



City Council Meeting 2018-05

Tuesday, January 23, 2018 at 5:30 pm
in the Council Chamber at City Hall.

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

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(Council Chamber)

Call Meeting to Order

Roll Call

The Committee of the Whole “Closed Meeting”

1. **That** Council resolve itself into the Committee of the Whole “Closed Meeting” to consider the following items:
 - a) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose – 48A Point St. Mark Drive;
 - b) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Homestead Land Holdings Limited – 51-57 Queen Street, 18 Queen Street and 282 Ontario Street; and
 - c) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose – 1102, 1106 & 1110 King Street West (Elevator Bay).

Approval of Addeds

Disclosure of Potential Pecuniary Interest

Presentations

Delegations

1. Ken Thompson, Bid Committee Chair and Rob Kawamoto, Executive Director of Tourism Kingston will speak to Council with respect to Clause 1 of Report Number 13: Received from the Chief Administrative Officer (Consent) with respect to the 2020 Brier Canadian Men’s Curling Championship Partnership.

Briefings

Petitions

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

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

Motion of Congratulations

1. Moved by Mayor Paterson
Seconded by Deputy Mayor Boehme

That the congratulations of Kingston City Council be extended to the Kingston Historical Society. Established in 1893, the Kingston Historical Society has played an important leadership role in the identification, protection, promotion, and celebration of Kingston History and Heritage. It has also operated the Murney Tower Museum National Historic site since 1925. Congratulations to the Kingston Historical Society on its 125th anniversary!

Motion of Condolences

1. Moved by Mayor Paterson
Seconded by Deputy Mayor Boehme

That the sincere condolences of Kingston City Council be extended to the Muirhead family on the passing of George Muirhead, the City's longtime Director of Planning, who passed away on Thursday January 11, 2018. As Kingston's first professional city planner, George had a profound impact on Kingston's heritage and for crafting much of the blueprint for Kingston's downtown as we know it today. Our thoughts are with the Muirhead family during this difficult time.

Deferred Motions

Reports

Report Number 13: Received from the Chief Administrative Officer (Consent)

Report Number 13

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

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

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

1. 2020 Brier Canadian Men's Curling Championship Partnership

That Council provide in-kind contributions equivalent to \$100,000 which partially offsets facility and equipment rentals, transit access and promotion, extended transit service and staffing costs, and approve a further \$100,000 cash contribution for a total of \$200,000 to the 2020 Brier should the City of Kingston be selected as the successful host; and

That a total of up to \$200,000 for the 2020 Brier be incorporated in the 2020 municipal operational budget funded from the Working Fund Reserve or other available funding sources as available; and

That the Mayor and Clerk be authorized to enter into the necessary agreements in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Community Services (18-046) is attached to the agenda as schedule pages 1-7)

(File Number CSU-M02-000-2018)

2. Award of Contract – Consulting Services for Grass Creek Park Washroom and Change Room Building

That Lashley + Associates Corporation be awarded the contract for the Consulting Services for Grass Creek washroom and change room building project, as described in RFP Number F31-CSG-RLS-2017-274, for a total price of \$90,023.00 plus applicable taxes; and

That the Mayor and Clerk be authorized to enter into an agreement with Lashley + Associates Corporation in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Community Services (18-044) is attached to the agenda as schedule pages 8-12)

(File Number CSU-R04-000-2018)

3. Award of Contract – Landscape Architectural Design Services for Upgrades to Waterfront Trail

That Wentworth Landscapes be awarded the contract for the design of an upgraded and accessible waterfront pathway from Lake Ontario Park to Mowat Avenue, as described in RFP Number F31-CSG-RLS-2017-273, for a total price of \$59,840.50 plus applicable taxes; and

That the Mayor and Clerk be authorized to enter into an agreement with Wentworth Landscapes, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Community Services (18-035) is attached to the agenda as schedule pages 13-16)

(File Number CSU-T05-000-2018)

4. Cost-Sharing Agreement with the Ministry of Transportation Ontario for Sidewalk on Bath Road (Highway 33)

That Council approve the use of \$200,000 from the Municipal Capital Reserve Fund to provide a financial commitment in principle to the Ministry of Transportation Ontario such that they can proceed with the design and construction in 2018 of sidewalk on the north side of Bath Road between Coronation Boulevard and Bayshore Park; and

That Council agrees in principle that the City will maintain the above-noted sidewalk after completion by the Ministry of Transportation Ontario; and

That Council authorize the Mayor and Clerk to enter into a legal agreement in a form satisfactory to the Director of Legal Services with the MTO for the construction of sidewalk along Highway 33, as described in Report Number 18-039.

(The Report of the Acting Commissioner of Transportation and Infrastructure Services (18-039) is attached to the agenda as schedule pages 17-24)

(File Number CSU-T04-000-2018)

5. 2018 Interim Tax Levy

That a by-law be presented to Council for all three readings to provide for the levying and collecting of 2018 interim property taxes, including:

- a. that the 2018 interim tax bill be no greater than 50% of the 2017 taxes levied;
- b. that the rates be as specified in Schedule A to the by-law attached hereto;
- c. that the due date for interim taxes be February 28, 2018;
- d. that various payment options be provided; and
- e. that late payment charges be added to taxes that are in default.

(See By-Law Number (2), 2018-041)

(The Report of the Chief Financial Officer and City Treasurer (18-036) is attached to the agenda as schedule pages 25-34)

(File Number CSU-F22-000-2018)

Report Number 14: Received from the Chief Administrative Officer (Recommend)

Report Number 14

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

1. New City-wide Zoning By-Law – Additional Scope of Work for Reddendale

That Council approve the scope of work related to the development of a planning framework for Reddendale as part of the new city-wide zoning by-law project, as outlined in Report Number 18-041; and

That Council approve a budget of \$100,000 to be funded from the Working Fund Reserve to complete the planning framework for Reddendale; and

That the Mayor and Clerk be authorized to enter into an agreement, to the satisfaction of the Director of Legal Services and the Commissioner of Community Services, for the purpose of amending the scope of work for the new city-wide zoning by-law project to enable staff and Dillon Consulting Limited to advance additional works for Reddendale as described in Report Number 18-041; and

That a Reddendale Community Working Group be established, in accordance with the mandate as outlined in Report Number 18-041; and

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

That the composition of the Reddendale Community Working Group consist of:

- (a) 1 member of Council; and
- (b) 4 to 6 interested members of the community who demonstrate a distinct and informed interest in community planning and development, with the selection to represent a variety of stakeholders including residents, business owners and property owners in the area, as well as representatives from any local community groups and not-for-profit organizations; and

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

(The Report of the Commissioner of Community Services (18-041) is attached to the agenda as schedule pages 35-43)

(File Number CSU-D14-000-2018)

2. 2017 Vacancy Rate Implications and Development Charges Rebate Program

That Council direct staff to develop an expression of interest and report back to Council in February with details to be submitted by March 2, 2018 to the Ministry of Housing to access the Development Charges Rebate Program for purpose-built rental market developments; and

That Council direct staff to review options to ensure that developments move to construction following all Planning Act approvals.

(The Report of the Commissioner of Community Services (18-043) is attached to the agenda as schedule pages 44-56)

(File Number CSU-F22-000-2018)

Report Number 15: Received from Municipal Accessibility Advisory Committee

Report Number 15

To the Mayor and Members of Council:

Municipal Accessibility Advisory Committee reports and recommends as follows:

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

1. Appointment of Members to the Built Environment Working Group

That Andrew Ashby, David Grightmire, Enam-ul Hoque, Donald Mitchell, Alexandra Ortiz Carlsson and David Williams be appointed to the Built Environment Working Group for a term expiring November 30, 2018.

2. Appointment of Members to the Awareness and Education Working Group

That Councillor Neill, Caitlin Bruce, Aimee Burch, Leah Riddell, and Nancy Waters be appointed to the Awareness and Education Working Group for a term expiring November 30, 2018.

Report Number 16: Received from Nominations Advisory Committee

Report Number 16

To the Mayor and Members of Council:

Nominations Advisory Committee reports and recommends as follows:

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

The Nominations Advisory Committee reports and recommends as follows:

1. Recommendation Regarding Public Appointments to Boards and Working Groups

i. Central Kingston Growth and Infill Strategy Community Working Group

That the following appointments be made to the Central Kingston Growth and Infill Strategy Community Working Group for a term ending November 30, 2018:

1. Gavin Anderson
2. Don Campbell
3. Mac Gervan
4. David L. Gordon
5. John Grenville
6. Meredith McDonnell

ii. Economic Development Organization Board of Directors

That Don Aldridge be appointed to the Kingston Economic Development Corporation Board of Directors for a one year term expiring December 31, 2018.

iii. Kingston Municipal Non-Profit Housing Corporation (Town Homes Kingston) Board of Directors

That the following appointments be made to the Kingston Municipal Non-Profit Housing Corporation (Town Homes Kingston) Board of Directors:

1. Catharine Gibson for a two year term expiring November 30, 2019
2. John Pyke, for a three year term expiring November 30, 2020
3. Warren Schell, for a two year term expiring November 30, 2019
4. Robert J. Trentadue, for a two year term expiring November 30, 2019

iv. Planning Advisory Working Group

That the following appointments be made to the Planning Advisory working Group for a term ending November 30, 2018:

1. Joseph Abreu, representing the rural area
2. Michael O'Connor, representing the Kingston West urban area
3. Ann Clifford, representing the Kingston Central urban area
4. Peter Burpee, representing the Kingston East urban area
5. Laurel Claus-Johnson, representing the First Peoples
6. Tony Gkotsis, representing the institutional community
7. Cary Bidtnes, representing Kingston Economic Development Corporation
8. Paul Martin, representing the business community

2. Affirmation of Technical Representative Appointments

i. Central Kingston Growth and Infill Strategy Community Working Group

That Tony Gkotsis (Queen's University); Stefano Hollands (student government of Queen's University); and Rick Anderson (St. Lawrence College) be appointed as the technical representatives to the Central Kingston Growth and Infill Strategy Community Working Group.

Committee of the Whole

Information Report

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

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 November 2017.

(The Report of the Chief Financial Officer and City Treasurer (18-037) is attached to the agenda as schedule pages 57-64)

(File Number CSU-F18-000-2018)

Information Reports from Members of Council

Miscellaneous Business

1. **That** as requested by Captain Scott Oikle of the Royal Military College of Canada, Council approve the raising of the Royal Military College flag on February 1, 2018 at the Princess and Division Street intersection for the Carr-Harris Cup.

(See Communication Number 05-119)

New Motions

Notices of Motion

Minutes

That the Minutes of City Council Meeting Number 2018-03, held Tuesday, January 9, 2018 be confirmed.

(Distributed to all Members of Council on January 19, 2018)

Tabling of Documents

- | | |
|---------|--|
| 2018-07 | Downtown Kingston! Business Improvement Area Board of Management Minutes – December 13, 2017
(File Number CSU-C06-000-2018) |
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Communications

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

Filed

- 05-104 Committee of Adjustment – Notice of Public Hearing for consent to sever (new lot) for the property at 728 Tacoma Crescent. The date of the meeting is January 22, 2018 at 5:30 pm at 1211 John Counter Boulevard. (File Number CSU-D19-000-2018)
- 05-105 Council Circulation with respect to Site Plan Control Approval to permit the construction of semi-detached dwellings on each site (a total of four units; two units on each property) for the property at 102 and 104 Park Street. (File Number CSU-D19-000-2018)
- 05-106 Notice of Technical Consent for an application for consent to sever new lot for the property at 94 Carruthers Avenue. The final date for objection is January 22, 2018. (File Number CSU-D19-000-2018)
- 05-107 Revised Notice of a Public Meeting for an Application for Consent for the property at 14 North Bartlett Street and 644 Victoria Street. The meeting originally scheduled for January 18, 2018 was cancelled. The meeting has been rescheduled for February 1, 2018 at 6:30 pm in the Council Chamber, City Hall. (File Number CSU-D19-000-2018)
- 05-116 Committee of Adjustment – Notice of Public Hearing for a minor variance for the property at 778 Brock Street. The date of the meeting is January 22, 2018 at 5:30 pm at 1211 John Counter Boulevard. (File Number CSU-D19-000-2018)
- 05-117 Committee of Adjustment – Notice of Public Hearing for consent and minor variance for the property at 482-488 Division Street. The date of the meeting is January 22, 2018 at 5:30 pm at 1211 John Counter Boulevard. (File Number CSU-D19-000-2018)
- 05-118 Committee of Adjustment – Notice of Public Hearing for consent and minor variance for the property at 607-609 MacDonnell Street. The date of the meeting is January 22, 2018 at 5:30 pm at 1211 John Counter Boulevard. (File Number CSU-D19-000-2018)

Referred to All Members of Council

- 05-108 Correspondence from Suzanne H. Crowhurst Lennard, Ph.D. (Arch.), Co-founder, Director, International Making Cities Livable, dated December 29, 2017, with respect to the 55th IMCL Conference on Healthy, 10 Minute Neighbourhoods, being held May 14-18, 2018 at The Shaw Center, Ottawa.
(Distributed to all members of Council on January 17, 2018)
(File Number CSU-M02-000-2018)
- 05-110 Correspondence from Lynn Fawn, Deputy Clerk, County of Peterborough, dated January 2, 2018, forwarding a letter of support to The Honourable Eric Hoskins, Minister of Health and Long-Term Care with respect to the City of Kingston's resolution regarding the Minister's Expert Panel Report on Public Health.
(Distributed to all members of Council on January 17, 2018)
(File Number CSU-S00-000-2018)
- 05-111 Correspondence from Steve McDonald, CAO of the Township of Muskoka Lakes, dated January 8, 2018, forwarding a letter to The Honourable Kathleen Wynne, Premier of Ontario with respect to Fair Workplaces, Better Jobs Act (Bill 148).
(Distributed to all members of Council on January 17, 2018)
(File Number CSU-H07-000-2018)
- 05-112 Correspondence from Krista Fazackerley, Supervisor, Communications & Education, Cataraqui Region Conservation Authority, dated January 11, 2018 with respect to Creating an Invasive Plant Management Strategy Workshop.
(Distributed to all members of Council on January 17, 2018)
(File Number CSU-E11-000-2018)
- 05-113 Correspondence from Janette Amini, Manager of Legislative Services/Clerk, County of Frontenac, dated December 21, 2017 with respect to the appointment of Councillor Ron Higgins as Warden and Councillor Denis Doyle as Deputy Warden for the County of Frontenac .
(Distributed to all members of Council on January 17, 2018)
(File Number CSU-C12-000-2018)

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- 05-114 News Release from Cataraqui Region Conservation Authority, dated January 10, 2018 issuing a Watershed Conditions Statement – Water Safety today.
(Distributed to all members of Council on January 17, 2018)
(File Number CSU-E05-000-2018)
- 05-115 Association of Municipalities of Ontario (AMO) Communications, dated January 3, 2018 – AMO Policy Update – New Municipal Asset Management Planning Regulation.
(Distributed to all members of Council on January 17, 2018)
(File Number CSU-F06-000-2018)
- 05-119 Application for flag raising from Captain Scott Oikle, Royal Military College of Canada to raise the Royal Military College flag at Princess and Division Street intersection for the Carr-Harris Cup on February 1, 2018.
(Distributed to all members of Council on January 17, 2018)
(File Number CSU-M10-000-2018)
(See Miscellaneous Business Item 1)
- 05-120 Correspondence from Christine Sypnowich, dated January 15, 2018, attaching the Coalition of Kingston Communities Report Card.
(Distributed to all members of Council on January 17, 2018)
(File Number CSU-M04-000-2018)

Referred to the City Clerk

- 05-109 Letter from Michelle Foster, Kingston/Belleville Area Coordinator, Heart and Stroke Foundation, dated January 2, 2018, asking that Council proclaim February 2018 as “Heart Month” in the City of Kingston.
(Distributed to all Members of Council on January 17, 2018)
(File Number CSU-M10-000-2018)

Other Business

By-Laws

- a) **That** By-Laws (2) through (6) be given their first and second reading.
- b) **That** Clause 11.34 of By-Law Number 2010-1 be suspended for the purpose of giving By-Law (2) three readings.
- c) **That** By-Laws (1) through (6) be given their third reading.

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- (1) A By-Law to Establish a Heritage Grants Program and to Repeal and Replace By-Law Number 2005-258, as amended
Third Reading Proposed Number 2018-026
(See Clause (1.iii), Report Number 11)
- (2) A By-Law to Provide for a 2018 Interim Tax Levy; Payment of Taxes by Instalment; Penalty and Interest at One and One Quarter Percent Monthly on Tax Arrears
Three Readings Proposed Number 2018-041
(See Clause 5, Report Number 13)
- (3) A By-Law to Exempt Certain Lands on Registered Plan 13M-110 from the Provisions of Subsection 50 (5) of the Planning Act, R.S.O. 1990, c. P.13, as amended, being Lots 3–5, 10–13, 16-18, 22–23, 26–29, 41–44, 47-50, 53–57 and 60-63, Block 65, 66 and 69 shown as Parts 1-22 on Registered Plan 13R-21663 and Parts 1-14 on Registered Plan 13R-21568
Three Readings Proposed Number 2018-042
(Delegated Authority)
(See Schedule Pages 65-66)
- (4) A By-Law to Repeal By-Law Number 2017-212, Being a By-Law to Exempt Certain Lands on Registered Plan 13M-110 from the Provisions of Section 50 (5) of the Planning Act, R.S.O. 1990, Chapter P.13, and Amendments Thereto (Part of Lots 3-5, 10-13, 16-18, 22-24, 26-29, 41-44, 47-50, 53-57, 60-63 Inclusive and Block 65, 66, 69, Specific to Parts 1-23 on Reference Plan 13R-21597 and Parts 1-14 on Reference Plan 13R-21568)
Three Readings Proposed Number 2018-043
(Delegated Authority)
(See Schedule Page 67)
- (5) A By-Law to Exempt Certain Lands on Registered Plan 13M-111 from the Provisions of Section 50 (5) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended (Part of Lots 1-12, for the purpose of registering rights-of-ways and utility easements for row dwelling units)
Three Readings Proposed Number 2018-044
(Delegated Authority)
(See Schedule Pages 68-69)

- (6) A By-Law to confirm the proceedings of Council at its meeting held on Tuesday
January 23, 2018

Three Readings

Proposed Number 2018-045

(City Council Meeting Number 2018-05)

Adjournment