



## **City Council Meeting Number 2018-17**

The Regular Meeting of Kingston City Council was held on Tuesday, July 10, 2018, and was called to order at 6:31 pm in the Council Chamber, City Hall. Regular business commenced at 7:36 pm. His Worship Mayor Bryan Paterson presided.

There was a "Closed Meeting" of the Committee of the Whole from 6:35 pm to 7:26 pm in the Councillors' Lounge.

### **(Council Chamber)**

#### **Roll Call**

Present: Councillor Boehme (arrived at 7:36 pm), Councillor Candon (arrived at 6:55 pm), Councillor George, Councillor Holland, Councillor Hutchison (arrived at 6:41 pm), Councillor M<sup>c</sup>Laren (arrived at 7:36 pm), Councillor Neill, Councillor Oosterhof, Mayor Paterson, Councillor Osanic, Councillor Schell, Councillor Stroud (arrived at 7:36 pm), Deputy Mayor Turner (13)

Absent: (0)

### **(Councillors' Lounge)**

#### **Administrative Staff Present:**

Mr. J. Bolognone, City Clerk  
Mr. B. Bost, KPMG  
Mr. G. Hunt, Chief Administrative Officer  
Ms. L. Hurdle, Commissioner, Community Services  
Ms. J. Jaynes, Deputy City Clerk  
Mr. A. McLeod, Senior Legal Counsel and Deputy City Solicitor  
Ms. S. Nicholson, Director, Legal Services and City Solicitor  
Ms. R. Noordegraaf, Manager, Housing & Child Care  
Mr. B. Peever, KPMG

### **Committee of the Whole "Closed Meeting"**

- 1) Moved by Councillor George  
Seconded by Councillor Osanic

**That** Council resolve itself into the Committee of the Whole "Closed Meeting" to consider the following items:

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- a) A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board – Non-profit/affordable housing in Kingston

**Carried (8:0)**  
**(See Recorded Vote)**

YEAS: Councillor George, Councillor Holland, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Schell, Deputy Mayor Turner (8)

NAYS: (0)

ABSENT: Councillor Boehme, Councillor Candon, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Stroud (5)

**(Council Chamber)**

**Administrative Staff Present:**

Ms. P. Agnew, Director, Planning, Building & Licensing  
Mr. J. Bolognone, City Clerk  
Mr. J. Bumstead, Chief Information Officer  
Mr. L. Coleman, Technology Associate  
Mr. P. Huigenos, Director, Real Estate and Environmental Initiatives  
Mr. W. Hunnisett, Council Research Intern  
Mr. G. Hunt, Chief Administrative Officer  
Ms. J. Jaynes, Deputy City Clerk  
Mr. S. Kanellos, Director, Facilities Management & Construction Services  
Mr. J. Keech, President & CEO, Utilities Kingston  
Ms. D. Kennedy, Chief Financial Officer and City Treasurer  
Ms. JC Kenny, Director, Communications & Customer Experience  
Ms. L. Hurdle, Commissioner, Community Services  
Mr. G. McLean, Policy & Program Coordinator  
Mr. R. Morgan, Communications Officer  
Ms. S. Nicholson, Director, Legal Services and City Solicitor  
Ms. R. Noordegraaf, Manager, Housing and Child Care  
Mr. C. Sabourin, Information Systems & Technology

**Report of the Committee of the Whole “Closed Meeting”**

- (2) Moved by Councillor Schell  
Seconded by Councillor Holland

**That** Council rise from the Committee of the Whole “Closed Meeting” without reporting.

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**Carried (13:0)**  
**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

**Approval of Addeds**

Moved by Deputy Mayor Turner  
Seconded by Councillor Boehme

**That** the addeds be approved.

**Carried (13:0)**  
**(A 2/3 Vote of Council was Received)**  
**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

**Disclosure of Pecuniary Interest**

1. Councillor Candon declared a possible pecuniary interest in Deferred Motion 1 and Clause 2 of Report Number 65: Received from the Chief Administrative Officer (Recommend) with respect to 7 Wright Crescent – Proposed Negotiations as his real estate brokerage has business arrangements with the subject business.
2. Councillor George declared a possible pecuniary interest in Clause 2 of Report Number 66: Received from the Planning Committee and By-Law (6) with respect to Approval of an Application for a Zoning By-Law Amendment – 1350 Woodfield Crescent (Creekside Valley Development) as his company is providing a service to the applicant.
3. Councillor Hutchison declared a possible pecuniary interest in Deferred Motion 1 with respect to 7 Wright Crescent – Agreement Update and Clause 2 of Report Number 65: Received from the Chief Administrative Officer (Recommend) with

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respect to 7 Wright Crescent – Proposed Negotiations as he has previously declared a conflict of interest on 7 Wright Crescent and continues to do so.

4. Councillor McLaren declared a possible pecuniary interest in Committee of the Whole “Closed Meeting” Item a) A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board – Non-profit/affordable housing in Kingston as he has an interest in property that is proximate to a property that is referenced in the report.

### **Presentations**

None.

### **Delegations**

Council consented to the addition of Delegations 1 and 2.

1. Munro Watters, Vice-President University Affairs, Alma Mater Society, Queen’s University, appeared before Council and spoke to Clause 15 of Report 64: Received from the Chief Administrative Officer (Consent) with respect to the Request for Noise Exemptions – Queen’s University AMS Orientation Week Events.
2. Frank Dixon, resident, appeared before Council and spoke to Clause 1 of Report 65: Received from the Chief Administrative Officer (Recommend) with respect to the Transmittal of the Report of the Closed Meeting Investigator and Legal Opinion of Aird & Berlis LLP – Cataragui West Open Space Lands.

### **Briefings**

None.

### **Petitions**

1. A petition bearing approximately 22 signatures was presented by Councillor Osanic to Council on July 10, 2018 which reads as follows:  
“We, the undersigned, currently play outdoor tennis and we urge the city to provide indoor tennis to its residents as seen in Belleville, Richmond Hill, Markham, Oshawa, Pickering and Ajax which are the City of Kingston’s comparator cities. The City of Kingston needs to provide indoor tennis too.”

**Referred to the Commissioner of Community Services**

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2. A petition bearing approximately 52 signatures was presented by Councillor Boehme to Council on July 10, 2018 which reads as follows:

“We the residents of Butternut Creek Estates in the City of Kingston, Ontario believe that there is a shortfall in road maintenance services in our subdivision in regard of the municipal taxes paid to the City of Kingston.

Over the thirty years since they were laid, the roads (Marclen Drive, Deerview Drive, and Trillium Lane) have been subject to regular traffic and seasonal wear. The roads have now deteriorated to the extent that annual stopgap maintenance is unable to keep up with the regular breakup of asphalt and the generally poor condition.

We note that the road surface is the only long term infrastructure maintenance item the City of Kingston needs to attend to in our subdivision. There are no kerbs; no sidewalks; no water mains; no fire hydrants; no sanitary sewers; no catch basins or storm sewers and no overall drainage infrastructure.

We therefore urgently request that Council give direction to staff to prepare a plan for repair and resurfacing operations to restore the roads in Butternut Creek Estates. This plan should then be reviewed with the Butternut Creek residents for feedback before proceeding to execute the plan. The plan should bear in mind that these roads were originally new asphalt concrete surfaces and are expected to be restored to that condition throughout.”

**Referred to the Deputy Commissioner of Transportation & Infrastructure Services - Operations**

3. A petition bearing approximately 143 signatures was presented by Councillor Hutchison to Council on July 10, 2018 which reads as follows:

“We, the undersigned, hereby petition the City of Kingston to address the excessive speeding and aggressive driving in our neighbourhood. As residents we bring the following traffic observations and safety concerns to your attention:

- We’ve witnessed a dramatic increase in excessive speeding and aggressive driving in our neighbourhood over the last several years. Given that this neighbourhood includes many seniors and many more families with children, teenagers and pets, this situation has created genuine safety concerns for residents.
- We do not have 40 km/h speed limit signs, children at play signs, or watch for senior citizens signs. There are no four-way stops signs, marked crosswalks or driver feedback displays throughout most of our neighbourhood. The lack of traffic calming and road safety measures has

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fostered an environment where drivers can – and do – reach excessive speed.

- We've noticed that since the introduction of an on-street parking permit program fewer visitor vehicles now park along Bagot Street. This situation allows drivers to speed around, rather than stop for, pedestrians crossing the streets or residents entering/exiting their driveways. Bagot Street's already wide road size only encourages this behavior.
- We don't want residents risking parking tickets when they deliberately park in front of their houses to create a safety buffer between at-play children and aggressive drivers. We're tired of calling out to drivers to slow down.
- We've seen how the installation of block shortening and road narrowing measures has mitigated speeding in nearby neighbourhoods. We believe similar measures are needed to influence how drivers navigate through our neighbourhood. We believe our concerns are justified as more and more area residents use the nearby playground, basketball courts, and trail system. Our concerns will only grow with the completion of the Third Crossing.

Therefore, we respectfully and sincerely request the City of Kingston to install traffic calming and road safety measures in consultation with residents. We believe a combination of traffic calming and road safety measures are warranted to reduce vehicle speeds, alter driver behaviour, and improve the neighbourhood environment. These measures will also provide clarity, predictability and visibility to drivers and pedestrians."

**Referred to the Deputy Commissioner of Transportation & Infrastructure Services - Operations**

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

Motion of Congratulations

1. Moved by Mayor Paterson  
Seconded by Deputy Mayor Turner

**That** the congratulations of Kingston City Council be extended to Jayna Hefford who will be inducted into the Hockey Hall of Fame this November. Hefford, who calls Kingston home, is one of the greats in women's ice hockey and competed at the highest levels for almost 20 years. She won her first world championship at

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19 and has won four Olympic gold medals. Congratulations Jayna! We are all very proud of you!

**Carried (13:0)**  
**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>o</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

Councillor Candon and Councillor Hutchison withdrew from the meeting.

**Deferred Motions**

**Note:** See also Clause 2 of Report Number 65: Received from the Chief Administrative Officer (Recommend), which Council consented to consider at this point in the meeting.

This motion was deferred from the June 26, 2018 Council Meeting.

**1. 7 Wright Crescent – Agreement Update**

**That** Council direct staff to advise that The Corporation of the City of Kingston will not be entering into a purchase and sale agreement with CJM Property Management Limited for the property located at 7 Wright Crescent; and

**That** Council direct staff to report back within the next nine (9) months with options to facilitate affordable housing construction at 7 Wright Crescent.

**Withdrawn**

Councillor Candon and Councillor Hutchison returned to the meeting.

## Reports

### **Report Number 64: Received from the Chief Administrative Officer (Consent)**

Moved by Councillor Candon  
Seconded by Councillor George

**That** Report Number 64: Received from the Chief Administrative Officer (Consent) be received and adopted.

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

Council consented to the separation of clauses 4, 5, 9, 11 and 15.

#### **1. License Agreement with Limestone Boat & Board Club to Permit Trillium Grant Application**

**That** Council authorize the Mayor and Clerk to enter into a license agreement with the Limestone Boat & Board Club for a term of five years with terms as generally described in Report Number 18-185 and further authorize amendments that may be required, to permit the Limestone Boat & Board Club to construct a small launch, docks and boat shed in Rotary Park, in a form agreeable and satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Community Services (18-185) was attached to the agenda as schedule pages 1-5)  
(File Number CSU-L15-000-2018)

#### **2. Breakwater Park Renovation**

**That** Council approve a capital budget increase for Breakwater Park renovations in the amount of \$600,000 from the Municipal Capital Reserve Fund.

(The Report of the Commissioner of Community Services (18-194) was attached to the agenda as schedule pages 6-9)  
(File Number CSU-R04-000-2018)

#### **3. Close and Declare Surplus – Unopened Portion of Marker Crescent**

**That** a by-law be presented to Council to permanently close a portion of Marker Crescent, Plan 1578, designated as Part 1 on Reference Plan 13R-13872, City of Kingston; and



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**That** Council declare surplus to municipal need and dispose of a portion of Marker Crescent, Plan 1578, designated as Part 1 on Reference Plan 13R-13872, City of Kingston; and

**That** Council authorize the Mayor and Clerk to execute all necessary agreements as may be required to sell the portion of Marker Crescent, Plan 1578, designated as Part 1 on Reference Plan 13R-13872, City of Kingston, to Conacher Kingston Holdings Inc. for \$1.00 plus fees and disbursements to the satisfaction of the Director of Legal Services; and

**That** the draft by-law, "A By-Law to Permanently Close a Portion of the Highway described as Part of Marker Crescent, Plan 1578, designated as Part 1 on Reference Plan 13R-13872, City of Kingston", attached as Exhibit B to Report Number 18-197 be given all three readings.

**(See By-Law Number (4), 2018-121)**

(The Report of the Commissioner of Community Services (18-197) was attached to the agenda as schedule pages 10-17)  
(File Number CSU-T09-000-2018)

**4. Proposed Cell Tower Lease – Rogers Communications – 1303 John Marks Avenue**

**That** Council grant approval for Rogers Communications Inc., or its agent, to submit a formal application to the Planning, Building & Licencing Services Department to initiate a public consultation for a proposed cell tower on City-owned property at 1303 John Marks Avenue; and

**That** the Director of Real Estate & Environmental Initiatives be delegated authority to provide land owner's written consent for the purposes of the application; and

**That** subject to the application receiving no objections from the Planning Committee in accordance with the requirements of Innovation, Science and Economic Development Canada, and the City's public consultation process, Council direct staff to negotiate a lease of Rogers Communications Inc. at fair market value for a period of five (5) years with three (3) successive five (5) year options to renew in a form satisfactory to the Director of Legal Services; and

**That** Council authorize the Mayor and Clerk to execute all necessary agreements as may be required to finalize a lease with Rogers Communications Inc.

(The Report of the Commissioner of Community Services (18-199) was attached to the agenda as schedule pages 18-23)  
(File Number CSU-A12-000-2018)

**Carried (12:1)**

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**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>o</sup>Laren, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (12)  
NAYS: Councillor Neill (1)  
ABSENT: (0)

**5. Declare Surplus A Portion of 1110 Clyde Court**

**That** Council declare surplus and transfer to the employment lands inventory a portion of 1110 Clyde Court, having an area of approximately 12 acres, described as Part Lot 12, Concession 3, City of Kingston, as depicted on the sketch in Exhibit A attached to Report Number 18-201.

(The Report of the Commissioner of Community Services (18-201) was attached to the agenda as schedule pages 24-28)

(File Number CSU-D02-000-2018)

**Carried (11:2)**  
**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>o</sup>Laren, Councillor Oosterhof, Mayor Paterson, Councillor Schell, Deputy Mayor Turner (11)  
NAYS: Councillor Osanic, Councillor Stroud (2)  
ABSENT: (0)

**6. Cataraqui Source Protection Plan (SPP) – Appointment of Risk Management Official**

**That** The Corporation of the City of Kingston appoints the City's Manager, Environmental Projects, or his/her designate as the Risk Management Official, *RMO*, to carry out the duties and enforcement responsibilities under Part IV of the *Clean Water Act* (the Act) for the purpose of implementing the Cataraqui Source Protection Plan as it applies to the lands that are subject to Part IV of the Act (Cana Wellhead Protection Area) as enabled by Section 48 of the *Clean Water Act*.

(The Report of the Commissioner of Community Services (18-176) was attached to the agenda as schedule pages 29-36)

(File Number CSU-C12-000-2018)

**7. 2018 City of Kingston Arts Fund Grant Recommendations**

**That** Council approve the Kingston Arts Council's recommendations for the distribution of Operating Grants and Project Grants from the 2018 City of Kingston Arts Fund as outlined in Exhibit A to Report Number 18-204.

(The Report of the Commissioner of Community Services (18-204) was attached to the agenda as schedule pages 37-62)  
(File Number CSU-F25-000-2018)

**8. Extension of Heritage Easement Agreement Queen's University Kingston – Main Campus (P18-322)**

**That** Council authorize the Mayor and Clerk to execute an agreement with Queen's University for the extension of the existing heritage easement agreement by one calendar year, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Community Services (18-188) was attached to the agenda as schedule pages 63-68)  
(File Number CSU-D15-000-2018)

**9. Next Steps – City Building, Planning Policies**

**That** the Director of Planning, Building & Licensing Services be authorized to sole source, pursuant to By-Law Number 2000-134, A By-Law to Establish Purchasing Policies and Procedures, the preparation of tall building policies with Toderian UrbanWORKS, at a total cost of \$53,900, exclusive of HST and expenses; and

**That** Council authorize the Mayor and Clerk to execute an agreement between the City of Kingston and Toderian UrbanWORKS for the preparation of tall building policies for the City of Kingston Official Plan at a total cost of \$53,900, exclusive of HST and expenses, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Community Services (18-071) was attached to the agenda as schedule pages 69-76)  
(File Number CSU-D09-000-2018)

**Carried (13:0)**  
**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

**10. Update on Cannabis Legalization and Proposed Reallocation of Funding from Sales of Cannabis**

**That** Council approve the reallocation of revenues from recreational cannabis sales estimated at \$400,000 over the next two (2) years as follows:

1. \$259,000 to Kingston Police primarily for training related expenses and capital equipment;
2. \$80,000 to KFL&A Public Health to run an education campaign;
3. \$61,000 to the City to address increased pressure on by-law services; and

**That** Council request that confirmed funding allocations be reflected in the 2019 operational and capital budgets to cover anticipated implementation costs.

(The Report of the Commissioner of Community Services (18-192) was attached to the agenda as schedule pages 77-83)

(File Number CSU-S08-000-2018)

**11. Partnership – Francophone Secondary School**

**That** Council approve a budget amendment for the development of a community park in West Village, 700 Gardiners Road, in the amount of \$1,025,000, to be funded \$902,726 from Development Charges and \$122,274 from the Municipal Capital Reserve Fund; and

**That** the Mayor and Clerk be authorized to enter into an agreement with the Conseil scolaire de district catholique du Centre-Est de l'Ontario and Le Conseil des écoles publiques de l'Est de l'Ontario for the development of a community park in West Village, for the funding amount up to \$1,025,000 in a form satisfactory to the Director of Legal Services; and

**That** the Mayor and Clerk be authorized to enter into an agreement with the Conseil scolaire de district catholique du Centre-Est de l'Ontario and the Conseil des Écoles Publiques de l'Est de l'Ontario for the shared use of future amenities on the new school site, subject to final negotiation, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Community Services (18-193) was attached to the agenda as schedule pages 84-90)

(File Number CSU-M11-000-2018)

**Carried (13:0)**  
**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill,

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Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Schell,  
Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

**12. Harbour Restaurant at Portsmouth Olympic Harbour – Lease Extension to December 31, 2020**

**That** Council authorize the Mayor and Clerk to execute a lease amending agreement with Harbour Restaurant Limited to extend the current lease for two additional years from January 1, 2019 to December 31, 2020 at the annual rate of \$105,800 and \$106,800 for 2019 and 2020 respectively, inclusive of property taxes but exclusive of HST and utility costs, and on other terms and conditions as outlined in Report Number 18-208, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Community Services (18-208) was attached to the agenda as schedule pages 91-95)

(File Number CSU-L15-000-2018)

**13. Invista Centre – Naming Rights**

**That** Council authorize the Mayor and the Clerk to enter into an agreement to the satisfaction of the Director of Legal Services with INVISTA Canada for a total contribution of \$220,000 plus taxes over a five (5) year period for the naming rights and sponsorship for the multiplex facility at 1350 Gardiners Road, today, known as the INVISTA Centre.

(The Report of the Commissioner of Community Services (18-215) was attached to the agenda as schedule pages 96-98)

(File Number CSU-R05-002-2018)

**14. Affordable Housing Capital Funding – 2019 IAH & SIF Rental Housing Allocations**

**That** Council approve the allocation of affordable housing capital funding in the amount of \$2,387,990 to the Kingston and Frontenac Housing Corporation to develop a minimum of sixteen (16) affordable housing units with a minimum affordability period of thirty (30) years at 1 Curtis Crescent and 20 Cliff Crescent; and

**That** Council approve the by-law, attached as Exhibit A to Report Number 18-189, “A By-law to Permit Council to Enter into a Municipal Contribution Agreement with the Kingston and Frontenac Housing Corporation for the Provision of Affordable Housing Units at 1 Curtis Crescent and 20 Cliff Crescent”; and

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**That** Council formally withdraw a previous affordable housing capital funding offer of \$1,200,000 to Town Homes Kingston's 7 Wright Crescent project (Report Number 16-212) and repeal By-Law Number 16-147 "A By-Law To Permit Council To Enter Into A Municipal Contribution Agreement With Kingston Municipal Non-Profit Housing Corporation Town Homes Kingston For The Provision of Affordable Housing at 7 Wright Crescent"; and

**That** Council authorize the Commissioner of Community Services or his/her delegate to review and approve all documents and agreements related to the funding allocations outlined in Report Number 18-189 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 related to the funding allocations outlined in Report Number 18-189, as approved by the Commissioner of Community Services or his/her delegate.

**(See By-Law Number (1), 2018-120)**

(The Report of the Commissioner of Community Services (18-189) was attached to the agenda as schedule pages 99-105)  
(File Number CSU-S18-000-2018)

**15. Request for Noise Exemptions – Queen's University AMS Orientation Week Events**

**That** Queen's Alma Mater Society is granted an exemption from Schedule B of By-Law Number 2004-52, "A By-Law to Regulate Noise", to permit the following events during Queen's University Orientation Week:

1. A "Carnival" event on Monday, September 3, 2018 at Tindall Field, 160 Union Street. It is proposed that the event take place from 8:00 p.m. to 11:00 p.m.
2. A "Frosh Night In" event on Tuesday, September 4, 2018, on Summerhill lawns located at the northwest corner of Arch and Stuart Streets on Queen's Main Campus. It is proposed that the event will take place from 8:00 p.m. to 10:30 p.m.;
3. A "Frosh Night Out" event on Wednesday, September 5, 2018, on Cricket Field immediately north of City Park. It is proposed that the event will take place from 7:00 p.m. to 10:00 p.m.;
4. A "Mystery Concert" on Friday, September 7, 2018, located at the Miller Hall parking lot behind Miller Hall, 36 Union Street, and at the Medical Quadrangle, 40 Arch Street. It is proposed that sound testing be conducted between 12:00 p.m. and 7:00 p.m. and that the event will follow from 7:00 p.m. to 11:00 p.m.;
- and
5. An outdoor semi-formal on Saturday, September 8, 2018, located at the Biosciences Atrium and Courtyard, 166 Barrie Street, and at the Medical

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Quadrangle, 40 Arch Street. It is proposed that the event will take place from 8:00 p.m. to 11:00 p.m.

(The Report of the Commissioner of Community Services (18-178) was attached to the agenda as schedule pages 106-110)  
(File Number CSU-P01-000-2018)

**Carried (13:0)**  
**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>o</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

**16. Award of Contract for Supply and Installation of New Modular Water Chillers at Rideaucrest Home**

**That** Allen Mechanical Inc. be awarded the contract in response to Request for Proposal F31-CES-FMCS-2018-13 for the supply and installation of new modular water chillers at Rideaucrest Home located at 175 Rideau Street; and

**That** Council authorize the Mayor and Clerk to execute an agreement in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Corporate & Emergency Services (18-209) was attached to the agenda as schedule pages 111-115)  
(File Number CSU-F31-000-2018)

**17. Write-Off of Uncollectable Defaulted Provincial Offence Fines**

**That** Council authorize that staff be authorized to write-off an amount up to \$2,385,000 of aging and defaulted POA fines from between 2006 and 2011 in accordance with the Policy for the Write-Off of Uncollectable Defaulted Provincial Offence Fines and that staff be directed to notify the Ministry of the Attorney General of said write-offs.

(The Report of the Commissioner of Corporate & Emergency Services (18-206) was attached to the agenda as schedule pages 116-132)  
(File Number CSU-P01-000-2018)

**18. Award of Contract – Contract Administration and Inspection – John Counter Boulevard**

**That** Council authorize the Mayor and Clerk to enter into a contract in a form satisfactory to the Director of Legal Services with Parsons Inc. for the Contract Administration and Inspection of Phase 5 of John Counter Blvd.

(The Report of the President & CEO, Utilities Kingston (18-213) was attached to the agenda as schedule pages 133-136)

(File Number CSU-T04-000-2018)

**19. Partnership with CFB Kingston – Digital Imagery Project**

**That** Council approve entering into a partnership with Canadian Forces Base Kingston to participate in a digital imagery project initiated by the Department of National Defence; and

**That** Council approve a budget amendment in the amount of \$170,000 for the digital imagery project, to be funded \$100,000 from the Municipal Capital Reserve Fund and \$70,000 from existing IS&T approved capital budgets; and

**That** Council authorize the Chief Information Officer or his/her delegate to review and approve all documents and agreements related to the cost sharing proposal with Canadian Forces Base Kingston which are in a form satisfactory to the Director of Legal Services; and

**That** Council direct the Mayor and City Clerk to execute all documents and agreements related to the cost sharing proposal with Canadian Forces Base Kingston, as approved by the Chief Information Officer or his/her delegate.

(The Report of the Chief Financial Officer and City Treasurer (18-218) was attached to the agenda as schedule pages 137-141)

(File Number CSU-A03-000-2018)

**Carried (13:0)**

**(Clauses 1, 2, 3, 6, 7, 8, 10, 12, 13, 14, 16, 17, 18 and 19)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)



**Report Number 65: Received from the Chief Administrative Officer (Recommend)**

Moved by Councillor Schell

Seconded by Councillor Osanic

**That** Report Number 65: Received from the Chief Administrative Officer (Recommend) be received and adopted, clause by clause.

Report Number 65

To the Mayor and Members of Council:

**1. Transmittal of the Report of the Closed Meeting Investigator and Legal Opinion of Aird & Berlis, LLP – Cataraqui West Open Space Lands**

**That** the Report dated July 3, 2018 from the Closed Meeting Investigator regarding the investigation of a complaint about the meetings of the City of Kingston Council in Closed Sessions on April 21, 2015 and April 18, 2017, with respect to the settlement of a legal action commenced by the Cataraqui West Land Owner Group relating to the City's acquisition of passive open space lands along Collins Creek known as the Cataraqui West Open Space Lands ("the matter"), be received; and

**That** the legal opinion dated July 4, 2018 from John Mascarin of the law firm Aird & Berlis LLP, be received.

(The Report of the Director of Legal Services and City Solicitor (18-217) was attached to the agenda as schedule pages 142-169)

(File Number CSU-L01-000-2018)

**Carried as Amended (13:0)**  
**See Motion to Amend which Carried**  
**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

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Moved by Councillor McLaren  
Seconded by Councillor Hutchison

**That** the second paragraph of Clause 1, Report Number 65: Received from the Chief Administrative Officer (Recommend) be amended by deleting the words "...including the analysis, findings and conclusions therein which are contrary to the Report..." and the words "...as reaffirmation that the matter was authorized and executed in accordance with the provisions of the *Municipal Act*, 2001, S.O., 2001, c. 25.:" so that it reads as follows:

**That** the legal opinion dated July 4, 2018 from John Mascarin of the law firm Aird & Berlis LLP, be received.

**Carried (12:1)**  
**(See Recorded Vote)**

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

NAYS: Mayor Paterson (1)

ABSENT: (0)

Councillor Candon and Councillor Hutchison withdrew from the meeting

## **2. 7 Wright Crescent – Proposed Negotiations**

**Note:** With the consent of Council, Clause 2 of Report 65: Received from the Chief Administrative Officer (Recommend) was considered prior to Deferred Motion 1. (Refer to Page 400)

**That** Council direct staff to advise and negotiate a different proposal with CJM Property Management Ltd. for the property located at 7 Wright Crescent which will include, but not be limited to, a review of the property value and the inclusion of more affordability through initiatives that will support the Rideau Heights regeneration and that may include another not-for-profit housing provider; and

**That** Council authorize the Mayor and Clerk to execute such amending agreements as required to allow the parties to negotiate revised terms and conditions for Council approval, to the satisfaction of the Commissioner of Community Services and the Director of Legal Services; and

**That** Council direct staff to report back by January 2019 with an amended proposal for 7 Wright Crescent.

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(The Report of the Commissioner of Community Services (18-214) was attached to the agenda as schedule pages 170-176)

(File Number CSU-S18-000-2018)

**Carried (11:0)**  
**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor George, Councillor Holland, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (11)

NAYS: (0)

ABSENT: Councillor Candon, Councillor Hutchison (2)

Councillor Candon and Councillor Hutchison returned to the meeting.

**3. Deep Water Dock and Cruise Ships Options**

**That** Council direct staff to negotiate the acquisition of the waterlot adjacent to the 1 Queen Street Wharf in order to establish short term and long term options for a deep water dock at this location, subject to the completion of due diligence work and to be funded from existing capital budget programs; and

**That** Council direct staff to negotiate and implement a collaborative contracting process with the Ontario Ministry of Transportation related to the dredging of the waterlot located next to 1 Queen Street subject to all due diligence work being completed by Riggs Engineering and proper permits are obtained; and

**That** Council authorize the Mayor and Clerk to execute a purchase and sale agreement, to the satisfaction of the Director, Legal Services, for the acquisition of the waterlot located next to 1 Queen Street as described in Report Number 18-210; and

**That** Council authorize the Mayor and Clerk to enter into collaborative contracting process, to the satisfaction of the Director, Legal Services, with the Ministry of Transportation for the dredging of the waterlot located next to 1 Queen Street as described in Report Number 18-210; and

**That** Council approve a capital budget amendment in the amount of \$500,000, funded from the Environment Reserve Fund, for staff to complete the dredging work for the waterlot located next to 1 Queen Street with the intent to establish 1 Queen Street Wharf as a cruise ship terminal; and

**That** Council direct staff to continue discussions with the property owner at 1 Queen Street to further explore short term and long term options, including potential lease and infrastructure improvement agreements and report back to Council.

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(The Report of the Commissioner of Community Services (18-210) was attached to the agenda as schedule pages 177-189)

(File Number CSU-D26-000-2018)

**Carried (13:0)**  
**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

**Report Number 66: Received from the Planning Committee**

Moved by Councillor Neill  
Seconded by Deputy Mayor Turner

**That** Report Number 66: Received from the Planning Committee be received and adopted.

Report Number 66

To the Mayor and Members of Council:

The Planning Committee reports and recommends as follows:

Council consented to the separation of clauses 2 and 3.

**1) Approval of an Application for a Zoning By-Law Amendment – 254 Collingwood Street (Mason Laframboise, David Goldstein and Elizabeth van den Kerkhof)**

**That** the application for a zoning by-law amendment (File Number D14-009-2018) submitted by Mason Laframboise, on behalf of Mason Laframboise, David Goldstein and Elizabeth van den Kerkhof, for the property municipally known as 254 Collingwood 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-18-047; 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.

**(See By-Law Number (5), 2018-122 attached to the agenda as schedule pages 190-192)**

Councillor George withdrew from the meeting.

**2) Approval of an Application for a Zoning By-Law Amendment – 1350 Woodfield Crescent (Creekside Valley Development)**

**That** the application for a zoning by-law amendment (File Number D14-018-2018) submitted by Forefront Engineering Inc., on behalf of Creekside Valley Development, for the property municipally known as 1350 Woodfield Crescent, be approved; and

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**That** By-Law Number 76-26, entitled "Township of Kingston Restricted Area By-Law", as amended, be further amended, as per Exhibit A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 76-26) to Report Number PC-18-048; 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.

**(See By-Law Number (6), 2018-123 attached to the agenda as schedule pages 193–195)**

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

YEAS: Councillor Boehme, Councillor Candon, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (12)

NAYS: (0)

ABSENT: Councillor George (1)

Councillor George returned to the meeting.

**3) Application for Zoning By-Law Amendment – 1821 Bur Brook Road (Charles and Mitch Bender)**

Note: The following recommendation lost at Planning Committee and therefore is being presented to Council with a recommendation that the application be denied.

**That** the staff recommendation noted hereunder be denied:

**That** the application for a zoning by-law amendment (File Number D14-037-2016) submitted by Robert Clark, Clark Consulting Services, on behalf of Charles and Mitch Bender, for the property municipally known as 1821 Bur Brook Road, be approved; and

**That** By-Law Number 76-26, entitled "Township of Kingston Restricted Area By-Law", as amended, be further amended, as per Exhibit A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 76-26) to Report Number PC-18-044; 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

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

**(See By-Law Number (7), 2018-124 attached to the agenda as schedule pages 196-199)**

**Deferred  
(See Motion to Defer Which Carried)**

Moved by Councillor Neill  
Seconded by Councillor Oosterhof

**That** Clause 3) of Report Number 66: Received from the Planning Committee be deferred to the August 7, 2018 meeting of Council.

**Carried (13:0)  
See Recorded Vote**

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

**4) Approval of an Application for an Official Plan & Zoning By-Law Amendment – 652 Princess Street, 662-670 Princess Street & 551 Victoria Street (Kingston Terminal Properties Ltd.)**

**That** the applications for Official Plan and zoning by-law amendment (File Number D35-002-2017) submitted by Fotenn Consultants Inc. & IN8 (Sage Kingston) Developments Inc., on behalf of Kingston Terminal Properties Ltd., for the property municipally known as 652 Princess Street, 662-670 Princess Street & 551 Victoria Street, be approved; and

**That** the City of Kingston Official Plan, as amended, be further amended, amendment number 62, as per Exhibit A (Draft By-Law and Schedule A to Amend the Official Plan) to Report Number PC-18-043; 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 B (Draft By-Law and Schedule A and B to Amend Zoning By-Law Number 8499) to Report Number PC-18-043; 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

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

**That** Council approves the Community Benefits being sought under Section 37 of the *Planning Act* and authorizes the Mayor and Clerk, following the review and recommendation by staff, to execute a Community Benefits agreement with the applicant, in a form satisfactory to the Director of Legal Services.

**(See By-Law Number (8), 2018-125 and By-Law Number (9), 128-126 attached to the agenda as schedule pages 200–208)**

**Carried (13:0)  
(Clauses 1 and 4)  
(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)



**Report Number 67: Received from Heritage Kingston**

Moved by Councillor Stroud  
Seconded by Councillor Schell

**That** Report Number 67: Received from Heritage Kingston be received and adopted.

Report Number 67

To the Mayor and Members of Council:

Heritage Kingston reports and recommends as follows:

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

**i. 2017 Civic Museums Year End Report**

**That** the 2017 Civic Museums Year End Report, attached to Report Number HK-18-036 as Exhibit A, be received and approved in recognition of the role Heritage Kingston plays as an advisory committee to Council that includes oversight of the two City-owned Museums, the MacLachlan Woodworking Museum and the Pump House Steam Museum, as well as Kingston City Hall National Historic Site and the civic collection.

(Exhibit A of Report Number HK-18-036 was attached to the agenda as schedule pages 209-238)

**ii. Approval of Application for Heritage Permit – 752 King Street West/36 Lakewatch Lane**

**That** alterations to the property at 752 King Street West (36 Lakewatch Lane), be approved in accordance with the details described in the application (File Number P18-048-2018), which was deemed complete on May 24, 2018, with said alterations to include:

1. Installation of new standing seam metal roof with snow guards;
2. Installation of new metal eave troughs and downspout located on the south-east corner of the building; and
3. The repair and repainting of all wooden soffits, fascia, frieze board and mouldings; and

**That** the approval of the alteration be subject to the following condition:

1. A Building Permit shall be obtained, if necessary

**iii. Approval of an Application for a Heritage Permit – 8 Starr Place**

**That** alterations to the property at 8 Starr Place, be approved in accordance with the details described in the application (File Number P18-038-2018), which was deemed complete on May 7, 2018, with said re-pointing of the west gable wall, including repairing, re-pointing and capping the parapet stone caps and re-building and capping the two (2) west gable chimneys; and

**That** the approval of the alterations be subject to the following condition:

1. All masonry works shall be completed in accordance with the City's Policy on Masonry Restoration on Heritage Buildings.

**iv. Approval of an Application for a Heritage Permit – 76 Stuart Street – Kingston General Hospital**

**That** alterations to the property at 76 Stuart Street (Watkins Wing, including the Fenwick Operating Theatre), be approved in accordance with the details described in the application (File Number P18-055-2018), which was deemed complete on May 22, 2018, with said alterations to include the cleaning, repointing and repair of the exterior limestone building; and

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

1. The existing stone pattern shall be retained through the repointing, with as much retention and reuse of stones as is possible and in accordance with prudent construction practice;
2. Any replacement stones shall be sourced, cut and finished to match the existing stones, as closely as possible;
3. All masonry work, including cleaning, pointing and repairs, shall be completed in accordance with the City's Policy on Masonry Restoration in Heritage Buildings;
4. Root protection of the blue spruce tree at the northwest corner of the building, shall be undertaken in the form of a two metre high plywood or metal hording fence; and
5. An Encroachment Permit shall be obtained, as required.

**v. Approval of an Application for a Heritage Permit – 126 Wellington Street**

**That** alterations to the property at 126 Wellington Street, be approved in accordance with the details described in the application (File Number P18-043-2018), which was deemed complete on May 9, 2018, with said alterations to include: the replacement of two small existing cedar shingled roofs on the

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east elevation with new fibreglass shingled roofs; rebuilding the top portion of the southeast stepped buttress on the southeast corner of the front elevation; and repointing various areas of stonework with a particular focus on the north elevation (facing the post office); and

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

1. A Building Permit shall be obtained for the rebuilding of the top portion of the southeast stepped buttress on the southeast corner of the front elevation;
2. All masonry works shall be completed in accordance with the City's Policy on Masonry Restoration on Heritage Buildings; and
3. Details pertaining to the proposed fibreglass roofing shingle shall be provided to staff to confirm compatibility with the architectural style of the designated property prior to the commencement of the works.

**vi. 2017 Heritage Kingston Report Card**

**That** the 2017 Heritage Kingston Report Card as amended to include the following paragraph; "After two years of operation under a revised mandate some members believe that the composition, mandate and procedures require improvement and should be reviewed.", be approved as a summary of the work accomplished by the committee.

(The 2017 Heritage Kingston Report Card as amended was attached to the agenda as schedule pages 239-247)

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

**i. Approval of an Application for Heritage Permit - 18 Maitland Street**

**That** alterations to the property at 18 Maitland Street, be approved in accordance with the details described in the application (File Number P18-050-2018) which was deemed complete on May 28, 2018, with said alterations to include replacing an existing door with a window and creating a new door in place of an existing window on the ground floor of the front (north) façade of the dwelling; and

**That** the approval be subject to the following conditions:

1. A Building Permit shall be obtained; and
2. The stucco used below the new window opening, be coloured to match the cladding on dwelling.

(Report Number HK-18-041 was attached to the agenda as schedule pages 248-268)

**ii. Approval of an Application for Heritage Permit - 67 Sydenham Street**

**That** alterations to the property at 67 Sydenham Street, be approved in accordance with details described in the application (File Number P18-046-2018), which was deemed completed on May 29, 2018, with said alterations to include rebuilding/repairing two sets of concrete gate posts and cleaning, repairing and repainting the metal gates facing Earl Street; and

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

1. The applicant shall obtain an Encroachment Permit, if necessary;
2. The new concrete gate posts shall be tinted to a grey tone in order to minimize its contrast with the limestone walls;
3. The use of limestone or limestone cladding for the gate posts may be an option; and
4. All masonry works shall be completed in accordance with the City's Policy on Masonry Restoration on Heritage Buildings.

(Report Number HK-18-045 was attached to the agenda as schedule pages 269-289)

**Carried (13:0)**  
**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

**Committee of the Whole**

None.

**Information Reports**

**1. Renovations to Murney and Shoal Towers by Parks Canada**

The purpose of this report is to provide Council with details of the renovations to Murney Tower and Shoal Tower as identified by Parks Canada.

(The Report of the Commissioner of Community Services (18-195) was attached to the agenda as schedule pages 290-293)  
(File Number CSU-R03-000-2018)

**2. Update, Tett Centre for Creativity and Learning, 2017 Report to the City of Kingston**

The purpose of this report is to provide Council with an update regarding the Tett Centre for Creativity and Learning (TCCL) following its third full year of operations for the period ending December 31, 2017.

(The Report of the Commissioner of Community Services (18-205) was attached to the agenda as schedule pages 294-316)  
(File Number CSU-R05-000-2018)

**3. Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of May 2018**

The purpose of this report is to provide 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 May 2018.

(The Report of the Chief Financial Officer and City Treasurer (18-172) was attached to the agenda as schedule pages 317-324)  
(File Number CSU-F18-000-2018)

**Information Reports from Members of Council**

None.

**Miscellaneous Business**

None.

**New Motion**

1. Moved by Councillor Neill  
Seconded by Councillor Osanic

**Whereas** Podium Developments has requested an Official Plan & Zoning By-Law Amendment and Planning Approval for property municipally known as 575-611 Princess Street & 510 Frontenac Street; and

**Whereas** the delegation of authority by-law allows for Council to “bump-up” site plan control applications to the Planning Committee;

**Therefore Be It Resolved That** the site plan control application from Podium Developments for the property municipally known as 575-611 Princess Street & 510 Frontenac Street, outlined in Report Number PC-18-041 be “bumped up” to the Planning Committee.

**Carried (13:0)**  
**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor McLaren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

**Notice of Motion**

1. Moved by Councillor McLaren  
Seconded by Councillor Hutchison

**Whereas** fostering open government is a strategic priority where “citizens have the right to access documents and proceedings to allow for effective public involvement in and oversight of civic affairs”; and

**Whereas** the Ombudsman of Ontario has given the broad advice “When in doubt, open the meeting”; and,

**Whereas** the Amberly Gavel Ltd. report of July 2018 exposed some knowledge gaps in Council and Staff concerning the correct balance between open government and the occasional need for closed meetings; and

**Whereas** the Municipal Act says in 239.2 (12): “If a municipality or a local board receives a report from a person referred to in clause 239.1 (a) or (b) reporting his or her opinion, and the reasons for it, that a meeting or part of a meeting that was

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the subject-matter of an investigation by that person appears to have been closed to the public contrary to section 239 or to a procedure by-law under subsection 238 (2), the municipality or the local board, as the case may be, shall pass a resolution stating how it intends to address the report. 2017, c. 10, Sched. 1, s. 27.”

**Therefore Be It Resolved That** Council will address the report by directing Staff to return to Administrative Policies Committee in the first quarter of 2019 with new recommendations and guidelines that meet or improve on the recommendations of the Ombudsman’s Sunshine Law Handbook for closed meetings; including, but not limited to the following:

1. an education component for the new council with correct knowledge to prevent errors of what should and should not be in a closed meeting that have occurred in the past from being repeated in the future and that includes at a minimum:
  - a. correct, clear and useful definitions and examples of the legal importance and relationship between motions, resolutions, and votes to confirmation bylaws;
  - b. correct, clear and useful definitions and examples distinguishing between “a procedural matter,” “giving direction to staff,” and “making a substantive decision” in a closed meeting;
  - c. a finer distinction between what is allowed to be in camera and what should be done in camera such that, even though legislation allows for a closed meeting, it may not be necessary to have a closed meeting where the ostensive reason for a closed meeting does not exist and/or where no harm would be incurred by the City if the meeting were to be in open session; and
2. recommendations to make confirmation bylaws more precise, explicit and open; and
3. recommendations for a more thorough and more accountable audio and video recording policy for votes and deliberations in closed meetings; and
4. recommendations for releasing of closed meeting material, votes, and deliberations after an appropriate time.

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Moved by Councillor McLaren  
Seconded by Councillor Hutchison

**That** the Minutes of City Council Meeting Number 2018-16, held Tuesday, June 26, 2018 be confirmed.

**Carried (13:0)**  
**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>o</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

**Tabling of Documents**

2018-50 Kingston Frontenac Public Library Board  
Minutes – May 23, 2018  
(File Number CSU-R02-000-2018)

2018-50 KFL&A Public Health Board  
Minutes – May 23, 2018  
(File Number CSU-S08-001-2018)

**Communications**

Council consented to the addition of communication 17-436 and 17-437.

**Filed**

17-433 Public Notice of a Complete Application dated June 22, 2018 for a Zoning By-Law Amendment at the property municipally known as 2880 Princess Street.  
  
(File Number CSU-D14-000-2018)

**Referred to All Members of Council**

17-426 Correspondence from Peter Burpee, resident, dated June 21, 2018 with respect to Traffic Safety.  
(Distributed to all members of Council on July 4, 2018)  
(File Number CSU-T08-000-2018)



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- 17-427 Correspondence from Sharon Deline, resident, with respect to a proposed Official Plan Amendment and Zoning By-Law Amendment at 652 Princess Street.  
(Distributed to all members of Council on July 4, 2018)  
(File Number CSU-D09-000-2018 and File Number CSU-D14-000-2018)
- 17-428 New Release from the Cataraqui Region Conservation Authority dated June 25, 2018 – Low Water Conditions along Millhaven Creek.  
(Distributed to all members of Council on July 4, 2018)  
(File Number CSU-E05-000-2018)
- 17-429 AMO Communications dated June 25, 2018 with respect to Policy Update – AMO stands with Canada and Ontario on NAFTA.  
(Distributed to all members of Council on July 4, 2018)  
(File Number CSU-L10-000-2018)
- 17-430 Correspondence from Frank Dixon, resident, with respect to the announcement of Jayna Hefford being inducted to the Hockey Hall of Fame.  
(Distributed to all members of Council on July 4, 2018)  
(File Number CSU-R03-000-2018)
- 17-431 Correspondence from the Ministry of Municipal Affairs (MMA) dated July 3, 2018 – Deadline Extension – Municipal Delegations at the 2018 AMO Conference.  
(Distributed to all members of Council on July 4, 2018)  
(File Number CSU-A01-004-2018)
- 17-432 Correspondence from Connie Mallory, Chief Inspector, Ontario SPCA, dated June 18, 2018 with respect to the launch of the 2018 No Hot Pets campaign.  
(Distributed to all members of Council on July 4, 2018)  
(File Number CSU-P14-000-2018)
- 17-434 Correspondence from Stephen Covey, Chief of Police and Chief Security Officer of CN dated June 18, 2018 with respect to Rail Safety Week.  
(Distributed to all members of Council on July 4, 2018)  
(File Number CSU-T03-000-2018)
- 17-435 Ontario East Economic Development – Notice of Registration for OEMC Conference held on September 12 – 24, 2018 in Cornwall.  
(Distributed to all members of Council on July 4, 2018)  
(File Number CSU-A04-000-2018)

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17-436 Correspondence from Bob Clark, Principal Planner, dated June 25, 2018, with respect to a Zoning Application for the property municipally known 1821 Burbrook Road.

(Distributed to all members of Council on July 9, 2018)

17-437 Correspondence from Gennaro DiSanto, Chief Executive Officer, CaraCo Group of Companies, dated July 9, 2018, with respect to 7 Wright Crescent.

(Distributed to all members of Council on July 9, 2018)

**Other Business**

None.

**By-Laws**

Note: By-Law (7) was withdrawn.

Councillor George withdrew from the meeting.

a) Moved by Councillor Neill  
Seconded by Councillor McLaren

**That** By-Law (6) be given its first and second reading.

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

YEAS: Councillor Boehme, Councillor Candon, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (12)

NAYS: (0)

ABSENT: Councillor George (1)

b) Moved by Councillor Neill  
Seconded by Councillor McLaren

**That** By-Law (6) be given its third reading.

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

YEAS: Councillor Boehme, Councillor Candon, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof,

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Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud,  
Deputy Mayor Turner (12)

NAYS: (0)

ABSENT: Councillor George (1)

Councillor George returned to the meeting.

- c) Moved by Councillor Neill  
Seconded by Councillor McLaren

**That** By-Laws (1), (4), (5) and (8) through (12) be given their first and second reading.

**Carried (13:0)**  
**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor  
Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill,  
Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Schell,  
Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

- d) Moved by Councillor Neill  
Seconded by Councillor McLaren

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

**Carried (13:0)**  
**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor  
Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill,  
Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Schell,  
Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

- e) Moved by Councillor Neill  
Seconded by Councillor McLaren

**That** By-Laws (2) through (5) and (8) through (12) be given their third reading.

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**Carried (13:0)**  
**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

- (1) A By-Law to Enter into a Municipal Contribution Agreement with Kingston & Frontenac Housing Corporation for the Provision of Affordable Housing Units at 1 Curtis Crescent and 20 Cliff Crescent, and to Repeal By-Law Number 2016-147 – A By-Law to Enter Into a Municipal Contribution Agreement with Kingston Municipal Non-Profit Housing Corporation (Town Homes Kingston)

First and Second Reading  
**(See Clause 14, Report 64)**

Proposed Number 2018-120

- (2) A By-Law to Establish the 2018 Tax Capping Program

Third Reading  
**(See Clause 7, Report 59)**

Proposed Number 2018-103

- (3) A By-Law to Establish the 2018 Tax Capping Decrease Limits

Third Reading  
**(See Clause 7, Report 59)**

Proposed Number 2018-104

- (4) A By-Law to Permanently Close a Portion of the Highway Described as Part of Marker Crescent, Plan 1578, designated as Part 1 on Reference Plan 13R-13872, City of Kingston

Three Readings  
**(See Clause 2, Report 64)**

Proposed Number 2018-121

- (5) 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 'A4' to 'A4.556', 254 Collingwood Street)

Three Readings  
**(See Clause 1, Report 66)**

Proposed Number 2018-122

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- (6) 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" (Update to Zone Provisions for R2-44 Zone and partial removal of the Holding Symbol for R2-44 Zone, 1350 Woodfield Crescent)
- Three Readings Proposed Number 2018-123  
**(See Clause 2, Report 66)**
- (7) 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 Restricted Agricultural 'A1' Zone to Site Specific Restricted Agricultural 'A1-21' Zone, 1821 Bur Brook Road)
- Withdrawn**  
Three Readings Proposed Number 2018-124  
**(See Clause 3, Report 66)**
- (8) A By-Law to Amend the Official Plan for the City of Kingston Planning Area (Amendment Number 62, 652 Princess Street 662-670 Princess Street & 551 Victoria Street)
- Three Readings Proposed Number 2018-125  
**(See Clause 4, Report 66)**
- (9) 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 Williamsville Main Street Commercial 'C4-H (T1)' zone to Williamsville Main Street Commercial 'C4.557-H' zone, 652 Princess Street, 662-670 Princess Street & 551 Victoria Street)
- Three Readings Proposed Number 2018-126  
**(See Clause 4, Report 66)**
- (10) A By-Law to establish Part 1, Reference Plan 13R-5006, as part of the public highway known as Milford Drive, in the City of Kingston, in accordance with Section 31(4) of the Municipal Act, Chapter 25, S.O. 2001
- Three Readings Proposed Number 2018-127  
**(Delegated Authority)**  
**(See Pages 325-327)**
- (11) A By-Law to establish Part 1, Reference Plan 13R-4368, as part of the public highway known as McAdoos Lane, in the City of Kingston, in accordance with Section 31(4) of the Municipal Act, Chapter 25, S.O. 2001
- Three Readings Proposed Number 2018-128  
**(Delegated Authority)**  
**(See Pages 328-330)**

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- (12) A By-Law to confirm the proceedings of Council at its meeting held on Tuesday July 10, 2018

Three Readings

Proposed Number 2018-129

**(City Council Meeting Number 2018-17)**

**Adjournment**

Moved by Councillor George

Seconded by Deputy Mayor Turner

**That** Council do now adjourn.

**Carried (13:0)**  
**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

Council adjourned at 10:02 pm.

(Signed)

John Bolognone  
City Clerk

Bryan Paterson  
Mayor