



## City Council Meeting 2018-09

Tuesday, March 6, 2018 at 7:00 pm  
in the Council Chamber at City Hall.

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

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(Council Chamber)

**Call Meeting to Order**

**Roll Call**

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

1. **That** Council resolve itself into the Committee of the Whole “Closed Meeting” to consider the following items:
  - a) Labour Relations or Employee Negotiations – Kingston Professional Fire Fighters Association (KPFFA), Local 498 – Negotiated Settlement; and
  - b) Labour Relations or Employee Negotiations – International Brotherhood of Electrical Works (IBEW), Local 636 – Negotiated Settlement.

**Approval of Addeds**

**Disclosure of Potential Pecuniary Interest**

**Presentations**

**Delegation**

1. Michèle Dubois, Executive Director, Association canadienne-française de l’Ontario, Conseil regional des Mille-îles (ACFOMI) and Erika Lamon, Office Agent, ACFOMI will appear before Council to speak to Clause 6 of Report Number 28: Received from the Chief Administrative Officer (Consent) with respect to Bonjour Welcome Campaign.

**Briefing**

1. Lanie Hurdle, Commissioner of Community Services will provide introductory remarks and introduce Rob Kawamoto, Executive Director of Kingston Tourism, and Megan Knott, Executive Director of Kingston Accommodation Partners, who will brief Council with respect to Clause 1 of Report Number 29: Received from the Chief Administrative Officer (Recommend) in relation to Municipal Accommodation Tax.

**Petitions**

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

**Motion of Condolences**

1. Moved by Mayor Paterson  
Seconded by Deputy Mayor Neill

**That** the condolences of Kingston City Council be extended to Lorie Sargeant, Administrative Assistant to the City Clerk, on the recent passing of her mother, Joan Sargeant. Our thoughts are with Lorie and her family during this difficult time.

**Deferred Motions**

## Reports

### **Report Number 28: Received from the Chief Administrative Officer (Consent)**

Report Number 28

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. Amending Agreement for the Provision of a Vote Tabulation System (Tabulators and Internet Voting) for the 2018 Municipal Election**

**That** the Mayor and Clerk be authorized to execute an amending agreement with Dominion Voting Systems for the provision of a Vote Tabulation System (Tabulators and Internet Voting) for any potential by-elections up to and including 2022.

(The Report of the Commissioner of Corporate & Emergency Services (18-065) is attached to the agenda as Schedule Pages 1-4)

(File Number CSU-C07-000-2018)

**2. Proposed Amendments to By-Law Number 2014-16, A By-Law to Regulate Election Signs in the City of Kingston**

**That** the draft By-law attached as Exhibit A to Report Number 18-086 be presented to Council in order to amend By-Law Number 2014-16, being "A By-Law to Regulate Election Signs in the City of Kingston".

**(See By-Law Number (1), 2018-057)**

(The Report of the Commissioner of Corporate & Emergency Services (18-086) is attached to the agenda as Schedule Pages 5-13)

(File Number CSU-C07-000-2018)

**3. Service Level Agreement with the Kingston Arts Council and Council Participation in the 2018 City of Kingston Arts Fund**

**That** the Mayor and Clerk be authorized to enter into a Service Level Agreement with the Kingston Arts Council, in a form satisfactory to the Director of Legal Services, that includes the administration of the City of Kingston Arts Fund in 2018; and

**That** Councillor \_\_\_\_\_ be appointed to participate in each of the two jury Review Committee meetings scheduled for May 30 and June 4, 2018 (the Operating Grants Review Committee for arts organizations); and

**That** Councillor \_\_\_\_\_ be appointed to participate in each of the two jury Review Committee meetings scheduled for May 31 and June 5, 2018 (the Project Grants Review Committee for arts projects); and

**That** Colin Wiginton, Cultural Director, be appointed as the City staff member to participate in the two jury Review Committees.

(The Report of the Commissioner of Community Services (18-080) is attached to the agenda as Schedule Pages 14-17)

(File Number CSU-F25-000-2018)

**4. Municipal Funding for the Kick & Push Festival through a Service Level Agreement with the Kingston Theatre Alliance**

**That** the Mayor and Clerk be authorized to execute a Service Level Agreement between the City of Kingston and the Kingston Theatre Alliance (KTA) in a form acceptable to the Director of Legal Services & City Solicitor that identifies the services to be provided by the KTA and the associated funding to be issued by the City of Kingston for those services; and

**That** Council approve the release of \$64,500 to the Kingston Theatre Alliance as an operating grant in 2018 from the approved Cultural Services 2018 operating budget; and

**That** Council also direct and delegate to Cultural Services staff, in coordination with the Recreation and Leisure Services department, in a form acceptable to the Director of Legal Services & City Solicitor, authority to enter into such other agreements with the Kingston Theatre Alliance to provide eight-weeks of summer theatre camps at the Grand Theatre in conjunction with the Kick & Push Festival and such other programming as deemed appropriate by the Cultural Director.

(The Report of the Commissioner of Community Services (18-089) is attached to the agenda as Schedule Pages 18-27)

(File Number CSU-F25-000-2018)

**5. Award of Contract for Standard Print Advertising Rates**

**That** Postmedia Network Inc. o/a Kingston Whig Standard be awarded the contract for “Standard Print Advertising Rates”, RFP Number F31-CSE-CCE-2017-1 for print advertising services from the time of contract signing to the end of 2018 with the option for two (2) one year term extensions; and

**That** the Mayor and City Clerk be authorized to enter into an agreement with Postmedia Network Inc. o/a Kingston Whig Standard in a form satisfactory to the Director of Legal Services

(The Report of the Commissioner of Community Services (18-067) is attached to the agenda as Schedule Pages 28-32)

(File Number CSU-M01-000-2018)

**6. Bonjour Welcome Campaign**

**That** Council endorse the Bonjour Welcome Campaign led locally by L'Association canadienne-francaise de l'Ontario, Conseil régional des Milles-Iles; and

**That** Council direct staff to work with L'Association canadienne-francaise de l'Ontario, Conseil régional des Milles-Iles to implement the Bonjour Welcome campaign in appropriate City service locations.

(The Report of the Commissioner of Community Services (18-082) is attached to the agenda as Schedule Pages 33-36)

(File Number CSU-M11-000-2018)

**7. Award of Contract – Tree Planting Contractor**

**That** RFP Number 'F31-TIS-PW-2018-05' Tree Planting Contractor be awarded to Drake's Landscaping for the total price of \$255,734 plus applicable taxes with the option to extend for one further year (2019); and

**That** the Mayor and Clerk be authorized to execute a contract with Drake's Landscaping in a form satisfactory to the Director of Legal Services including a contract extension.

(The Report of the President & CEO, Utilities Kingston (18-087) is attached to the agenda as Schedule Pages 37-40)

(File Number CSU-E04-000-2018)

**8. Ontario Municipal Commuter Cycling Program Enabling By-Law and Transfer Payment Agreement**

**That** the enabling municipal by-law, attached as Exhibit A to Report Number 18-079, be presented for all three readings in order that the required Transfer Payment Agreement can be signed and sent to the Ontario Ministry of Transportation prior to the March 15, 2018 deadline; and

**That** Council authorize the Mayor and Clerk to enter into a Transfer Payment Agreement with the Ontario Ministry of Transportation, in a form satisfactory to the Director of Legal Services, for funding under the Ontario Municipal Commuter Cycling Program; and

**That** Council approve the use of \$333,368 from the Municipal Capital Reserve Fund to provide the 20% additional funds needed as a requirement to use the Ontario Municipal Commuter Cycling Program funding; and

**That** the Mayor and Clerk be authorized to sign future documents and agreements, in a form satisfactory to the Director of Legal Services, as required in order to allow the City to participate in future years' funding through the Ontario Municipal Commuter Cycling Program.

**(See By-Law Number (2), 2018-058)**

(The Report of the President & CEO, Utilities Kingston (18-079) is attached to the agenda as Schedule Pages 41-52)

(File Number CSU-F11-000-2018)

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**Report Number 29: Received from the Chief Administrative Officer (Recommend)**

Report Number 29

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

**1. Municipal Tax Accommodation**

**That** Council endorse in principle the Municipal Accommodation Tax program with a set rate of 4% applicable to all hotels, motels, bed & breakfasts in phase 1 and to other accommodations in phase 2; and

**That** Council direct staff to work with stakeholders including the Kingston Accommodation Partners and Tourism Kingston to develop and report back with a detailed implementation plan; and

**That** Council direct staff to consult with the Kingston Accommodation Partners and Tourism Kingston to review roles and responsibilities to maximize the redistribution of the new Municipal Accommodation Tax.

(The Report of the Commissioner of Community Services (18-081) is attached to the agenda as Schedule Pages 53-59)

(File Number CSU-F22-000-2018)



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**Report Number 30: Received from the Planning Committee**

Report Number 30

To the Mayor and Members of Council:

The Planning Committee reports and recommends as follows:

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

**1) Approval of an Application for an Official Plan & Zoning By-Law Amendment – 1201 McAdoo’s Lane (956373/956374 Ontario Ltd.)**

**That** the applications for Official Plan and zoning by-law amendment (File Number D35-007-2017) submitted by Martian Properties Inc./Fotenn Consultants Inc., on behalf of 956373/956374 Ontario Ltd., for the property municipally known as 1201 McAdoo’s Lane, be approved; and

**That** the City of Kingston Official Plan, as amended, be further amended, amendment number 60, as per Exhibit A (Draft By-Law and Schedule A and B to Amend the Official Plan) to Report Number PC-18-019; and

**That** By-Law Number 76-26, entitled "Township of Kingston Restricted Area By-Law", as amended, be further amended, as per Exhibit B (Draft By-Law and Schedule A to Amend Zoning By-Law Number 76-26) to Report Number PC-18-019; 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-laws be presented to Council for all three readings.

(See By-Law Number (3), 2018-059 attached to the agenda as schedule pages 60-62)

(See By-Law Number (4), 2018-060 attached to the agenda as schedule pages 63-65)

**2) Approval of an Application for Zoning By-Law Amendment – 810 Middle Road (Joseph Payne)**

**That** the application for a zoning by-law amendment (File Number D14-035-2017) submitted by Joseph Payne, for the properties municipally known as 810 Middle Road, be approved; and

**That** By-Law Number 32-74, Entitled "Township of Pittsburgh Zoning By-Law", as amended, be further amended, as per Exhibit A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 32-74) to Report Number PC-18-016; 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), 2018-061 attached to the agenda as schedule pages 66-68)

**3) Approval of an Application for an Official Plan & Zoning By-Law Amendment – 133 Dalton Avenue (Axion Development Corporation Limited)**

**That** the applications for Official Plan and zoning by-law amendment (File Number D35-006-2017) submitted by Fotenn Consultants Inc., on behalf of Axion Development Corporation Limited, for the property municipally known as 133 Dalton Avenue, be approved; and

**That** the City of Kingston Official Plan, as amended, be further amended, amendment number 59, as per Exhibit A (Draft By-Law and Schedule A to Amend the Official Plan) to Report Number PC-18-020; 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 to Amend Zoning By-Law Number 8499) to Report Number PC-18-020;

**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-laws be presented to Council for all three readings.

(See By-Law Number (6), 2018-062 attached to the agenda as schedule pages 69-70)

(See By-Law Number (7), 2018-063 attached to the agenda as schedule pages 71-73)

**Report Number 31: Received from the Municipal Accessibility Advisory Committee**

Report Number 31

To the Mayor and Members of Council:

The 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 Built Environment Working Group**

**That** Taryn Chambers and Emily Su be appointed to the Built Environment Working Group for a term expiring November 30, 2018.

**Committee of the Whole**

**Information Reports**

**Information Reports from Members of Council**

**Miscellaneous Business**

1. **That** the resignation of Donald Mitchell from the Built Environment Working Group of the Municipal Accessibility Advisory Committee be received with regret.  
**(See Communication 09-187)**  
(File Number CSU-C12-000-2018)

**New Motion**

1. Moved by Councillor M<sup>c</sup>Laren  
Seconded by Councillor Hutchison

**That** the following resolution, with respect to Municipal Discounts, approved by Council on February 20, 2018, be reconsidered:

**That** Clause 1 of Report Number 26: Received from the Administrative Policies Committee be deferred for consideration by the Administrative Policies Committee in Q2 of 2019 in order to allow staff an opportunity to provide the Committee with the following information:

- number of individuals that would lose the discount;
- number of those individuals that currently use the discount for city services
- review of various financial thresholds options for the discount program, including potential sliding scale, and overall financial implications of these financial thresholds; and
- additional public outreach on these threshold options for the discount program and public education.

2/3 Vote of Council Required

**Notices of Motion**

**Minutes**

**That** the Minutes of City Council Meeting Number 2018-08, held Tuesday, February 20, 2018 be confirmed.

(Distributed to all Members of Council on March 2, 2018)

**Tabling of Documents**

2018-15      Cataraqui Region Conservation Authority  
Full Authority Meeting – Agenda  
February 28, 2018  
(File Number CSU-D03-000-2018)

2018-16      Kingston & Frontenac Housing Corporation  
Agenda – February 26, 2018  
Minutes – January 29, 2018  
(File Number CSU-S13-000-2018)

**Communications**

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

**Filed**

09-175      Delegated Authority Consent Application – Notice of Notice of Decision to sever a parcel of land at the property municipally addressed as 13 Crerar Boulevard, is approved subject to conditions. The final date for appeal is February 26, 2018.  
(File Number CSU-D19-000-2018)

09-183      Notice of Complete Applications and a Public Meeting to subdivide lands and develop 4 six-storey buildings with a total of 1509 residential units – 2 River Street and 50 Orchard Street. The Public Meeting will be held on March 1, 2018 at 6:30 pm in the Council Chamber.  
(File Number CSU-D19-000-2018)

09-184      REVISED Notice of Complete Applications and a Public Meeting to subdivide lands and develop 4 six-storey buildings with a total of 1509 residential units – 2 River Street and 50 Orchard Street. The Public Meeting will be held on March 1, 2018 at 6:30 pm in the Council Chamber.  
(File Number CSU-D09-000-2018)

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09-185 REVISED Notice of Complete Applications and a Public Meeting to subdivide lands and develop 4 six-storey buildings with a total of 1509 residential units – 2 River Street and 50 Orchard Street. The Public Meeting date has been changed to March 8, 2018 at 6:30 pm in the Council Chamber.  
(File Number CSU-D09-000-2018)

09-186 Public Notice of a Complete Application for Zoning By-Law Amendment at 190 and 198 Resource Road.  
(File Number CSU-D14-000-2018)

**Referred to All Members of Council**

06-159 Correspondence from Barbara Schlafer, dated February 6, 2018 with respect to 2018 Municipal Election – Referendum Question on the Ballot – Ranked Ballot Voting  
(Distributed to all members of Council on February 6, 2018)  
(File Number CSU-C07-000-2018)

09-177 Resolution from the Council of the United Counties of Prescott and Russell dated January 24, 2018, in support of the City of Kingston Naloxone motion.  
(Distributed to all members of Council on February 26, 2018)  
(File Number CSU-S08-000-2018)

09-178 Notice of Consultation of Official Plan Review from the Township of Leeds and the Thousand Islands.  
(Distributed to all members of Council on February 26, 2018)  
(File Number CSU-D08-000-2018)

09-180 AMO Communications dated February 20, 2018 – AMO Policy Update – Public Reporting Fire Regulation Posted for Municipal Comments.  
(Distributed to all members of Council on February 26, 2018)  
(File Number CSU-L11-000-2018)

09-181 Notice of Special Committee of the Whole Meeting – Township of Leeds and the Thousands Islands regarding the Official Plan Review 2017-18. The meeting will be held at the Township Administration Office on Monday, March 19, 2018 at 7:00 pm.  
(Distributed to all members of Council on February 26, 2018)  
(File Number CSU-D08-000-2018)

09-182 Municipal Clerk's Official Notice of Application for Liquor Licence - The Duchess Pub located at 1206 Highway 15.

- (Distributed to all members of Council on February 26, 2018)  
(File Number CSU-D09-000-2018)
- 09-187 Correspondence from Donald Mitchell advising of his resignation from the Built Environment Working Group, dated February 8, 2018.  
(Distributed to all members of Council on February 26, 2018)  
(File Number CSU-C12-000-2018)
- 09-189 AMO Communications – Main Street Revitalization Funding Info/Survey, dated February 26, 2018.  
(Distributed to all members of Council on February 27, 2018)  
(File Number CSU-F11-000-2018)
- 09-190 Correspondence from Kevin Heath, City Clerk, City of Quinte West, dated February 23, 2018 supporting the City of Kingston's motion regarding Cannabis Excise Tax Revenue.  
(Distributed to all members of Council on February 27, 2018)  
(File Number CSU-S08-000-2018)

**Referred to City Clerk**

- 09-176 Proclamation Application from Manish Rughani requesting that Council proclaim April 24, 2018 as “Human Values Day” in the City of Kingston.  
(File Number CSU-M10-000-2018)
- 09-179 Proclamation Application from the Transplant Advocate Association requesting that asking Council proclaim April 2018 as “BeADonor.ca Month” in the City of Kingston and Application for Flag Raising asking that the “BeADonar.ca” flag be raised in Confederation Park on April 19, 2018.  
(Distributed to all members of Council on February 26, 2018)  
(File Number CSU-M10-000-2018)
- 09-188 Flag Raising Application from the Greek (Hellenic) Community of Kingston, to raise the flag for Greek Independence Day on Sunday, March 25, 2018, in Confederation Park, and at Princess and Division from March 26 until April 1, 2018.  
(Distributed to all members of Council on February 27, 2018)  
(File Number CSU-M10-000-2018)

**Other Business**

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**By-Laws**

- a) **That** By-Laws (1) through (10) and (14) 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 (2) through (14) be given their third reading.

- (1) A By-Law to amend By-Law Number 2014-16, "A By-Law to Regulate Election Signs in the City of Kingston"

First and Second Reading

Proposed Number 2018-057

**(See Clause 2, Report Number 28)**

- (2) A By-Law to authorize the Execution of an Agreement with Her Majesty the Queen in Right of the Province of Ontario as Represented by the Minister of Transportation for the Province of Ontario – Ontario Municipal Commuter Cycling Program – 2017

Three Readings

Proposed Number 2018-058

**(See Clause 8, Report Number 28)**

- (3) A By-Law to amend the Official Plan for the City of Kingston Planning Area (Amendment Number 60, 1201 McAdoo's Lane)

Three Readings

Proposed Number 2018-059

**(See Clause 1, Report Number 30)**

- (4) 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 A1 to M1-16, 1201 McAdoo's Lane)

Three Readings

Proposed Number 2018-060

**(See Clause 1, Report Number 30)**

- (5) A By-Law to amend By-Law Number 32-74, "A By-Law to Regulate the use of lands and the Character, Location and Use of Buildings and Structures in The Township of Pittsburgh" (Zone Change from "A1-6" to "A1", part of 810 Middle Road)

Three Readings

Proposed Number 2018-061

**(See Clause 2, Report Number 30)**



- (6) A By-Law to amend the Official Plan for the City of Kingston Planning Area (Amendment Number 59, 133 Dalton Avenue)  
Three Readings Proposed Number 2018-062  
**(See Clause 3, Report Number 30)**
- (7) 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 M 'Industrial' to site-specific Business Park M9.546 Zone, and Environmental Protection Area Zone, 133 Dalton Avenue)  
Three Readings Proposed Number 2018-063  
**(See Clause 3, Report Number 30)**
- (8) A By-Law to establish Part 2 on Reference Plan 13R-16619, as part of the public highway known as Spindewood Street in the City of Kingston, in accordance with Section 31(4) of the Municipal Act, Chapter 25, S.O. 2001, as amended  
Three Readings Proposed Number 2018-064  
**(Delegated Authority)**  
**(See Schedule Pages 74-75)**
- (9) A By-Law to permit Council to enter into a Second Residential Unit Affordable Housing Program Loan Agreement with the Homeowner of 202 Splinter Court for the provision of an Affordable Housing Unit at 202 Splinter Court  
Three Readings Proposed Number 2018-065  
**(Delegated Authority)**  
**(See Schedule Page 76)**
- (10) A By-Law to permit Council to enter into a Second Residential Unit Affordable Housing Program Loan Agreement with the Homeowner of 1970 Burbrook Road for the provision of an Affordable Housing Unit at 1970 Burbrook Road  
Three Readings Proposed Number 2018-066  
**(Delegated Authority)**  
**(See Schedule Page 77)**
- (11) A By-Law to Designate the Cataraqui United Church and Cemetery at 965 Sydenham Road to be of Cultural Heritage Value and Interest pursuant to the Provisions of the Ontario Heritage Act (R.S.O. 1990, 0.18)  
Third Reading Proposed Number 2018-023  
**(See Clause (1.ii), Report Number 11)**

- (12) A By-Law to Designate the Powley Farmstead at 1572 Sunnyside Road to be of Cultural Heritage Value and Interest pursuant to the Provisions of the Ontario Heritage Act (R.S.O. 1990, 0.18)

Third Reading

Proposed Number 2018-024

**(See Clause (1.ii), Report Number 11)**

- (13) A By-Law to Designate the Christ Church and Anglican Cemetery at 974 Sydenham Road to be of Cultural Heritage Value and Interest pursuant to the Provisions of the Ontario Heritage Act (R.S.O. 1990, 0.18)

Third Reading

Proposed Number 2018-025

**(See Clause (1.ii), Report Number 11)**

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

Three Readings

Proposed Number 2018-067

**(City Council Meeting Number 2018-09)**

**Adjournment**