



City Council Meeting 2018-22
Tuesday, October 2, 2018 at 7:30 pm
in the Council Chamber at City Hall.

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(Council Chamber)

Call Meeting to Order

Roll Call

The Committee of the Whole “Closed Meeting”

Approval of Addeds

Disclosure of Potential Pecuniary Interest

Presentations

Delegations

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 Condolences

1. Moved by Mayor Paterson
Seconded by Deputy Mayor Candon

That the sincere condolences of Kingston City Council be extended to the family, friends, and coworkers of Darren Smith, Supervisor, Recreation Facilities, who passed away suddenly on September 21, 2018 at the age of 46. Darren’s career spanned over 29 years with the City of Kingston working in Marinas and later as a leader in Arenas. He made a positive contribution to the department and was well respected for his dedication to his job and commitment to serving the community. Darren was deeply admired by staff across the City of Kingston for his generosity and character. He has left a legacy of kindness and respect for others and will be greatly missed by so many. Our thoughts are with his family during this difficult time.

Deferred Motion

The following motion was deferred from the September 4, 2018 Council Meeting.

3. Application Not Supported for Approval by Heritage Kingston (Non Statutory Consultation)

i. Application for Heritage Permit – 286 Johnson Street

That alterations to the property at 286 Johnson Street, be approved in accordance with the details described in the application (File Number P18-077-2018), which was deemed complete on July 19, 2018, with said alterations to include:

1. Demolition of the existing kitchen nook on the rear addition and reconstruction of a new kitchen nook on the existing foundation with vertical simulated wood siding, white vinyl casement windows and a black asphalt shingle roof;
2. The replacement of all windows on the rear (south) elevation with a combination of white vinyl casement and sash windows; and
3. The replacement of the existing asphalt shingle roof on the principal dwelling and rear one-storey addition with new roof shingles in like-for-like materials and colour; 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 rear kitchen nook;
2. Details pertaining to the design of the windows shall be submitted to Heritage Planning staff to ensure their compatibility with the existing architectural composition of the rear elevation; and
3. Details pertaining to the simulated vertical wood siding shall be submitted to Heritage Planning staff to ensure their compatibility with the existing architectural style of the rear elevation.

Note: See also Clause (1) of Report Number 81: Received from the Chief Administrative Officer (Consent)

Reports

Report Number 81: Received from the Chief Administrative Officer (Consent)

Report Number 81

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. **Supplementary Report – Heritage Permit Application – 286 Johnson Street**

Whereas at its September 18, 2018 meeting, Council deferred its decision on the alterations to 286 Johnson and directed staff to obtain an opinion from a specialist in architectural Heritage conservation; and

Whereas an opinion letter has been obtained from Lindsay Reid, OAA, CAHP, LEED, AP of Branch Architecture which provides recommendations regarding the proposed siding for the new addition and for the design and materials of the replacement windows that differ from staff's original recommendation and which are supported by staff;

Therefore Be It Resolved That the recommendation contained in Report Number HK-18-057 be amended to insert the text noted in bold, and delete the text noted with strikethrough so that it reads as follows:

That the alterations to the property at 286 Johnson, be approved in accordance with the details described in the application (File Number P18-077-2018), which was deemed complete on July 19, 2018, with said alterations to include:

1. Demolition of the existing kitchen nook on the rear addition and reconstruction of a new kitchen nook on the existing foundation with **either vertical wood siding or** vertical simulated wood siding, vinyl casement windows and a black asphalt shingle roof;
2. The replacement of all windows on the rear (south) ~~with a combination of white vinyl casement and sash windows~~ **elevation of the original**

(heritage) building and side porch with sash windows in wood or an acceptable material as specified by the Old Sydenham Heritage Conservation District (i.e. wood with painted extruded aluminum exterior, fiberglass with painted extruded aluminum exterior, vinyl with painted extruded aluminum exterior or thermally broken extruded aluminum frames with painted exterior finish);

3. The replacement of all windows on the rear additions with vinyl casement windows;

4. The replacement of the existing asphalt shingle roof on the principal dwelling and rear one-storey addition with new roof shingles in like-for-like materials and colour; 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 rear kitchen nook;

2. The design and material of the windows on the original (heritage) building and side porch shall be submitted to Heritage Planning staff to confirm that they comply with Section 5.3.2 of the Old Sydenham Heritage Conservation District Plan, being wood or other preferred option as cited in the Section;

3. Details pertaining to the design of the **vinyl windows on the rear additions** shall be submitted to Heritage Planning staff to ensure their compatibility with the existing architectural composition of the rear elevation; and

4. Details pertaining to the simulated vertical wood siding shall be submitted to Heritage Planning staff to assess its equivalency in quality to the preferred options in the old Sydenham Heritage Conservation District Plan (i.e. brick masonry, wood clapboard, fibre cement board with paint finish, stucco or wood shingles) and to ensure its compatibility with the existing architectural style of the rear elevation.

(The Report of the Commissioner of Community Services (18-355) is attached to the agenda as pages 1-17)

(File Number CSU-P18-000-2018)

2. Close and Declare Surplus – Road Allowance at 1901 Sydenham Road

That the by-law attached as Exhibit B to Report Number 18-356 be presented to Council to permanently close a portion of the road allowance between Lots 17 and 18, Concession 5 (formerly Township of Kingston), designated as Part 2 on Reference Plan 13R-1519, City of Kingston, County of Frontenac; and

That Council declare surplus to municipal need and dispose of a portion of the road allowance between Lots 17 and 18, Concession 5 (formerly Township of Kingston), designated as Part 2 on Reference Plan 13R-1519, City of Kingston, County of Frontenac.

(See By-Law Number (1), 2018-158)

(The Report of the Commissioner of Community Services (18-356) is attached to the agenda as pages 18-24)

(File Number CSU-T09-000-2018)

3. Canadian Heritage Grant Agreement through the Museum Assistance Program: Collection Management Component

That Council authorize the Commissioner of Community Services, or the Cultural Director as his/her delegate, to complete and sign the grant completion report as required by Canadian Heritage in relation to funds awarded through the Museums Assistance Program, Collections Management Component.

(The Report of the Commissioner of Community Services (18-367) is attached to the agenda as pages 25-30)

(File Number CSU-F11-000-2018)

4. Award of Contract for Fire Protection Systems Maintenance for various City of Kingston Facilities

That Council approve the award of contract for Fire Protection Systems Maintenance for various City of Kingston facilities to Troy Life & Fire Safety Ltd. for a term period of two (2) years, effective the date of the signing of contract with a further one (1) year extension at the sole discretion of the City of Kingston; and

That Council authorize the Mayor and Clerk to execute the contract, and any subsequent extensions, with Troy Life & Fire Safety Ltd. in a form satisfactory to the Director of Legal Services.

(The Report of the Chief Financial Officer and City Treasurer (18-363) is attached to the agenda as pages 31-34)

(File Number CSU-F31-000-2018)

5. Award of Contract for Sidewalk Winter Maintenance – East

That Council approve the award of contract for Sidewalk Winter Maintenance - East (F31-TIS-PW-2018-07) to Zomer Corporation; and

That the Mayor and Clerk be authorized to execute a contract with Zomer Corporation in a form satisfactory to the Director of Legal Services.

(The Report of the President & CEO, Utilities Kingston (18-353) is attached to the agenda as pages 35-38)

(File Number CSU-T06-000-2018)

6. Parking By-Law – Minor Amendments (King Street West and Beverley Street Intersection)

That a by-law be presented to Council to amend City By-Law Number 2010-128, “A By-law to Regulate Parking”, as amended, as per Exhibit A in Council Report Number 18-365; and

That the amending by-law be presented for all three readings to allow for parking regulatory signage to be installed in conjunction with the planned installation of pedestrian-activated signal lights at the King Street West and Beverley Street intersection.

(See By-Law Number (4), 2018-160)

(The Report of the President & CEO, Utilities Kingston (18-365) is attached to the agenda as pages 39-45)

(File Number CSU-T02-000-2018)

7. Downtown Parking Supply – 169 Queen Street

That Council accept the results of the feasibility study and recommended option of a 6-storey, open-air, concrete parking structure with an un-gated revenue control system that would contain approximately 350 parking spaces at 169 Queen Street; and

That Council direct staff to negotiate with the adjacent property owners to the immediate north and west of the property on the acquisition of access rights that would facilitate the recommended option of a 6-storey, open-air, concrete parking structure with an un-gated revenue control system at the site that would contain approximately 350 parking spaces; and

That Council request staff to include the development of a 6-storey open-air parking structure at 169 Queen Street in the 2019 draft Parking Capital Budget for consideration during the budget deliberation process.

(The Report of the President & CEO, Utilities Kingston (18-362) is attached to the agenda as pages 46-58)

(File Number CSU-T02-000-2018)

8. 2019 Calendar of Council and Standing Committee Meetings

That the 2019 Calendar of Meetings of Council and Standing Committees, attached as Exhibit A, to Report Number 18-368 be received; and

That notwithstanding the regularly scheduled Council and Standing Committee meeting dates, Council approve the following meeting dates:

Summer Schedule:

- **July 18** Planning Committee meeting to be **rescheduled to July 11**; and
- **August 13** Environment, Infrastructure and Transportation Policies Committee meeting to be **rescheduled to August 6**; and
- **August 22** Arts, Recreation and Community Policies Committee meeting to be **rescheduled to August 7**; and
- Council meetings to be held on **July 9 and August 13**; and

Christmas Schedule:

- **December 19** Planning Committee meeting to be **cancelled**;
- **December 26** Arts, Recreation and Community Policies Committee meeting **rescheduled to December 4**; and

Other Notable Recommended Changes:

- Planning Committee meetings to be moved to **January 10 and January 24** (the second and fourth weeks of January) due to holidays;
- Council meetings to be moved to **January 8 and January 22** (the second and fourth weeks of January) due to holidays; and
- Committee of the Whole Budget Meetings are scheduled for **January 28, 29 and 30** and **November 25, 26 and 27**; and
- A Special Meeting of Council for the Strategic Planning Session is scheduled for **March 26, 27 and 28**.

(The Report of the Commissioner of Corporate & Emergency Services (18-368) is attached to the agenda as pages 59-64)

(File Number CSU-C00-000-2018)

9. Fire Dispatch Service Agreement Renewals – the Corporation of the Town of Greater Napanee, the Corporation of the Township of Loyalist, the Corporation of the Township of Stone Mills and the Corporation of the Township of Addington Highlands

That Council authorize the Mayor and Clerk to execute separate agreements, for Kingston Fire & Rescue to provide fire dispatch services, with the Corporation of the Town of Greater Napanee, the Corporation of the Township of Loyalist, the

Corporation of the Township of Stone Mills and the Corporation of the Township of Addington Highlands, in a form satisfactory to the Director of Legal Services, which includes the limitation of liability to the City of Kingston.

(The Report of the Commissioner of Corporate & Emergency Services (18-360) is attached to the agenda as pages 65-69)

(File Number CSU-P16-000-2018)

10. Extension of Timeframe for Night Work – Construction, Kingston (Norman Rogers) Airport Expansion Project

That a Change Order be issued under the Kingston Airport Expansion Contract F31-CES-FMCS-2017-1 with H.R. Doornekamp Construction Limited to permit construction activity at the Norman Rogers Airport from 7 p.m. to 7 a.m. on periodic dates between September 27 and October 31, 2018, and if required, into the month of November 2018.

(The Report of the Commissioner of Corporate & Emergency Services (18-369) is attached to the agenda as pages 70-75)

(File Number CSU-T11-000-2018)

Report Number 82: Received from the Planning Committee

Report Number 82

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 – 700 Gardiners Road (Taggart [Gardiners] Corporation)

That the application for a zoning by-law amendment (File Number D14-027-2018) submitted by Barry Smith, on behalf of Taggart (Gardiners) Corporation, for the property municipally known as 700 Gardiners 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-18-061; 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), 2018-161 attached to the agenda as schedule pages 76-78)

Report Number 83: Received from Heritage Kingston

Report Number 83

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. Civic Collection Acquisitions

That Council accept these four acquisitions for the civic collection:

1. Commemorative memorabilia – Centennial programme, 1967; Tercentenary coaster, 1973;
2. Certificate – Mayor’s Tercentenary Levée, 1973;
3. Steam Gauge, Kingston Water Works (1890s); PumpHouse historical material;
4. Coin holder/key ring – Kingston Transit, circa 1987; and

That the acquisition outlined below as a non-collection display object (heritage asset):

1. Hockey sweater – “Rogers Hometown Hockey,” 2017.

ii. Approval of an Application for Heritage Permit – 4314 Highway 2

That alterations to the property at 4314 Highway 2, be approved in accordance with the details described in the application (File Number P18-081-2018), which was deemed complete on August 17, 2018, with alterations to include:

1. Demolition of the existing detached garage;
2. Construction of a new garage in the same location;
3. New structure will be 1,476 square feet in size, 16 feet in height;
4. Constructed in a Saltbox design in the local vernacular, with a front portico and glazed cupola;
5. Roof will be clad using EnviroShake shingles in natural grey colour;

6. Exterior will include 1 x 9 inch pine cladding;
7. Foundation will be clad in sandstone to a height of 24" above grade; and

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

1. A Building Permit shall be obtained for the demolition and new construction, as required; and
2. The applicant is encouraged to install tree protection fencing in the form of either metal modular or 1.2 metre high snow fencing to establish a tree protection zone around existing live trees in an effort to preserve the integrity of the root systems and minimize compaction.

iii. Approval of an Application for Heritage Permit – 305-323 Rideau Street

That alterations to the property at 305-323 Rideau Street, be approved in accordance with the details described in the application (File Number P18-096-2018), which was deemed complete on August 17, 2018, with said alterations to include the following:

1. Restore the brick wing along Cataraqi Street (south elevation), with works to include: repointing, stabilizing and repairing the southern and eastern brick walls (including rebuilding arches and infilling bricks as needed); enlarging two existing windows along Cataraqi Street; reconstructing the roof in the same profile as the existing roof; and installing new metal roofing and low profile solar panels on the south pitch of the roof;
2. Rebuild the north side of the brick wing (north elevation), clad in prefinished metal siding, including the installation of five full length patio door/full length windows and one access door;
3. Restore the former office at the corner of the building, including: repairing and repainting the parapet, cornice, downspout, door and windows; replacing the existing metal roofing; cleaning, repointing and stabilizing the brick walls; removing the security gate from the front door; and replacing the concrete steps;
4. Removal of the concrete wing along Rideau Street, retaining portions of the front wall (approximately 0.9 metres high) and portions of the foundation, to be incorporated into the landscaping/paving;
5. Construct a steel one-sided roofed bicycle shelter, immediately behind the retained concrete knee-wall;

6. Installing landscaping, including new patios areas on the south and north sides of the building, a paved parking area and new plantings and grassed areas; and

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

1. All Building permits shall be obtained, as required;
2. All Planning Act approvals shall be obtained, as required;
3. All Tree Removal permit(s) shall be obtained, as required;
4. A Municipal Business License(s) shall be obtained, as required;
5. The roofing on the brick portion of the building shall have a standing seam profile;
6. A minimum clearance of 3 metres from the high voltage powerlines shall be maintained. If work cannot be completed safely or if clearance cannot be maintained from the lines, the applicant shall complete a service request and submit to Utilities Kingston for isolation of the powerlines;
7. All masonry works, including cleaning, shall be completed in accordance with the City's Policy on Masonry Restoration in Heritage Buildings;
8. All window and door works shall be completed in accordance with the City's Policy on Window Renovations in Heritage Buildings;
9. A heritage permit shall be obtained, outside of the scope of this approval, for any alterations to the windows and doors in the brick wing facing Cataraqui Street;
10. Details pertaining to the paint colour and the metal siding shall be provided to Heritage Planning staff for review and approval, in order to ensure the colours emphasize the heritage attributes of the property;
11. Details pertaining to the landscaping shall be provided to Heritage Planning staff for review and approval, as part of the site plan control process, in order to ensure the heritage attributes of the property are not concealed or obstructed;
12. Details pertaining to the solar panels shall be provided to Heritage Planning staff for review to ensure the panels are discrete and conserve the existing roof profile of the building; and
13. Heritage Planning staff shall be circulated the drawings and design specifications, tied to the Building Permit application to ensure consistency with the scope of the Heritage Permit sought by this application.

iv. Approval of an Application for Heritage Permit – 85 Stuart Street

That alterations to the property at 85 Stuart Street, be approved in accordance with details described in the application (File Number P18-080-2018), with said alterations to include:

1. The removal of a basement window to accommodate the routing of mechanical ducting;
2. The construction of a painted wood and steel enclosure on the eastern half of the north elevation to accommodate waste receptacles and mechanical units; and

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

1. Details pertaining to the colour selected for the wood and metal enclosure shall be provided to Heritage Planning staff in order to ensure the minimization of its visual impact on the limestone building.

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

i. Approval of an Application for Heritage Permit – 58 William Street

That alterations to the property at 58 William Street, be approved in accordance with the details described in the application (File Number P18-086-2018), which was deemed complete on August 20, 2018, with said alterations to include:

1. The demolition of the existing rear greenhouse addition;
2. The construction of a new rear porch addition with balcony above;
3. The removal of the second floor window on the rear elevation and the vertical extension of the window opening to accommodate French doors to the second floor balcony;
4. The removal of non-period metal shutters on the front elevation and the installation of traditional wood louvered shutters; and

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

1. A Building Permit shall be obtained for construction of the rear porch addition;
2. Details pertaining to the design of the windows and French doors shall be submitted to Heritage Planning staff to ensure their compatibility with the architectural composition of the rear

elevation and their consistency with the City's Policy on Window Renovations in Heritage Buildings; and

3. Details pertaining to the finalized colour scheme for the rear addition and shutters on the front elevation shall be submitted to Heritage Planning staff to ensure their compatibility with the architectural style and cultural heritage value of the property.

(Report Number HK-18-067 is attached as schedule pages 79-97)

ii. Approval of an Application for Heritage Permit – 221 King Street East

That alterations to the property at 221 King Street East, be approved, in accordance with the details described in the application (File Number P18-093-2018), which was deemed complete on August 17, 2018, with alterations to include the erection of a 2.5 metre high ground sign in the front yard of the property; and

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

1. A Sign Permit shall be obtained.

(Report Number HK-18-065 is attached as schedule pages 98-122)

iii. Approval of an Application for Heritage Permit – 200 Ontario Street

That alterations to the property at 200 Ontario Street, be approved in accordance with the details described in the application (File Number P18-090-2018), which was deemed complete on August 13, 2018, with said alterations to include the following by street elevation:

1. Ontario Street: Replacing the existing mast-arm sign faces at the north and south corners of the building with new signs of similar size with updated light fixtures;
2. Market Street: Removing all three of the existing black awnings; repairing or replacing, if necessary, the western most double doors; installing a new bracketed wooden canopy over the entrance; installing slightly recessed wooden panels, in a "herring bone" pattern, into the three door openings (one to include signage); relocating the existing mast-arm sign further east and replacing the sign face; installing new signage above and beside the door canopy;
3. Clarence Street: Cleaning all bricks; installing a new painted sign within the blinded window opening; combining and enlarging the former openings in order to install a new barrier-free entrance and

two roll-up garage door type windows; replacing the existing wooden fence with a free-standing wooden fence attached to stone (or stone clad) pillars; installing new wall mounted lighting and a new chase to hide exterior wiring; and

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

1. All Building and/or Sign permits shall be obtained, as required;
2. Encroachment permit(s) shall be obtained, as required;
3. Patio permit(s) shall be obtained, as required;
4. Municipal Business license(s) shall be obtained, as required;
5. The metal chase to be installed along the southern wall of the building shall be painted in a mat grey tone in order to be as invisible as possible;
6. The requirement of Ontario Regulation 490, with respect to the disturbance of hazardous materials during construction, shall be met;
7. All masonry works, including cleaning, shall be completed in accordance with the City's Policy on Masonry Restoration on Heritage Buildings;
8. All window and door works shall be completed in accordance with the City's Policy on Window Renovations in Heritage Buildings;
9. A heritage permit shall be obtained, outside of the scope of this approval, for any exterior painting of the building or structure;
10. Approval from the Ontario Heritage Trust, as per Part II of the *Ontario Heritage Act*, shall be obtained, as necessary; and
11. Planning staff shall be circulated the drawings and design specifications tied to the Building Permit application for review and approval to ensure consistency with the scope of the Heritage Permit.

(Report Number HK-18-064 is attached as schedule pages 123-183)

iv. Approval of an Application for Heritage Permit – 95 King Street East

That alterations to the property at 95 King Street East be approved in accordance with the details described in the application (File Number P18-063-2018), which was deemed completed on August 27, 2018, with said alterations to include the removal of the upper portion of a later rear addition, retaining the foundation walls, and the construction of a one-storey, hipped roofed, wood and glazed rear addition on top; and

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

1. A Building Permit shall be obtained, including confirmation of zoning compliance;
2. Any necessary *Planning Act* applications shall be completed;
3. All new windows shall be designed in a two over two or one over one glazing pattern under an undivided transom;
4. All masonry works, including cleaning, shall be completed in accordance with the City's Policy on Masonry Restoration on Heritage Buildings;
5. A minimum clearance of 3 metres from the high voltage powerlines shall be maintained. If work cannot be completed safely or if clearance cannot be maintained from the lines, the applicant shall complete a service request and submit to Utilities Kingston for isolation of the powerlines; and
6. Heritage planning staff shall be circulated the drawings and design specifications, tied to the Building Permit application for review and approval to ensure consistency with the scope of the Heritage Permit sought by this application.

(Report Number HK-18-061 is attached as schedule pages 183-211)

3. Applications Not Supported for Approval by Heritage Kingston (Non Statutory Consultation)

i. Application for Heritage Permit - 81 Gore Street

That alterations to the property at 81 Gore Street be approved in accordance with the details described in the application (File Number P18-084-2018), which was deemed complete on August 28, 2018, with said alterations to include the recreation of the three wooden upper storey window shutters; and

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

1. All window works shall be completed in accordance with the City's Policy on Window Renovations in Heritage Buildings;
2. Any necessary masonry works, including installing the shutters, shall be completed in accordance with the City's Policy on Masonry Restoration on Heritage Buildings;
3. A minimum clearance of 3 metres from the high voltage powerlines shall be maintained. If work cannot be completed safely or if clearance cannot be maintained from the lines, the

applicant shall complete a service request and submit to Utilities Kingston for isolation of the powerlines; and

4. The applicant shall take all necessary measures, as directed by the City's Forestry Division, to avoid compaction of the root system of the City-owned tree in the front yard.

(Report Number HK-18-062 is attached as schedule pages 212-226)

Report Number 84: Received from Administrative Policies Committee

Report Number 84

To the Mayor and Members of Council:

Administrative Policies 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. Tax Write Offs Pursuant to the *Municipal Act, 2001*

That Council approve the cancellation, reduction or refund of taxes pursuant to applications made under Sections 357 and 358 of the *Municipal Act, 2001* totaling \$54,382.51 of which \$41,928.04 is the City's portion and the amount charged back to the school boards is \$12,454.47, as listed in Exhibit A attached to Report Number AP-18-014.

(Exhibit A to Report Number AP-18-014 is attached to the agenda as schedule pages 227-22-)

2. Uncollectible Tax Write-offs and Tax Sale Provisions Under the *Municipal Act, 2001*

That Council hereby authorizes the City Treasurer to write-off uncollectible taxes in the amount of \$5,806.38 of which \$5,291.76 is the City's portion and the amount charged back to the school boards and DBIA are \$507.08 and \$7.54 respectively, for the properties listed in Exhibit A attached to Report Number AP-18-015.

(Exhibit A to Report Number AP-18-015 is attached to the agenda as schedule page 230)

3. Balloon Release By-Law

That Council approve the draft by-law, attached as Exhibit A to Report Number AP-18-017; and

That pending Council's approval of the proposed by-law, attached as Exhibit A to Report Number AP-18-017, staff be directed to submit the required Set Fine Schedule to the Ministry of the Attorney General for approval.

(See By-Law Number (2), 2018-159 attached to the agenda as schedule pages 231-233)

4. Extended Patio Season

That Council approve the draft by-law, attached as Exhibit "A" to Report Number AP-18-018; and

That Council approve the draft by-law, attached as Exhibit "B" to Report Number AP-18-018; and

That the amending by-laws be presented for all three readings to allow for the patio season extension to be implemented in 2018.

(See By-Law Number (6), 2018-162 and By-Law Number (7), 2018-163 attached to the agenda as schedule pages 234–238)

5. Licensing Payday Loan Establishments

That the draft By-Law, attached as Exhibit A to Report Number AP-18-021, as amended by the Administrative Policies Committee on September 13, 2018 as follows:

"That Schedule PL-1 of By-Law Number 2006-213, attached as Exhibit A to Report AP-18-021, be amended by inserting the following special condition after special condition (1):

(2) There shall be no more than the current number of seven licensed Payday Loan Establishments;

with all special conditions renumbered thereafter."

be presented to Council to amend By-Law Number 2006-213, A By-Law to License, Regulate and Govern Certain Businesses; and

That the proposed amendments to By-Law Number 2006-213 take effect January 1, 2019 to align with the annual Fees and Charges By-Law update; and

That the proposed amendments to By-Law Number 2006-213 be presented to Council to receive all three readings to allow for the amended by-law to take effect January 1, 2019.

(See By-Law Number (8), 2018-164 attached to the agenda as schedule pages 239– 242)

Report Number 85: Received from the Rural Advisory Committee

Report Number 85

To the Mayor and Members of Council:

The Rural Advisory Committee reports and recommends as follows:

1. Agricultural Building Permit Fees

That Council direct staff to prepare a report including details pertaining to the building permit fees collected for Permit Class: Group F Industrial and Agricultural Buildings, and that staff report back to the Rural Advisory Committee no later than 2020.

Committee of the Whole

Information Report

1. 2018 Priority Status Matrix – Q3 Update

This purpose of this report is to provide Council with the Q3 update on the 2018 Priority Status Matrix.

(The Report of the Chief Administrative Officer (18-357) is attached to the agenda as schedule pages 243-253)

(File Number CSU-C08-000-2018)

Information Reports from Members of Council

Miscellaneous Business

New Motions

Notices of Motion

Minutes

That the Minutes of City Council Meeting Number 2018-21, held Tuesday September 18, 2018 be confirmed.

(Distributed to all Members of Council on September 28, 2018)

Tabling of Documents

2018-52 Kingston Police Services Board
Agenda – September 21, 2018
(File Number CSU-P17-000-2018)

2018-53 Kingston Police Services Board
Minutes – July 19, 2018
(File Number CSU-P17-000-2018)

2018-54 Kingston & Frontenac Housing Corporation
Agenda – September 24, 2018
(File Number CSU-S13-000-2018)

2018-55 KFL&A Public Health – Board of Health
Agenda – September 26, 2018
(File Number CSU-S08-001-2018)

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- 2018-56 Cataraqui Source Protection Authority
Agenda – September 26, 2018
(File Number CSU-D03-000-2018)
- 2018-57 Cataraqui Region Conservation Authority – Full Authority Meeting
Agenda – September 26, 2018
(File Number CSU-D03-000-2018)
- 2018-58 Downtown Kingston! Business Improvement Area Board of Management
Minutes – May 16, 2018
(File Number CSU-A01-001-2018)
- 2018-59 Downtown Kingston! Business Improvement Area Board of Management
Minutes – June 13, 2018
(File Number CSU-A01-001-2018)

Communications

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

Filed

- 22-549 Public Notice of a Complete Application dated September 21, 2018 for a Zoning By-Law Amendment at the property municipally known as 1020 and 1044 Lancaster Drive.
(File Number CSU-D14-000-2018)
- 22-552 Notice of a Complete Application and Public Meeting for a proposed Zoning By-Law Amendment at the property municipally known as 15 Grenadier Drive. The Public Meeting is October 4, 2018 at 6:30 pm in the Council Chamber, City Hall, 216 Ontario Street.
(File Number CSU-D14-000-2018)
- 22-559 Committee of Adjustment – Notice of Decision for a minor variance at the property municipally addressed as 1286 Channelview Road. The application has been approved subject to conditions. The last date for appeal is October 15, 2018.
(File Number CSU-D19-000-2018)
- 22-560 Committee of Adjustment – Notice of Decision for a minor variance at the property municipally addressed as 938 Auden Park Drive. The application has been approved subject to conditions. The last date for appeal is October 15, 2018.
(File Number CSU-D19-000-2018)

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- 22-561 Committee of Adjustment – Notice of Decision for a minor variance at the property municipally addressed as 2977 4th Concession Road. The application has been approved subject to conditions. The last date for appeal is October 15, 2018.
(File Number CSU-D19-000-2018)
- 22-562 Committee of Adjustment – Notice of Decision for a minor variance at the property municipally addressed as 69 Traymoor Street. The application has been approved subject to conditions. The last date for appeal is October 15, 2018.
(File Number CSU-D19-000-2018)
- 22-563 Committee of Adjustment – Notice of Decision for a severance at the property municipally addressed as 3578 6th Concession Road. The application has been approved subject to conditions. The last date for appeal is October 16, 2018.
(File Number CSU-D19-000-2018)
- 22-564 Committee of Adjustment – Notice of Decision for a minor variance at the property municipally addressed as 3578 6th Concession Road. The application has been approved subject to conditions. The last date for appeal is October 15, 2018.
(File Number CSU-D19-000-2018)
- 22-565 Committee of Adjustment – Revised Notice of Decision for a minor variance at the property municipally addressed as 1286 Channelview Road. The application has been approved subject to conditions. The last date for appeal is October 15, 2018.
(File Number CSU-D19-000-2018)

Referred to All Members of Council

- 22-546 Correspondence from Rudi Wycliffe, President Frontenac Condominium Corporation 40, Commodores Cove, with respect to the Site Plan Application for 1102 King Street West.
(Distributed to all members of Council on September 26, 2018)
(File Number CSU-D11-000-2018)
- 22-547 Correspondence from Jason Travers, Director, Natural Resources Conservation Branch, Ontario Ministry of Natural Resources and Forestry (MNR) – Comment Period for Updated Procedures for Regional Review under the Great Lakes-St. Lawrence River Basin Sustainable Water Resources Agreement.

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- (Distributed to all members of Council on September 26, 2018)
(File Number CSU-E05-000-2018)
- 22-548 Correspondence from Len Senyshyn, Manager, Approvals, Certification and Licensing Unit, Environmental Management Branch of the Ministry of Agriculture, Food and Rural Affairs dated September 18, 2018, with respect to the 2018/2019 Tile Loan Program.
(Distributed to all members of Council on September 26, 2018)
(File Number CSU-E09-000-2018)
- 22-550 Correspondence from Premier Doug Ford acknowledging receipt of Council's resolution with respect to Doctor Availability.
(Distributed to all members of Council on September 26, 2018)
(File Number CSU-S08-000-2018)
- 22-551 Notice of Adoption of the new Official Plan of the Township of Leeds and the Thousand Islands.
(Distributed to all members of Council on September 26, 2018)
(File Number CSU-D08-000-2018)
- 22-553 Association of Municipalities Ontario – AMO Update – Urgent: AMO President Letter on Municipal Governance.
(Distributed to all members of Council on September 26, 2018)
(File Number CSU-A16-000-2018)
- 22-554 Ontario Good Roads Association (OGRA) announcing the 2019 OGRA Conference: 125th Anniversary – Past|Present|Future. The Conference is February 24 – 27, 2019 at the Sheraton Centre Toronto Hotel.
(Distributed to all members of Council on September 26, 2018)
(File Number CSU-A04-000-2018)
- 22-557 Association of Municipalities Ontario – AMO Policy Update – Ontario Introduces Legislation to Expand Natural Gas through Private Investment.
(Distributed to all members of Council on September 26, 2018)
(File Number CSU-E06-000-2018)

Referred to City Clerk

- 22-555 Illumination Application from Lionhearts Inc. requesting illumination of City Hall and Springer Market Square on November 24, 2018 for End Food Security Issues in Kingston.
(Distributed to all members of Council on September 26, 2018)

(File Number CSU-M10-000-2018)

22-556 Notice of an event under a Special Occasion Permit (AGCO) being held at Rideau Acres Campground on September 28 and 29, 2018.

(Distributed to all members of Council on September 26, 2018)

(File Number CSU-P09-000-2018)

20-558 Proclamation application from WAFFLES Community Robotics requesting Council to proclaim November 17, 2018, "FIRST Robotics Day", in the City of Kingston.

(Distributed to all members of Council on September 26, 2018)

(File Number CSU-M10-000-2018)

Other Business

By-Laws

1. **That** By-Laws (1), (2) and (4) through (12) be given their first and second reading.
2. **That** Clause 11.34 of By-Law Number 2010-1 be suspended for the purpose of giving By-Laws (6) to (11) three readings.
3. **That** By-Laws (3) through (12) be given their third reading.

- (1) A By-Law to Permanently Close a Portion of the Highway described as Part of the Road Allowance between Lots 17 and 18, Concession 5 (formerly Township of Kingston), designated as Part 2 on Reference Plan 13R-1519, City of Kingston, County of Frontenac

First and Second Reading

Proposed Number 2018-158

(See Clause 2, Report Number 81)

- (2) A By-Law to Regulate the Release of Balloons within the City of Kingston

First and Second Reading

Proposed Number 2018-159

(See Clause 3, Report Number 84)

- (3) A By-Law to enact a Heritage Easement Agreement over lands located at 81-83 King Street East, pursuant to the provisions of the Ontario Heritage Act (R.S.O. 1990, 0.18)

Third Reading

Proposed Number 2018-151

(See Clause 4, Report Number 78)

- (4) A By-law to Amend By-Law Number 2010-128 "A By-Law to Regulate Parking" (King Street West and Beverley Street Intersection)

City Council Meeting 2018-22

Agenda

Tuesday, October 2, 2018

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- Three Readings
(See Clause 6, Report Number 81) Proposed Number 2018-160
- (5) 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 R2-46 Zone to I Zone, 700 Gardiners Road)
- Three Readings
(See Clause 1, Report Number 82) Proposed Number 2018-161
- (6) A By-Law to Amend By-Law Number 87-136, "A By-Law to Authorize the Adoption of Regulations Established for the Purpose of Dealing with Applications for the Extended Use of Sidewalks".
- Three Readings
(See Clause 4, Report Number 84) Proposed Number 2018-162
- (7) A By-Law to Amend By-law Number 2005-10, "A By-Law to Establish Fees and Charges to be Collected by The Corporation of the City of Kingston"
- Three Readings
(See Clause 4, Report Number 84) Proposed Number 2018-163
- (8) A By-Law to Amend By-Law Number 2006-213, "A By-Law to License, Regulate and Govern Certain Businesses"
- Three Readings
(See Clause 5, Report Number 84) Proposed Number 2018-164
- (9) A By-Law to Authorize an Application for Approval to Expropriate a Part of the Land Known Municipally as 67 Village Drive, being Part of Lot 5, Concession West of the Great Cataraqui River, designated as Part 9 on Reference Plan 13R-21840, in the City of Kingston, in the County of Frontenac, being part of PIN 36001-0010 (LT)
- Three Readings
(Delegated Authority)
(See Pages 254-258) Proposed Number 2018-165
- (10) A By-Law to Authorize an Application for Approval to Expropriate a Part of the Land Known Municipally as 646 John Counter Boulevard, being Part of Lot 5, Concession West of the Great Cataraqui River, designated as

Part 6 on Reference Plan 13R-21840, in the City of Kingston, in the County of Frontenac, being part of PIN 36001-0361 (LT)

Three Readings

Proposed Number 2018-166

(Delegated Authority)

(See Pages 259-263)

- (11) A By-Law to Authorize an Application for Approval to Expropriate a Part of the Land Known Municipally as 917-919 Montreal Street, being Part of Lot 5, Concession West of the Great Cataraqui River, designated as Parts 1 to 5, inclusive, on Reference Plan 13R-21840, in the City of Kingston, in the County of Frontenac, being part of PIN 36001-0001 (LT)

Three Readings

Proposed Number 2018-167

(Delegated Authority)

(See Pages 264-268)

- (12) A By-Law to confirm the proceedings of Council at its meeting held on Tuesday, October 2, 2018

Three Readings

Proposed Number 2018-168

(City Council Meeting Number 2018-22)

Adjournment