



## City Council Meeting 2018-17

Tuesday, July 10, 2018 at 6:30 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 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

**Approval of Addeds**

**Disclosure of Potential Pecuniary Interest**

**Presentations**

**Delegations**

**Briefing**

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

**Deferred Motion**

**Note:** See also Clause 2 of Report Number 65: Received from the Chief Administrative Officer (Recommend), Page Number 13.

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.

## Reports

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

Report Number 64

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. 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) is 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) is attached to the agenda as schedule pages 6-9)

(File Number CSU-R04-000-2018)

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**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

**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) is 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) is attached to the agenda as schedule pages 18-23)

(File Number CSU-A12-000-2018)

**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) is attached to the agenda as schedule pages 24-28)

(File Number CSU-D02-000-2018)

**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) is 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) is attached to the agenda as schedule pages 37-62)

(File Number CSU-F25-000-2018)

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**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) is 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) is attached to the agenda as schedule pages 69-76)

(File Number CSU-D09-000-2018)

**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) is attached to the agenda as schedule pages 77-83)

(File Number CSU-S08-000-2018)

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**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) is attached to the agenda as schedule pages 84-90)

(File Number CSU-M11-000-2018)

**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) is 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.



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(The Report of the Commissioner of Community Services (18-215) is 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

**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) is attached to the agenda as schedule pages 99-105)

(File Number CSU-S18-000-2018)

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**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 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) is attached to the agenda as schedule pages 106-110)

(File Number CSU-P01-000-2018)

**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) is 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) is 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) is 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 Defense; 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.

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

(File Number CSU-A03-000-2018)

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

Report Number 65

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

**1. Transmittal of the Report of the Closed Meeting Investigator and Legal Opinion of Aird & Berlis LLP- Cataraqi 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 Cataraqi West Land Owner Group relating to the City's acquisition of passive open space lands along Collins Creek known as the Cataraqi 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, including the analysis, findings and conclusions therein which are contrary to the Report, be received, as reaffirmation that the matter was authorized and executed in accordance with the provisions of the *Municipal Act*, 2001, S.O., 2001, c. 25.

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

(File Number CSU-L01-000-2018)

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

**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.

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

(File Number CSU-S18-000-2018)

**Note:** See also Deferred Motion 1 on Page 3.

### **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.

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

(File Number CSU-D26-000-2018)

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

Report Number 66

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 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)**

**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

**That** By-Law Number 76-26, entitled "Township of Kingston Restricted Area By-Law", as amended, be further amended, as per Exhibit A (Draft

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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)**

**3) Application for a 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** it be recommended to Council 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

**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)**

**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

**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)**

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

Report Number 67

To the Mayor and Members of Council:

Heritage Kingston 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. Applications 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 is attached 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.

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**iii. Approval of an Application for 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 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 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 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 is attached as schedule pages 239-247)

**2. Applications 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 is attached 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 is attached as schedule pages 269-289)

## **Committee of the Whole**

### **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) is 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) is 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) is attached to the agenda as schedule pages 317-324)

(File Number CSU-F18-000-2018)

### **Information Reports from Members of Council**

### **Miscellaneous Business**

### **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.

### **Notices of Motion**

#### **Minutes**

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

(Distributed to all Members of Council on July 6, 2018)

#### **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**

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

#### **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)

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**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)
- 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.



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(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)

### Other Business

#### By-Laws

- a) **That** By-Laws (1) and (4) through (12) 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 (4) three readings.
- c) **That** By-Laws (2) through (12) be given their third reading.

- (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

Proposed Number 2018-120

**(See Clause 14, Report 64)**

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

Third Reading

Proposed Number 2018-103

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

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

Third Reading

Proposed Number 2018-104

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

- (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

Proposed Number 2018-121

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

- (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)

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- Three Readings  
**(See Clause 1, Report 66)** Proposed Number 2018-122
- (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  
**(See Clause 2, Report 66)** Proposed Number 2018-123
- (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)
- Three Readings  
**(See Clause 3, Report 66)** Proposed Number 2018-124
- (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  
**(See Clause 4, Report 66)** Proposed Number 2018-125
- (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  
**(See Clause 4, Report 66)** Proposed Number 2018-126
- (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  
**(Delegated Authority)**  
**(See Pages 325-327)** Proposed Number 2018-127
- (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  
**(Delegated Authority)**  
**(See Pages 328-330)** Proposed Number 2018-128

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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**