection 8. (7) "Performance and Maintenance Securities" that includes, among other matters, provisions respecting: Performance and Maintenance Securities; Submission of Security; Acceptable Forms of Security; Security for Multi-Phase Developments; Security Reductions/Release/Holdbacks; and Draws on Financial Security to Remedy Defaults; and

That the amendments to the Site Plan Control By-Law be given all three readings.

(The Report of the Commissioner of Community Services (17-077) was attached to the agenda as schedule pages 139-168)

(File Number CSU-D11-000-2017)

(See By-Law Number (1), 2017-63)

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Reports (continued)

Carried (10:0)
(Clause g)
(See Recorded Vote)

YEAS: Councillor Boehme, Councillor George, Councillor Holland, Councillor M^cLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (10)

NAYS: (0)

ABSENT: Councillor Candon, Councillor Hutchison (2)

Councillor Candon and Councillor Hutchison returned to the meeting.

h) Innovative Immigration Initiatives Funding

That Council authorize the Mayor and Clerk to sign the funding agreement on behalf of the City of Kingston, for the Municipal Fund – Innovative Immigration Initiatives, subject to the satisfaction of the City Solicitor, with the Ministry of Citizenship and Immigration (MCI), to receive funding for the City's approved application under this program to a maximum of \$80,010; and

That Council authorize the Mayor and Clerk to enter into an agreement with Kingston Community Health Centres subject to the satisfaction of the City Solicitor to administer this project.

(The Report of the Commissioner of Community Services (17-080) was attached to the agenda as schedule pages 169-172)

(File Number CSU-F11-000-2017)

Carried (12:0)
(Carried Clauses a), b), e) and h))
(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: (0)

Report Number 33: Received from the Chief Administrative Officer (Recommend)

Moved by Councillor Holland

Seconded by Councillor M^cLaren

That Report Number 33: Received from the Chief Administrative Officer (Recommend) be received and adopted, clause by clause.

Report Number 33

To the Mayor and Members of Council:

1. Renovation of Breakwater Park - Community Infrastructure Program and Lake Ontario Waterkeeper Grant Awards

That Council approve the renovation of Breakwater Park and approve a budget amendment of \$5.4M to advance the renovation of Breakwater Park to 2017, with funding of \$1M from the 150 CIP grant program, \$500K from the Swim Drink Fish Canada - Lake Ontario Waterkeeper grant and \$3.9M from the Municipal Capital Reserve Fund, including up to \$2.5M funded through the issuance of debt; and

That the Mayor and Clerk be authorized to enter into a contribution agreement with Her Majesty The Queen in Right of Canada represented by the Minister responsible for the Federal Economic Development Agency of Southern Ontario for the Canada 150 Community Infrastructure Program Project Application #810082 – Renovation of Breakwater Park, for the funding amount of \$1M, in a form satisfactory to the Director of Legal Services; and

That the Mayor and Clerk be authorized to enter into a contribution agreement with Swim Drink Fish Canada – Lake Ontario Waterkeeper for the Renovation of Breakwater Park, for the funding amount of \$500K, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Community Services (17-051) was attached to the agenda as schedule pages 173-185)

(File Number CSU-F11-000-2017)

Carried (12:0)
(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: (0)

Reports (continued)

2. Award of Contract – Architectural Lights – City Hall, Springer Market Square and Confederation Park Fountain

That Council authorize the Mayor and Clerk to enter into an agreement, pursuant to the results of Request for Proposal F31-CES-FMCS-2017-03, with Waterman Sales Ltd. for the purchase of architectural lights for City Hall, Springer Market Square and Confederation Park Fountain, in a form satisfactory to the Director of Legal Services; and

That Council approve a consolidated budget of \$544,000 for the City Hall/ Springer Market Square/Confederation Park Fountain Illumination project by combining the previously approved City Hall Illumination budget of \$250,000 and Confederation Park Fountain lighting budget of \$64,000, and by further approving a reallocation of \$230,000 of previously approved capital budgets as follows:

Program 96402 1211 John Counter Blvd (Mechanical Work)	\$85,000
Program 94391 Grand Theatre	\$11,000
Program 96396 Historical Fire Hall (Lonestar Restaurant Tower Lighting)	\$35,000
Program 96390 (Heritage Capital Envelope)	\$99,000
Total	\$230,000

(The Report of the Commissioner of Corporate & Emergency Services (17-085) was attached to the agenda as schedule pages 186-193)

(File Number CSU-F31-000-2017)

Carried (10:2)
(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Hutchison, Councillor McLaren, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (10)

NAYS: Councillor Holland, Deputy Mayor Neill (2)

ABSENT: (0)

Councillor Candon withdrew from the meeting.

Report Number 34: Received from the Planning Committee

Moved by Councillor Schell
Seconded by Deputy Mayor Neill

That Report Number 34: Received from the Planning Committee be received and adopted.

Report Number 34

To the Mayor and Members of Council:

Council consented to the separation of Clause a) and further separation of item b) within Clause a).

The Planning Committee reports and recommends as follows:

a) Official Plan Update – Comprehensive Report

That the City of Kingston Official Plan, as amended, be further amended, as per Exhibit B (Draft By-Law to Amend the City of Kingston Official Plan) to Report Number PC-17-023, as further amended, to reflect the following additional amendments;

- a) That** Item 121 of Schedule A to Exhibit B of Report Number PC-17-023, be further amended by deleting the word ‘and’ preceding the word ‘forms’ and replacing with the word ‘or’ so that subsection ‘c.’ reads as follows:
 - c.** in regard to valleylands, an area identified by the Central Cataraqui Region Natural Heritage Study in 2006 or identified using criteria established by the Ontario Ministry of Natural Resources and Forestry which occurs in a valley or other landform depression that has water flowing through or standing for some period of the year and is ecologically important because it provides short term storage for storm and melt waters, performs nutrient and sediment transport, provides fish and wildlife habitat, or forms natural linkages and corridors between other natural heritage features and areas;
- b) That** Item 347 of Schedule A to Exhibit B of Report Number PC-17-023, be further amended by deleting the words ‘sensitive to’ and replacing with the words ‘is compatible with’ so that it reads as follows:

“Large format retail uses are permitted provided that the built form is compatible with the historic building fabric, scale, pedestrian amenity linkages with the lake, and the protected view corridors.”.

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Reports (continued)

**Carried (10:1)
(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Turner (10)

NAYS: Councillor Stroud (1)

ABSENT: Councillor Candon (1)

- c) That** Item 396 of Schedule A to Exhibit B of Report Number PC-17-023, be further amended to include the words 'and cyclists' following the word 'pedestrians' so that it reads as follows:

"396. a. ensure the safe, efficient and comfortable movement of pedestrians and cyclists;"

- d) That** Item 890 of Schedule A to Exhibit B of Report Number PC-17-023, be further amended to include the phrase 'or National Energy Board regulated pipelines' following the word 'utilities' so that it reads as follows:

5.32. The policies of Sections 5.30 and 5.31 may apply to development proposed in proximity to the facilities of other natural gas utilities or National Energy Board regulated pipelines if deemed necessary by the City."; and

That Council determines that no further notice is required prior to the passage of the by-law; and

That pursuant to Section 26. (7) of the *Planning Act*, it is hereby declared that this 5 Year Update of the City of Kingston Official Plan meets the requirements of Section 26. (1), clauses (a), (b) and (c) of the *Planning Act* and accordingly it is hereby confirmed that the revised City of Kingston Official Plan as adopted by the Council of the Corporation of the City of Kingston:

- (a) Conforms with all applicable provincial plans;
- (b) Has regard to the matters of provincial interest listed in Section 2 of the *Planning Act*;
- (c) Is consistent with the 2014 Provincial Policy Statement; and

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

That staff be directed to submit the Official Plan Update and amending by-law to the Ministry of Municipal Affairs for the Minister's approval.

(By-Law Number (2), 2017-57 (Exhibit B) was attached to the agenda as schedule pages 194-587)

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Reports (continued)

Carried (11:0)
(See Recorded Vote)

YEAS: Councillor Boehme, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (11)

NAYS: (0)

ABSENT: Councillor Candon (1)

b) Approval of an Application for Zoning By-Law Amendment - 213-219 Princess Street (Colbourne & Kembel Architects Inc.)

That the application for zoning by-law amendment (File Number D14-045-2016) submitted by Colbourne & Kembel Architects Inc., on behalf of Rolade Realities Ltd., for the property municipally known as 213-219 Princess Street, be approved; and

That By-Law Number 96-259, entitled "Downtown and Harbour 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 96-259) to Report Number PC-17- 025; and

That Council determines 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 (3), 2017-58 (Exhibit A) was attached to the agenda as schedule pages 588-591)

Carried (11:0)
(See Recorded Vote)

YEAS: Councillor Boehme, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (11)

NAYS: (0)

ABSENT: Councillor Candon (1)

Councillor Candon returned to the meeting.

Report Number 35: Received from the Arts, Recreation and Community Policies Committee

Moved by Deputy Mayor Neill

Seconded by Councillor Holland

That Report Number 35: Received from the Arts, Recreation and Community Policies Committee be received and adopted.

Report Number 35

To the Mayor and Members of Council:

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

1. A Proposal to Establish a Mayor's Arts Award Program as Recommended in the Kingston Culture Plan

That Council approve the Terms of Reference for the Mayor's Arts Awards as described in Exhibit A attached to Report Number ARCP-17-003; and

That Council direct staff to implement the Mayor's Arts Awards in 2017, in collaboration with the Arts Advisory Committee and the Kingston Arts Council, based on the Terms of Reference as approved.

(Exhibit A was attached to the agenda as schedule pages 592-595)

Carried (12:0)
(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: (0)

Report Number 36: Received from the Nominations Advisory Committee

Council consented to the addition of Report Number 36 Received from the Nominations Advisory Committee.

Moved by Councillor Boehme

Seconded by Councillor Hutchison

That Report Number 36: Received from the Nominations Advisory Committee be received and adopted.

Reports (continued)

Report Number 36

To the Mayor and Members of Council:

The Nominations Advisory Committee reports and recommends as follows:

Note: This item was deferred from December 6, 2016 Council Meeting Number 2017-01 until such a time when Tourism Kingston is legally incorporated. Tourism Kingston became legally incorporated on March 1, 2017.

1. Tourism Kingston Board of Directors

That the following appointments be made to the Tourism Kingston Board of Directors for a term of one year, expiring on December 31, 2017:

- Bill Durnford
- Maria Bautista
- Brett Christopher
- Lindsey Fair
- Paul Fortier
- Murray Matheson
- Hugh Mackenzie
- Aba Mortley
- Tim Pater

Carried (12:0)
(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: (0)

Committee of the Whole

None

Information Reports

None

Miscellaneous Business

- 1) Moved by Deputy Mayor Neill
Seconded by Councillor Osanic

That the resignation of Ms. Fran Denby from the Municipal Accessibility Advisory Committee be received with regret.

(See Communication Number 07-252)

Carried (12:0)
(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: (0)

New Motions

1. Moved by Mayor Paterson
Seconded by Councillor Boehme

Whereas the City of Kingston has held a Canada Day celebration at Grass Creek Park on the afternoon of July 1st for many years; and

Whereas the Downtown Kingston BIA has been holding a Canada Day celebration, including fireworks, in downtown Kingston for many years; and

Whereas the City and other partners, such as Downtown Kingston BIA, Canadian Forces Base Kingston, Kingston Accommodation Partners and the Kingston Immigration Partnership, are celebrating the Sesquicentennial and wish to pull their resources together to provide the community with an enhanced and more accessible Canada Day celebration in the downtown core;

Therefore Be It Resolved That Council direct staff to work with other partners and relocate activities from Grass Creek Park to the downtown area to provide an enhanced Canada Day experience highlighting the 150 Canada Day celebration.

Carried (12:0)
(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: (0)

New Motions (continued)

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

Whereas Kingston is a community rich in heritage that ought to be preserved;
and

Whereas a tax credit would seek to limit the destruction of Kingston's heritage buildings, and instead encourage the rehabilitation of these culturally significant buildings;

Therefore Be It Resolved That the Kingston City Council add its voice to those requesting that Parliament adopt Bill C-323 an Act to Amend the Income Tax Act (Rehabilitation of Historic Property); and

That this request be sent to the Prime Minister of Canada, the leaders of the opposition parties, MP Mark Gerretsen and municipalities in Ontario larger than 40,000 residents.

Carried (12:0)
(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: (0)

Notices of Motion

None

Minutes

Moved by Councillor Hutchison
Seconded by Councillor Turner

That the Minutes of City Council Meeting Number 2017-06, held Tuesday February 21, 2017 be confirmed.

Carried (12:0)
(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: (0)

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Tabling of Documents

- 2017-24 Cataraqui Region Conservation Authority (CRCA)
Agenda - February 22, 2017
(File Number CSU-D03-000-2017)
- 2017-25 Cataraqui Source Protection Authority (CSPA)
Agenda - February 22, 2017
(File Number CSU-D03-000-2017)
- 2017-26 Kingston Frontenac Lennox & Addington Public Health Board
Minutes - January 25, 2017
(File Number CSU-S08-001-2017)
- 2017-27 Kingston Frontenac Public Library
Minutes - January 25, 2017
(File Number CSU-R02-000-2017)

Communications

Council consented to the addition of Communication Numbers 07-259 to 07-267.

Filed

- 07-240 Public Notice of Complete Application - Zoning By-Law Amendment - 174
Wilson Street (Burton Courneya).
(File Number CSU-D14-000-2017)
- 07-241 Delegated Authority Notice of Technical Consent, Application for Consent
to Sever (Common Party wall) 37-39 Churchill Street.
(File Number CSU-D19-000-2017)
- 07-242 Delegated Authority Notice of Technical Consent, Application for Consent
to Sever New Lot - 145 Kirkpatrick Street.
(File Number CSU-D19-000-2017)
- 07-243 From Township of Leeds and the Thousand Islands - Notice of Passing -
Zoning By-Law Amendment - 122 & 136 Main Street, Seeley's Bay.
(File Number CSU-D14-000-2017)
- 07-244 Committee of Adjustment Notices of Decision for the following properties:
Consent – In respect of an application for consent to sever the property at
1397 Sydenham Road, the Committee decided that the application Should
be Provisionally Approved, subject to conditions. The final date for appeal
is March 21, 2017.
Minor Variance – In respect of an application for permission under Section
45(2)(a)(i) of the Planning Act for the property at 61 Division Street, the
Committee decided that the application Should be Approved, subject to
conditions. The final date for appeal is March 19, 2017.

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Communications (continued)

Minor Variance – In respect of an application to request relief from Zoning By-Law Number 8499 for the property at 421 Union Street, the Committee decided that the application Should be Approved, subject to conditions. The final date for appeal is March 20, 2017.

Minor Variance – In respect of an application to request relief from Zoning By-Law Number 8499 for the property at 652 Portsmouth Avenue, the Committee decided that the application Should be Approved, subject to conditions. The final date for appeal is March 19, 2017.

(File Number CSU-D19-000-2017)

Referred to All Members of Council

07-245 From Rob Miller, resident, letter to Council regarding the proposed Interim Control By-Law.

(Distributed to all members of Council on March 1, 2017)

(File Number CSU-D14-000-2017)

07-246 From Krista Fazackerley, Communications Coordinator, Cataraqui Region Conservation Authority (CRCA) - Downgrades to a Minor Drought Condition.

(Distributed to all members of Council on March 1, 2017)

(File Number CSU-E05-000-2017)

07-247 From Krista Fazackerley, Communications Coordinator, Cataraqui Region Conservation Authority (CRCA) - CRCA Watershed Conditions Statement - Water Safety.

(Distributed to all members of Council on March 1, 2017)

(File Number CSU-E05-000-2017)

07-248 From Associations of Municipalities of Ontario (AMO) - AMO Communications - AMO Conference Early Bird Deadline is March 31, 2017.

(Distributed to all members of Council on March 1, 2017)

(File Number CSU-A01-004-000-2017)

07-249 From Bruce Todd, resident, letter to Council regarding the proposed Third Crossing.

(Distributed to all members of Council on March 1, 2017)

(File Number CSU-T04-000-2017)

07-250 From Frank Dixon, resident, letter to Council regarding proposed plan for partial closure of Napier Street.

(Distributed to all members of Council on March 1, 2017)

(File Number CSU-D18-000-2017)

07-251 From Frank Dixon, resident, letter to Council regarding the Kingston Penitentiary - Portsmouth Olympic Harbour area.

(Distributed to all members of Council on March 1, 2017)

(File Number CSU-D18-000-2017)

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Communications (continued)

- 07-252 From Fran Denby providing notice of resignation from the Municipal Accessibility Advisory Committee (MAAC).
(Distributed to all members of Council on March 1, 2017)
(File Number CSU-C12-000-2017)
(See Miscellaneous Business Item Number 1)
- 07-253 From Krista Fazackerley, Communications Coordinator, Cataraqui Region Conservation Authority (CRCA) - CRCA Extends Watershed Conditions Statement - Water Safety.
(Distributed to all members of Council on March 1, 2017)
(File Number CSU-E05-000-2017)
- 07-254 From Tim Sugrue, resident, letter to Council regarding the proposed Interim Control By-Law.
(Distributed to all members of Council on March 1, 2017)
(File Number CSU-D14-000-2017)
- 07-255 From Summer MacGregor, Legislative Assistant, Regional Municipality of Peel, providing notice and requesting support for Motion regarding Regional Fluoridation.
(Distributed to all members of Council on March 1, 2017)
(File Number CSU-S08-000-2017)
- 07-258 From Frank Dixon, resident, letter to Council regarding Public Engagement Strategy.
(Distributed to all members of Council on March 1, 2017)
(File Number CSU-M11-000-2017)
- 07-259 From Vicki Schmolka, resident, letter to the City Clerk regarding the New Proposed Official Plan.
(Distributed to all members of Council on March 7, 2017)
(File Number CSU-D08-000-2017)
- 07-260 From R. Cardwell, resident, letter regarding 214 Green Bay Road amended plans.
(Distributed to all members of Council on March 7, 2017)
(File Number CSU-P18-000-2017)
- 07-261 From Derek Complin & Gerry Locklin, residents and Team Spokespersons for nothirdcrossing, Bulletin #2 to Council regarding the proposed Third Crossing.
(Distributed to all members of Council on March 7, 2017)
(File Number CSU-T04-000-2017)
- 07-262 From Derek Complin & Gerry Locklin, residents and Team Spokespersons for nothirdcrossing, Bulletin #3 to Council regarding the proposed Third Crossing.
(Distributed to all members of Council on March 7, 2017)
(File Number CSU-T04-000-2017)

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Communications (continued)

- 07-263 From Derek Complin & Gerry Locklin, residents and Team Spokespersons for nothirdcrossing, Bulletin #4 to Council regarding the proposed Third Crossing.
(Distributed to all members of Council on March 7, 2017)
(File Number CSU-T04-000-2017)
- 07-264 From Jaisen Song, resident, a presentation regarding the Interim Control By-Law.
(Distributed to all members of Council on March 7, 2017)
(File Number CSU-D14-000-2017)
- 07-265 From Associations of Municipalities of Ontario (AMO) - AMO Policy Update – Strategy for a Waste-Free Ontario: Building the Circular Economy Released.
(Distributed to all members of Council on March 7, 2017)
(File Number CSU-E07-004-000-2017)
- 07-266 From Joanna Salsberg, Farmland Protection Program Assistant, Ontario Farmland Trust - information regarding the 2017 Ontario Farmland Forum.
(Distributed to all members of Council on March 7, 2017)
(File Number CSU-A04-000-2017)
- 07-267 From Krista Fazackerley, Communications Coordinator, Cataraqui Region Conservation Authority – News Release – CRCA Extends Watershed Conditions Statement – Water Safety.
(Distributed to all members of Council on March 7, 2017)
(File Number CSU-E05-000-2017)
- 07-268 From Christine Sypnowich, resident on behalf of Coalition of Kingston Communities, handout to Council regarding her delegation with respect to Official Plan Update (Report 34).
(Distributed to all members of Council on March 7, 2017)
(File Number CSU-D18-000-2017)

Referred to City Clerk

- 07-256 From Education Community Outreach Centre, Queen's University, asking Council to proclaim Saturday May 13, 2017 as Celebrating National Science & Technology Week - Science Rendezvous Kingston 2017.
(Distributed to all members of Council on March 1, 2017)
(File Number CSU-M10-000-2017)
- 07-257 From The Canadian Association of Nurses in Oncology asking Council to proclaim April 4, 2017 as Oncology Nursing Day in the City of Kingston.
(Distributed to all members of Council on March 1, 2017)
(File Number CSU-M10-000-2017)

Other Business

None

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By-Laws

Council consented to the deferral of By-Law (4) and the separation of By-Laws (1), (2), (3), and (4).

Moved by Councillor Stroud

Seconded by Councillor George

That By-Law Number (4), 2017-52 be deferred until the next meeting of Council on March 21, 2017.

Carried (12:0)
(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^oLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: (0)

Councillor Candon and Councillor Hutchison withdrew from the meeting.

a) Moved by Councillor George
Seconded by Councillor Stroud

That By-Law (1) be given its first and second reading.

Carried (10:0)
(See Recorded Vote)

YEAS: Councillor Boehme, Councillor George, Councillor Holland, Councillor M^oLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (10)

NAYS: (0)

ABSENT: Councillor Candon, Councillor Hutchison (2)

b) Moved by Councillor George
Seconded by Councillor Stroud

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

Carried (10:0)
(See Recorded Vote)

YEAS: Councillor Boehme, Councillor George, Councillor Holland, Councillor M^oLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (10)

NAYS: (0)

ABSENT: Councillor Candon, Councillor Hutchison (2)

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By-Laws (continued)

- c) Moved by Councillor George
Seconded by Councillor Stroud

That By-Law (1) be given its third reading.

Carried (10:0)
(See Recorded Vote)

YEAS: Councillor Boehme, Councillor George, Councillor Holland, Councillor M^cLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (10)

NAYS: (0)

ABSENT: Councillor Candon, Councillor Hutchison (2)

Councillor Hutchison returned to the meeting.

- d) Moved by Councillor George
Seconded by Councillor Stroud

That By-Laws (2) and (3) be given their first and second reading.

Carried (11:0)
(See Recorded Vote)

YEAS: Councillor Boehme, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (11)

NAYS: (0)

ABSENT: Councillor Candon (1)

- e) Moved by Councillor George
Seconded by Councillor Stroud

That By-Laws (2) and (3) be given their third reading.

Carried (11:0)
(See Recorded Vote)

YEAS: Councillor Boehme, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (11)

NAYS: (0)

ABSENT: Councillor Candon (1)

Councillor Candon returned to the meeting.

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By-Laws (continued)

- f) Moved by Councillor George
Seconded by Councillor Stroud

That By-Laws (5) through (8) be given their first and second reading.

Carried (12:0)
(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: (0)

- g) Moved by Councillor George
Seconded by Councillor Stroud

That By-Laws (5) through (8) be given their third reading.

Carried (12:0)
(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: (0)

- (1) A By-Law to Amend By-Law Number 2010-217, "A By-Law to Designate The Whole of The City of Kingston as a Site Plan Control Area, Pursuant to Section 41 of The *Planning Act*, R.S.O. 1990, Chapter P.13, As Amended, and to Adopt Certain Procedures for the Processing of Site Plan Control Applications, and to Exempt Certain Classes of Development from Approval of Plans and Drawings" – Site Plan Control Securities.

Three Readings

Proposed Number 2017-63

(See Clause (g), Report Number 32)

- (2) A By-Law to Amend the Official Plan for the City of Kingston Planning Area (Amendment Number 50, Five Year Review)

Three Readings

Proposed Number 2017-57

(See Clause (1), Report Number 34)

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By-Laws (continued)

- (3) A By-Law to Amend By-Law Number 96-259, "Downtown and Harbour Zoning By-Law for The Corporation of The City of Kingston" (Zone Change from 'C1-3' to 'C1-43', 213-219 Princess Street)

Three Readings

Proposed Number 2017-58

(See Clause (2), Report Number 34)

- (4) A By-Law to Establish Part 3 on Reference Plan 13R-20924 as part of the Public Highway known as Catarauqui Street 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 2017-52

(Delegated Authority)

(Deferred from City Council Meeting Number 2017-06)

(See Schedule pages 596-598)

Deferred

- (5) A By-Law to Exempt Certain Lands on Registered Plan 13M-85 from the provisions of Section 50 (5) of The *Planning Act*, R.S.O. 1990, Chapter P.13, and amendments thereto (Lots 1 to 4, 13M-85, municipally known as 101 to 107 Pauline Tom Avenue, for the purpose of adjusting the lot line to create two additional lots)

Three Readings

Proposed Number 2017-59

(Delegated Authority)

(See Schedule pages 599-601)

- (6) A By-Law to Exempt Certain Lands on Registered Plan 13M-58 from the provisions of Section 50 (5) of The *Planning Act*, R.S.O. 1990, Chapter P.13, and amendments thereto (Blocks 85 And 86, Registered Plan 13M-107)

Three Readings

Proposed Number 2017-60

(Delegated Authority)

(See Schedule pages 602-603)

- (7) A By-Law to permit Council to Enter Into a Second Residential Unit Affordable Housing Program Loan Agreement with the Homeowner of 1226 Carfa Crescent for the provision of an Affordable Housing Unit at 1226 Carfa Crescent

Three Readings

Proposed Number 2017-61

(Delegated Authority)

(See Schedule page 604)

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

Three Readings

Proposed Number 2017-62

(City Council Meeting Number 2017-07)

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Adjournment

Moved by Councillor George
Seconded by Deputy Mayor Neill

That Council do now adjourn.

Carried (12:0)
(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Deputy Mayor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: (0)

Council adjourned at 9:51 pm.

(Signed)

John Bolognone

City Clerk

Bryan Paterson

Mayor