



City Council Meeting 2019-20

Tuesday, August 13, 2019 at 5:45 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 7:00 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) Personal matters about an identifiable individual, including municipal or local board employees; and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and 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 - Ravensview Land Leases Update – LaSalle Boulevard.
 - b) Personal matters about an identifiable individual, including municipal or local board employees – Chief Administrative Officer Recruitment

Approval of Addeds

Disclosure of Potential Pecuniary Interest

Presentations

Delegations

1. Bob MacInnes, Fridays for Future, will appear before Council to speak to New Motion 3 with respect to prohibiting open doors and windows while air conditioners are in operation.
2. Mabyn Armstrong, Turtles Kingston, will appear before Council to speak to New Motion 4 with respect to turtle nesting in the area of Highway 2.

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.

Deferred Motions

Reports

Report Number 60: Received from the Chief Administrative Officer (Consent)

Report Number 60

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. Patio Application – The Grocery Basket

That Council authorize the Mayor and Clerk to enter into a license agreement, in a form satisfactory to the Director of Legal Services, with the owner of “The Grocery Basket” located at 172 Ontario Street, for the lease of City property adjacent to their business on the Johnson Street frontage for the purpose of operating a non-serving sidewalk patio.

(The Report of the Commissioner, Transportation & Public Works (19-210) is attached to the agenda as schedule pages 1-6)

(File Number CSU-D23-000-2019)

2. Award of Contract – One Multifunctional, Articulating, 4 Wheel Drive, Rubber Tired Tractor Loader

That Jade Equipment Ltd. be awarded a contract for the purchase of one 2018 model year multifunctional, articulating, 4-wheel drive, rubber-tired tractor loader (F31-TIS-TS-FL-2019-16) for the total purchase price of \$137,800 plus applicable taxes; and

That the Commissioner, Transportation & Public Works be authorized to execute the required agreement, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner, Transportation & Public Works (19-219) is attached to the agenda as schedule pages 7-10)

(File Number CSU-V00-000-2019)

3. Kingston Transit - Governance Agreement with Metrolinx for the Joint Procurement of Goods and Services

That Mayor and Clerk be authorized to enter into a 5-year governance agreement with Metrolinx for the purpose of purchasing goods and services from suppliers pursuant to public procurement processes, with an option to renew for an additional 5-year period, in a form satisfactory to the Director of Legal Services; and

That Council approves the appointment of the Director of Transit & Fleet Services, as the Metrolinx TPI Steering Committee member for the City of Kingston and the Manager, Fleet Services, as the alternate.

(The Report of the Commissioner, Transportation & Public Works (19-223) is attached to the agenda as schedule pages 11-14)

(File Number CSU-T03-000-2019)

4. Kingston Transit - Secondary School Transit Program Extension

That Council continue the complimentary Grade 9 to Grade 12 transit program for a 3-year period (2019/2020, 2020/2021, 2021/2022), including students attending public, separate, or private schools in the City of Kingston, or students receiving a home-based education in the City of Kingston, subject to the City of Kingston receiving a total combined financial contribution of \$60,000 each year from the Limestone District School Board and Algonquin Lakeshore Catholic District School Board in support of the program.

(The Report of the Commissioner, Transportation & Public Works (19-225) is attached to the agenda as schedule pages 15-20)

(File Number CSU-T03-000-2019)

5. Amendment to Fees and Charges By-Law to Remove Fees for Green Bin, Source Separated Organics at Schools

That the By-Law attached as Exhibit A to Report Number 19-217 be presented 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, as Amended"*, to remove the fees and charges to provide source separated organic services (Green Bin) to elementary and secondary schools in Kingston, to increase participation at schools; and

That the amending By-Law be presented for all three readings to allow for the removal of the fees in time for the start of the 2019 school year.

(The Report of the Commissioner, Transportation & Public Works (19-217) is attached to the agenda as schedule pages 21-26)

(File Number CSU-E07-000-2019)

(See By-Law Number (7), 2019-117 attached to the agenda as schedule page 26)

6. Permanently Close a Portion of York Street, formerly Old Road, at 183 Pine Street

That the By-Law attached as Exhibit B to Report Number 19-215 be presented to Council to permanently close a portion of the highway over Part of Abstract Block "PP" Farm Lot 24 Concession 1 also known as York Street further described as Part 3 on Reference Plan 13R-22061, City of Kingston; and

That Council declare surplus to municipal need and dispose of a portion of the highway over Part of Abstract Block "PP" Farm Lot 24 Concession 1, also known as York Street, further described as Part 3 on Reference Plan 13R-22061, City of Kingston; and

That the Mayor and Clerk be authorized to execute all necessary agreements and other documents as may be required to transfer the portion of the highway over Part of Abstract Block "PP" Farm Lot 24 Concession 1, also known as York Street, further described as Part 3 on Reference Plan 13R-22061, City of Kingston, to the owner of 183 Pine Street for \$1.00, in a form satisfactory to the Director of Legal Services.

(The Report of the Acting Commissioner, Community Services (19-215) is attached to the agenda as schedule pages 27-32)

(File Number CSU-T09-000-2019)

(See By-Law Number (1), 2019-114 attached to the agenda as schedule page 32)

7. Mountain Bike Club of Kingston Land Lease Agreement

That Council authorize the Mayor and Clerk to execute a lease agreement for Part of Lots 27, 28 and 29 on Concession 4, Kingston, with The Mountain Bike Club of Kingston for a period of ten (10) years for an annual rent of \$1.00 with the option to extend for a second ten (10) year term on terms and conditions as outlined in Report Number 19-224 and in a form satisfactory to the Director of Legal Services; and

That as required by clause 6(1)(b) of Ontario Regulation 603/06, it be confirmed that the land leased to The Mountain Bike Club of Kingston, being Part of Lots 27, 28 and 29, Concession 4, Kingston, is a municipal capital facility to be entirely occupied for recreation purposes of the municipality and that it is operated for public use; and

That in accordance with Section 110(6) of the Municipal Act, 2001, the By-Law attached as Exhibit B to Report Number 19-224, being a By-Law to Authorize an Agreement for the Provision of a Municipal Capital Facility on Part of Lots 27, 28 and 29, Concession 4, Kingston, Ontario, be presented, it being understood that this By-Law will provide an exemption to the property to which the Municipal Capital Facility Agreement applies, from taxation for municipal and education purposes; and

That in accordance with Section 110(8) of the Municipal Act, 2001, the Clerk be directed to give written notice of the passing of the By-Law to the local school boards having jurisdiction in the area in which the property is located and to the Municipal Property Assessment Corporation.

(The Report of the Acting Commissioner, Community Services (19-224) is attached to the agenda as schedule pages 33-42)

(File Number CSU-L15-000-2019)

(See By-Law Number (2), 2019-115 attached to the agenda as schedule pages 39-42)

Report Number 61: Received from the Chief Administrative Officer (Recommend)

Report Number 61

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

1. Final Development Charges Background Study and Development Charge By-Law

That Council approve the Final Development Charges Background Study, 2019, City of Kingston, dated July 26, 2019, prepared by Watson & Associates Economists Ltd.; and

That Council approve the capital project listings set out in Chapter 5 of the Final Development Charges Background Study, 2019, City of Kingston, dated July 26, 2019, subject to further annual review of the projects during the capital budget process; and

That Council determine that the changes to the proposed Development Charge By-Law following the July 9, 2019 public meeting do not make a further public meeting under section 12 of the *Development Charges Act* necessary; and

That the By-Law attached as Appendix F to Exhibit A to Report Number 19-222 be presented for First and Second Readings to establish the Development Charges for the City of Kingston, said By-Law to be cited as the “City of Kingston Development Charge By-Law 2019”; and

That By-Law Number 2014-135, cited as the “City of Kingston Development Charge By-Law, 2014” is hereby repealed effective as of the date and time of the City of Kingston Development Charge By-Law, 2019 coming into effect; and

That By-Law Number 2019-XXX, being the “City of Kingston Development Charge By-Law, 2019”, shall come into force and take effect on September 29, 2019; and

That the financial requirements determined through the Final Development Charges Background Study 2019, City of Kingston in support of the new Development Charge By-Law, 2019 be incorporated into the comprehensive capital and financial plans of the City of Kingston.

(The Report of the Chief Financial Officer and City Treasurer (19-222) is attached to the agenda as schedule pages 43-249)

(File Number CSU-F21-000-2019)

(See By-Law Number (3), 2019-116 attached to the agenda as schedule pages 231-249)

2. Deep Water Dock and Cruise Ship Potential Alternative Location

That Council direct staff to advance discussions with the property owner of 55 Ontario and 5 Lower Union Street for the purpose of a potential partnership that could include public access to the waterfront, a deep water dock and programs with the Marine Museum of the Great Lakes; and

That Council direct staff to report back when more information is available on potential partnerships for both options at 1 Queen Street as well as 55 Ontario and 5 Lower Union Street for the potential development of a deep water dock and public waterfront project.

(The Report of the Interim Chief Administrative Officer (19-220) is attached to the agenda as schedule pages 250-290)

(File Number CSU-D26-000-2019)

3. Transmittal Report from Principals Integrity – Complaint filed against Councillor Jim Neill

That Council receive the “Councillor Neill Conflict of Interest and Code of Conduct Recommendation Report”, submitted by Principles Integrity, dated August 2, 2019 attached as Exhibit “A” to Report Number 19-229.

(The Report of the City Clerk (19-229) is attached to the agenda as schedule pages 291-305)

(File Number CSU-C17-000-2019)

Report Number 62: Received from the Planning Committee

Report Number 62

To the Mayor and Members of Council:

The Planning Committee reports and recommends as follows from the Planning Committee Meeting held on August 1, 2019:

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 Zoning By-Law Amendment - 501 Frontenac Street (formerly 495-513 Frontenac Street)

That the application for a zoning By-Law amendment (File Number D14-025-2018) submitted by IBI Group Incorporated, Lesley Mushet, on behalf of Jay Patry Enterprises Inc., for the property municipally known as 501 Frontenac Street (formerly 495-513 Frontenac 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-19-047; 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 (8), 2019-118 attached to the agenda as schedule pages 306-309)

Report Number 63: Received from Heritage Kingston

Report Number 63

To the Mayor and Members of Council:

Heritage Kingston reports and recommends as follows from the Meeting held on July 17, 2019:

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. Approval of Application for Heritage Permit - 86 Beverley Street

That alterations to the property at 86 Beverley Street, be approved in accordance with the details described in the application (File Number P18-039- 2019), which was deemed complete on June 18, 2019, with said alterations to include the:

1. Construction of a second storey rear addition, clad in wood siding, with standing seam profile hip roof;
2. Enlargement of a south facing window to accommodate a new door; and
3. Construction of a rear vestibule, clad in wood siding; and

That the approval of the alteration be subject to the following conditions, as amended by Heritage Kingston on July 17, 2019:

1. A Building Permit shall be obtained, as necessary;
2. Any *Planning Act* approvals, such as a minor variance application, shall be obtained, as necessary;
3. All masonry works shall be completed in accordance with the City's Policy on Masonry Restoration on Heritage Buildings;
4. All window works shall be completed in accordance with the City's Policy on Window Renovations in Heritage Buildings;
5. All objects/tools, etc. must maintain a minimum clearance of 3 metres from the high voltage powerlines. 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;

6. Details of the finalized vestibule door design shall be submitted to Heritage Planning staff for review and approval, to ensure that the door complements the heritage character and attributes of the property; and
7. The applicant shall carefully consider the use of stucco or cement board siding as an appropriate alternative to wood siding.

ii. Approval of Application for Heritage Permit – 112 Montreal Street

That alterations to wooden exterior front staircase of the property at 112 Montreal Street, be approved in accordance with details described in the application (File Number P18-045-2019), which was deemed complete on June 5, 2019 with said alterations to include the removal of the existing 0.1 metre by 0.1 metre (4 inch by 4 inch) supports with larger 0.15 metre by 0.15 metre (6 inch by 6 inch) supports, the replacement of the 0.05 metre by 0.25 metre (2 inch by 10 inch) stringers with larger 0.05 metre by 0.3 metre (2 inch by 12 inch) stringers, the replacement of existing 0.05 metre by 0.25 metre (2 inch by 10 inch) headers with larger 0.05 metre by 0.3 metre (2 inch by 12 inch) headers and the replacement of the handrails with a slightly more rounded profile handrail. All other alterations will be replaced with parts matching existing dimensions and that the staircase be repainted the existing taupe colour; and

That the approval of the alterations be subject to the following conditions, as amended by Heritage Kingston on July 17, 2019:

1. A Building Permit shall be obtained for structural alterations to the existing staircase;
2. An Encroachment Permit shall be obtained;
3. Utilities locates shall be done prior to any excavations;
4. All alterations shall be constructed in accordance with the City of Kingston's Policy on Masonry Restoration in Heritage Buildings; and
5. Details of the finalized staircase and hand rail design shall be submitted to Heritage Planning staff for review and approval, to ensure that they complement the heritage character of the property.

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

i. Approval of Application for Heritage Permit under the *Ontario Heritage Act* – 53 King Street East

That alterations to the property at 53 King Street East, be approved in accordance with the details described in the application (File Number P18-042-2019) which was deemed complete on June 7, 2019, with said alterations to include the masonry work of raking and repointing mortar joints, isolated stone replacement using local Kingston Limestone and the repointing and inspection of the chimneys; and

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

1. The existing stone pattern be retained through the repointing, with as much retention and reuse of stones as is possible and in accordance with prudent construction practice;
2. All masonry work shall be completed in accordance with the City's Policy on Masonry Restoration in Heritage Buildings; and
3. A service request to Utilities Kingston shall be conducted if work cannot be completed safely or if clearance cannot be maintained from nearby hydro lines.

(Report HK-19-036 is attached to the agenda as schedule pages 310-326)

3. Approval of Application for Heritage Property Tax Refund – 81 King Street East

That the Heritage Property Tax Refund application Number HT-01-2018 for the designated property at 81 King Street East, be approved, as the works undertaken meet the eligibility requirements of By-Law Number 2005-257 "A By-Law to Establish a Heritage Property Tax Refund Program".

Report Number 64: Received from Nominations Advisory Committee

Report Number 64

To the Mayor and Members of Council:

Nominations Advisory Committee reports and recommends as follows from the meeting held on July 31, 2019:

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. Public Appointments to Heritage Kingston Review Working Group

That the following appointments be made to the Heritage Kingston Review Working Group for a term of one year from the date of establishment or until fulfilment of the mandate:

- a) R. Bruce Downey – current or previous municipal heritage committee representative;
- b) Donald Taylor – current or previous municipal heritage committee representative;
- c) Helen Finley – general cultural heritage interests representative;
- d) Laura Phillips – museums and/or collections representative; and
- e) Ann Dalton – general public representative; and

That staff be directed to continue recruitment for an Indigenous community representative and report back to the Committee in Q4 2019.

Committee of the Whole

Information Reports

1. Quarterly Report: Tourism Kingston – Q2 2019

This report provides Council with detailed report on Q2 2019 for Tourism Kingston. (The Report of the Interim Chief Administrative Officer (19-214) is attached to the agenda as schedule pages 327-372)
(File Number CSU-A01-000-2019)

2. Information Report: Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of June 2019

This reports provides 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 \$20,000 and \$50,000 level for the month of June 2019. (The Report of the Chief Financial Officer and City Treasurer (19-213) is attached to the agenda as schedule pages 373-379)
(File Number CSU-F18-000-2019)

3. Ontario Consultation on Regulations on Community Benefits and Development Charges (Related to Bill 108 – More Homes More Choice Legislation)

This report provides Council with an overview of the proposed regulation changes and the City's comments, recommendations and questions. (The Report of the Interim Chief Administrative Officer (19-226) is attached to the agenda as schedule pages 380-396)
(File Number CSU-L11-000-2019)

4. Second Quarter Operating Budget Status Report for 2019

This report provides Council with a financial status update of the general operating budget as at June 30, 2019. (The Report of the Chief Financial Officer and City Treasurer (19-216) is attached to the agenda as schedule pages 397-403)
(File Number CSU-F05-000-2019)

Information Reports from Members of Council

Miscellaneous Business

1. **That** notwithstanding section 3.1.4, subsection (v), of the First Capital Place Illumination Policy, Kingston City Council approve the application submitted by March of Dimes Canada for the illumination of City Hall and Springer Market Square in green on August 24, 2019 for “Light the Sky Green”.
(See Communication 20-648)
2. **That** the nomination of Andrea Gummo to the Cataraqui Source Protection Committee representing the Central Area, be supported.
3. **That** as requested by Lindsay Foster, Rotary Clubs of Kingston, Council proclaim September 2, 2019 as “Going Nuts for Rotary! Day” in the City of Kingston
(See Communication 20-632)
4. **That** as requested by Operation Lifesaver, Council proclaim September 23-29, 2019 as “Rail Safety Week” in the City of Kingston.
(See Communication 20-633)
5. **That** as requested by Ian Clark, Kingston Coalition Against Poverty, Council proclaim September 21, 2019 as “Keep Your Head Above Water Day” in the City of Kingston.
(See Communication 20-651)
6. **That** as requested by Suita Beck, Polycystic Kidney Disease Foundation of Canada, Council proclaim September 4, 2019 as “National Polycystic Kidney Disease (PKD) Awareness Day” in the City of Kingston.
(See Communication 20-653)
7. **That** as requested by Lisa Bailey, Sickle Cell Association of Ontario, Council proclaim the month of September 2019 as “Sickle Cell Awareness Month” in the City of Kingston.
(See Communication 20-656)
8. **That** as requested by Sheila Olan-Maclean, Ontario Coalition for Better Child Care, Council proclaim October 24, 2019 as “Child Care Worker and Early Childhood Educator Appreciation Day” in the City of Kingston.
(See Communication 20-661)

New Motions

1. Moved by Councillor Boehme
Seconded by Mayor Paterson

Whereas the design and more specifically the driveway design of a neighbourhood in Kingston East has created challenges for property owners trying to park their personal vehicles that are longer than 5.1 metres in length; and

Whereas these property owners have been partially obstructing the sidewalk which is not permitted under By-Law 2004-190, A By-Law to Regulate the use of City Streets or By-Law 2010-128, A By-Law to Regulate Parking;

Therefore Be It Resolved That Council approve a temporary exemption of up to 24 months to the streets By-Law on Bluffwood, Cottonwood and Cyprus Streets to allow partial obstruction of the sidewalk, while still allowing for a pedestrian off road passage, only in order to accommodate parking of vehicles for property owners; and

That Council direct staff to report back after 1 year on the impact and complaints received during this temporary exemption.

2. Moved by Deputy Mayor Neill
Seconded by Councillor Chapelle

Whereas By-Law Number 99-67 allows a property owner or agent to enter a neighbouring property without notification and without prior permission of the owner or resident to affect repairs on their own property, and

Whereas many other municipalities have By-Laws that ensure proper notification prior to entering a neighbouring property, and which clearly define the limitations of any such entry, relating to time, duration, and purpose; and

Whereas some municipalities ensure oversight by requiring some form of municipal licensing or registration, and require proof of insured protection regarding possible civil action should any injury occur on the neighbouring property while repairs are being done;

Therefore Be It Resolved That City of Kingston Staff review best practices from other municipalities, and recommend, through amendment or replacement of By-Law Number 99-67, a By-Law to ensure that property rights are honoured and due notification in such instances is always given; and

That an amended or new Draft By-Law be presented to the Administrative Policies Committee in Q4, 2019 for consideration and then referred to Council.

3. Moved by Deputy Mayor Neill
Seconded by Councillor Kiley

Whereas the City of Kingston has established a goal of greater sustainability, recently declaring a Climate Emergency and naming carbon reduction as a Council Priority; and

Whereas there are many properties, particularly commercial, that leave their doors or windows open while their air conditioning is operating, which some Kingston residents have complained about; and

Whereas buildings and their energy systems (heating and cooling) account for a substantial portion of community greenhouse gas emissions, and energy conservation and efficiencies contribute directly and significantly to reducing carbon pollution; and

Whereas there is already an Anti-idling By-Law, albeit not strictly enforced and largely ignored by Tour Buses and others;

Therefore Be It Resolved that staff be requested to prepare a By-Law to prohibit open doors and windows when air conditioning is in operation, to be passed in Q2, 2020; and

That By-Law Officers be requested to more aggressively enforce both the Anti-idling By-Law and, if passed, the future By-Law to discourage open doors and windows when air conditioning is in operation.

4. Moved by Councillor Osanic
Seconded by Councillor Chapelle

Whereas Highway 2 runs across the Provincially Significant Wetland, Collins Creek Complex in Westbrook; and

Whereas the data shows that there is higher turtle mortality in this particular location on Highway 2 than on any other roadway that has been studied within the City of Kingston; and

Whereas Turtles Kingston has reported close to 80 turtles nesting on the sides of the road, 43 of which had to be manually transported across the road to prevent them from being run over in 2019; and

Whereas Highway 2 in Westbrook has a speed limit is 60km/hour and it is difficult for police to enforce speed control in this particular location due to limited resources and difficult topography since the road is surrounded by wetland with very narrow shoulders; and

Whereas it is acknowledged that this short section of road, that is less than 1 kilometre long from Baxter Avenue to Collins Bay Road, is admittedly generally

flat and straight and the sight lines are good and as such, a Vehicle “No Passing” zone would not be warranted according to Book 11 of the Ontario Traffic Manual “Pavement, Hazard, and Delineation Markings; and

Whereas Book 11 of the Ontario Traffic Manual, however, does not give consideration to the protection of wildlife when warranting Vehicle “No Passing” Zones; and

Whereas protecting the turtles in this location is important to the integrity of the Collins Creek significant wetland complex;

Therefore Be It Resolved That council direct staff to establish a Posted “No Passing” Zone on Highway 2 in Westbrook from Baxter Ave to Collins Bay Road

Notices of Motion

Minutes

That the Minutes of City Council Meeting Number 2019-18, held Tuesday July 9, 2019, Minutes of Special City Council Meeting 2019-19, held Tuesday, July 9, 2019 and Minutes of Special City Council Meeting 2019-21, held Thursday, July 25, 2019 be confirmed.

(Distributed to all Members of Council on August 9, 2019)

Tabling of Documents

2019-52 Agenda of KFL&A Public Health – Board of Health Meeting scheduled for July 24, 2019 at 1:00pm in the Boardroom.

(File Number CSU-S08-001-2019)

2019-53 Minutes of a Meeting of the Kingston Police Services Board held on Thursday, June 20, 2019.

(File Number CSU-P17-000-2019)

2019-54 Agenda of Kingston Police Services Board Meeting 19-7 taking place August 7, 2019 at 12:00 pm in the Kingston Police Headquarters Boardroom.

(File Number CSU-P17-000-2019)

Communications

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

Filed

- 20-623 Notice of Complete Application and a Public Meeting with respect to the proposed Official Plan Amendment (OPA), Zoning By-Law Amendment (ZBA) and Draft Plan of Subdivision for 2305 Isle of Man Road. The Public meeting is August 1, 2019 at 6:30 pm in Council Chamber.
(Distributed to all members of Council on July 16, 2019)
(File Number CSU-D14-000-2019)
- 20-624 Notice of a Regular Meeting with respect to Zoning By-Law Amendment (ZBA) for 501 Frontenac Street. The Public meeting is August 1, 2019 at 6:30 pm in Council Chamber.
(Distributed to all members of Council on July 16, 2019)
(File Number CSU-D14-000-2019)
- 20-625 Notice of a Public Meeting (Non-Statutory) with respect to proposed amendment to draft Plan of Subdivision Conditions for 700 Gardiners Road. The Public meeting is August 1, 2019 at 6:30 pm in Council Chamber.
(Distributed to all members of Council on July 16, 2019)
(File Number CSU-D12-000-2019)
- 20-650 Notice of Public Meeting (Non Statutory) with respect to Proposed Amendment to Draft Plan of Subdivision Conditions. Date of Public Meeting is August 15, 2019 at 6:30pm in Council Chambers.
(Distributed to all members of Council on July 26, 2019)
(File Number CSU-D12-000-2019)
- 20-657 Notice of Public Meeting – Proposed Zoning By-Law Amendment with respect to 85 First Avenue. Date of Public Meeting is August 15, 2019 at 6:30pm in Council Chambers.
(Distributed to all members of Council on July 30, 2019)
(File Number CSU-D14-000-2019)

City Council Meeting 2019-20

Agenda

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- 20-658 Notice of Regular Meeting – Proposed Zoning By-Law Amendment with respect to 235 and 243 Colborne Street and 60, 62 and 64 Elm Street. Date of Public Meeting is August 15, 2019 at 6:30pm in Council Chambers.
(Distributed to all members of Council on July 30, 2019)
(File Number CSU-D14-000-2019)
- 20-659 Notice of a Complete Application and Public Meeting with respect to 11 and 27 Wright Crescent. Date of Public Meeting is September 5, 2019 at 6:30pm in Council Chambers.
(Distributed to all members of Council on July 30, 2019)
(File Number CSU-D14-000-2019)
- 20-663 Notice of Public Meeting – Minor Variance with respect to 621 Fieldstone Drive. Date of Public Meeting is August 19, 2019 at 5:30pm at 1211 John Counter Boulevard.
(Distributed to all members of Council on August 2, 2019)
(File Number CSU-D19-000-2019)
- 20-664 Notice of Public Meeting – Consent (New Lot) with respect to 124 Beverley Street. Date of Public Meeting is August 19, 2019 at 5:30pm at 1211 John Counter Boulevard.
(Distributed to all members of Council on August 2, 2019)
(File Number CSU-D19-000-2019)
- 20-665 Notice of Public Meeting – Permission with respect to 26 Rideau Street. Date of Public Meeting is August 19, 2019 at 5:30pm at 1211 John Counter Boulevard.
(Distributed to all members of Council on August 2, 2019)
(File Number CSU-D19-000-2019)
- 20-666 Notice of Public Meeting – Minor Variance with respect to 174 Princess Street. Date of Public Meeting is August 19, 2019 at 5:30pm at 1211 John Counter Boulevard.
(Distributed to all members of Council on August 2, 2019)
(File Number CSU-D19-000-2019)
- 20-667 Notice of Public Meeting – Minor Variance with respect to 316 Victoria Street. Date of Public Meeting is August 19, 2019 at 5:30pm at 1211 John Counter Boulevard.
(Distributed to all members of Council on August 2, 2019)
(File Number CSU-D19-000-2019)

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- 20-668 Notice of Technical Consent to Sever New Lot with respect to 46 Cowdy Street. Last day to provide comments is August 16, 2019.
(Distributed to all members of Council on August 2, 2019)
(File Number CSU-D19-000-2019)

Referred to All Members of Council

- 20-620 Correspondence from the Township of South Frontenac advising of intent to update Official Plan dated July 8, 2019. The Public Meeting is being held August 6, 2019 at 7:00 pm at the South Frontenac Township Offices.
(Distributed to all members of Council on July 12, 2019)
(File Number CSU-D08-000-2019)
- 20-621 Correspondence from Frank Dixon with respect to City Council and the next Chief Administrative Officer dated July 9, 2019
(Distributed to all members of Council on July 12, 2019)
(File Number CSU-C12-000-2019)
- 20-622 Resolution of the Township of Prince regarding the combined OGRA/ROMA conference dated July 9, 2019
(Distributed to all members of Council on July 12, 2019)
(File Number CSU-A04-000-2019)
- 20-626 Resolution of the Township of Plympton Wyoming to support the resolution of the Township of Warwick regarding enforcement for safety on family farms dated July 15, 2019.
(Distributed to all members of Council on July 16, 2019)
(File Number CSU-P00-000-2019)
- 20-627 Resolution from Village of Oil Springs regarding support for resolution from Township of Warwick regarding enforcement to safety for Ontario's farm families dated July 15, 2019.
(Distributed to all members of Council on July 16, 2019)
(File Number CSU-P00-000-2019)
- 20-628 Notice of the 2019 Annual General Meeting of the Association of Municipalities of Ontario being held August 19, 2019 at 10:50 am at the AMO Conference Plenary Hall dated July 15, 2019.
(Distributed to all members of Council on July 16, 2019)
(File Number CSU-A01-004-2019)

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- 20-629 Association of Municipalities of Ontario update regarding the Attorney General launching consultation on municipal liability and insurance costs dated July 16, 2019.
(Distributed to all members of Council on July 17, 2019)
(File Number CSU-L00-000-2019)
- 20-630 Correspondence from The College of Physicians and Surgeons of Ontario dated July 8, 2019 regarding nominating an outstanding Ontario Physician in your community. The deadline to submit nominations is September 30, 2019.
(Distributed to all members of Council on July 18, 2019)
(File Number CSU-M11-000-2019)
- 20-631 Correspondence from Enbridge Gas – New company, new opportunities to collaborate dated July 18, 2019.
(Distributed to all members of Council on July 18, 2019)
(File Number CSU-E06-000-2019)
- 20-632 Proclamation Application from Lindsey Foster, Rotary Clubs of Kingston requesting September 2, 2019 be proclaimed “Going Nuts for Rotary! Day” in the City of Kingston.
(Distributed to all members of Council on July 18, 2019)
(File Number CSU-M10-000-2019)
- 20-633 Proclamation Application from Operation Lifesaver requesting September 23-29, 2019 be proclaimed “Rail Safety Week” in the City of Kingston.
(Distributed to all members of Council on July 19, 2019)
(File Number CSU-M10-000-2019)
- 20-634 Correspondence from the Municipality of Neebing regarding Lake of Bays’ resolution with respect to Ontario Municipal Partnership Fund dated July 18, 2019.
(Distributed to all members of Council on July 19, 2019)
(File Number CSU-F11-000-2019)
- 20-635 Resolution from Northumberland County regarding support for Resolution adopted by the Township of Warwick Council dated July 17, 2019.
(Distributed to all members of Council on July 19, 2019)
(File Number CSU-P00-000-2019)

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- 20-636 Resolution from Northumberland County regarding support of combined Conference for Ontario Good Roads Association and Rural Ontario Municipalities Association dated July 17, 2019.
(Distributed to all members of Council on July 19, 2019)
(File Number CSU-A04-000-2019)
- 20-637 Correspondence from Denise Hodge and Ed Tarvycz regarding proposed changes to By-Law regarding parking of recreation vehicles in residents' driveways dated July 11, 2019.
(Distributed to all members of Council on July 19, 2019)
(File Number CSU-T02-000-2019)
- 20-638 Resolution of The Corporation of the City of Stratford regarding opposition to changes in the 2019 Provincial Budget and Planning Act.
(Distributed to all members of Council on July 19, 2019)
(File Number CSU-F05-000-2019) and (File Number CSU-L11-000-2019)
- 20-640 Correspondence from Melanie Taylor, Power Boating Canada & Poker Runs America dated July 11, 2019, providing notice of Poker Run Event taking place on Saturday, August 17, 2019 at Confederation Park.
(Distributed to all members of Council on July 23, 2019)
(File Number CSU-M02-000-2019)
- 20-641 Correspondence from Holly Perrier dated July 18, 2019, providing notice of cocktail hour reception at Rideau Acres Campground on August 23, 2019 from 4:30 pm to 7:00 pm.
(Distributed to all members of Council on July 23, 2019)
(File Number CSU-P09-000-2019)
- 20-642 Correspondence from the Ministry of Municipal Affairs and Housing dated July 22, 2019 regarding Provincial Policy Statement Review – Draft Policies.
(Distributed to all members of Council on July 23, 2019)
(File Number CSU-L11-000-2019)
- 20-643 Correspondence from the County of Frontenac regarding Frontenac County Council meeting held July 17, 2019 with respect to Reports from Committees of County Council dated July 22, 2019.
(Distributed to all members of Council on July 23, 2019)
(File Number CSU-F05-000-2019)

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- 20-644 Correspondence dated July 18, 2019 advising of a Special General Meeting of ROMA being held Sunday, August 18, 2019 commencing at 5pm at 55 Colonel By Drive, Canada Hall 1, 3rd Floor, Ottawa.
(Distributed to all members of Council on July 23, 2019)
(File Number CSU-A01-000-2019)
- 20-645 Correspondence from Cheryl Gallant, Member of Parliament Renfrew-Nipissing-Pembroke regarding water levels and flooding of the Ottawa River dated July 8, 2019.
(Distributed to all members of Council on July 24, 2019)
(File Number CSU-E05-000-2019)
- 20-646 News Release from Cataraqui Region Conservation Authority regarding Floor Warning Updated – Lake Ontario & St. Lawrence River (High) Static Water Level dated July 24, 2019.
(Distributed to all members of Council on July 24, 2019)
(File Number CSU-E05-000-2019)
- 20-647 Resolution from the Town of Halton Hills regarding reducing litter and waste in our community – Deposit return program dated July 8, 2019.
(Distributed to all members of Council on July 24, 2019)
(File Number CSU-E07-000-2019)
- 20-648 City Hall Illumination Application from March of Dimes Canada requesting City Hall and Springer Market Square be lit green on August 24, 2019 for “Light the Sky Green”.
(Distributed to all members of Council on July 25, 2019)
(File Number CSU-M10-000-2019)
- 20-649 Resolution from the Corporation of the Municipality of South Huron with respect to Enforcement for Safety on Family Farms dated July 25, 2019.
(Distributed to all members of Council on July 25, 2019)
(File Number CSU-P00-000-2019)
- 20-651 Proclamation Application from Ian Clark, Kingston Coalition Against Poverty for “Keep Your Head Above Water Day” in Kingston on September 21, 2019.
(Distributed to all members of Council on July 29, 2019)
(File Number CSU-M10-000-2019)

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- 20-652 Link to article “Implementing The One Viable Solution to Climate Change” dated July 21, 2019.
(Distributed to all members of Council on July 29, 2019)
(File Number CSU-E05-000-2019)
- 20-653 Proclamation Application from Suita Beck, Polycystic Kidney Disease Foundation of Canada, Council proclaim September 4, 2019 as “National Polycystic Kidney Disease (PKD) Awareness Day” in the City of Kingston.
(Distributed to all members of Council on July 29, 2019)
(File Number CSU-M10-000-2019)
- 20-654 Notice of 2019 Risk Management Symposium being held September 12, 2019 at Casino Rama Resort, Rama, ON dated July 29, 2019.
(Distributed to all members of Council on July 29, 2019)
(File Number CSU-A04-000-2019)
- 20-655 Resolution from Warwick Township dated June 17, 2019 with respect to Enforcement for Safety on Family Farms.
(Distributed to all members of Council on July 29, 2019)
(File Number CSU-P00-000-2019)
- 20-656 Proclamation Application from Lisa Bailey, Sickle Cell Association of Ontario to proclaim the month of September 2019 as “Sickle Cell Awareness Month” in the City of Kingston dated July 29, 2019.
(Distributed to all members of Council on July 29, 2019)
(File Number CSU-M10-000-2019)
- 20-660 Resolution from the Township of McKellar regarding Municipal Amalgamation dated July 16, 2019.
(Distributed to all members of Council on July 31, 2019)
(File Number CSU-D00-000-2019)
- 20-661 Proclamation Application from Sheila Olan-Maclean, Ontario Coalition for Better Child Care, Council proclaim October 24, 2019 as “Child Care Worker and Early Childhood Educator Appreciation Day” in the City of Kingston.
(Distributed to all members of Council on August 1, 2019)
(File Number CSU-M10-000-2019)

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- 20-662 Correspondence from Mary Farrar, Friends of Kingston Inner Harbour, with respect to the Tannery property dated August 1, 2019.
(Distributed to all members of Council on August 1, 2019)
(File Number CSU-D18-000-2019)
- 20-669 Correspondence from Vicki Schmolka on behalf of Building Kingston's Future with respect to St. Lawrence College Downtown Campus
(Distributed to all members of Council on August 2, 2019)
(File Number CSU-R07-000-2019)
- 20-670 Correspondence from Melissa Menna, Tulips and Maple, dated August 6, 2019 providing notice of cocktail reception at the Residence Inn Marriott-Compass Park on August 20, 2019 from 5:00pm- 7:00pm
(Distributed to all members of Council on August 7, 2019)
(File Number CSU-P09-000-2019)
- 20-671 Correspondence from Rosemary Thoms regarding proposed development of former Davis Tannery property dated August 7, 2019
(Distributed to all members of Council on August 7, 2019)
(File Number CSU-D18-000-2019)
- 20-672 News Release from Cataraqui Region Conservation Area regarding Flood Warning Downgraded to Flood Watch for Lake Ontario & St. Lawrence River dated August 7, 2019
(Distributed to all members of Council on August 7, 2019)
(File Number CSU-E05-000-2019)

Other Business

By-Laws

- a) **That** By-Laws (1) through (3) and (7) through (14) be given their first and second reading.
 - b) **That** Clause 11.36 of By-Law Number 2010-1 be suspended for the purpose of giving By-Law (7) three readings.
 - c) **That** By-Laws (4) through (14) be given their third reading.
- (1) A By-Law to Permanently Close a Portion of the Highway over Part of Abstract Block "PP" Farm Lot 24 Concession 1 also known as York Street, further described as Part 3 on Reference Plan 13R-22061, City of Kingston
- First and Second Readings Proposed Number 2019-114
- (Clause 6, Report Number 60)**

(See Schedule Page 26)

- (2) A By-law to Authorize an Agreement for the Provision of a Municipal Capital Facility on Part of Lots 27, 28 and 29, Concession 4, Kingston, Ontario
First and Second Readings Proposed Number 2019-115
(Clause 7, Report Number 60)
(See Schedule Pages 39-42)
- (3) City of Kingston Development Charge By-Law, 2019
First and Second Readings Proposed Number 2019-116
(Clause 1, Report Number 61)
(See Schedule Pages 231-249)
- (4) A By-Law to Repeal By-Law Number 2014-16, as amended, in its entirety, being “A By-Law To Regulate Election Signs In The City of Kingston” and to Enact a new By-Law being “A By-Law To Regulate Election Signs in the City of Kingston”
Third Reading Proposed Number 2019-100
(Clause 4, Report 57, July 9, 2019)
- (5) A By-Law to Amend By-Law 2009-140, as amended, being “A By-Law To Regulate Signs In The City of Kingston”
Third Reading Proposed Number 2019-101
(Clause 4, Report 57, July 9, 2019)
- (6) A By-Law to Amend By-Law Number 2010-205 “A By-Law to Define the Mandate and Meeting Procedures for Committees Established By The Corporation of the City of Kingston”
Third Reading Proposed Number 2019-102
(Clause 4, Report Number 58, July 9, 2019)
- (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, as Amended”
Three Readings Proposed Number 2019-117
(Clause 5, Report Number 60)
(See Schedule Page 26)
- (8) A By-Law to Amend By-Law Number 8499, “Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston” (Amending the Site-Specific Special Multiple Family ‘B3.452’ Zone, 495-513 Frontenac Street)

Three Readings Proposed Number 2019-118

(Clause 1, Report Number 62)

(See Schedule Pages 306-309)

- (9) A By-Law to establish Parts 1 to 7 inclusive, Reference Plan 13R-7721, as part of the public highway known as Creekford Road in the City of Kingston, in accordance with Section 31(4) of the Municipal Act, Chapter 25, S.O. 2001

Three Readings

Proposed Number 2019-119

(Delegated Authority)

(See Schedule Pages 404)

- (10) A By-Law to establish Part 1 of Plan 13R-21558 as part of the public highway known as Berkshire Drive 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 2019-120

(Delegated Authority)

(See Schedule Page 405)

- (11) A By-Law to establish Part 4 of Plan 13R-21577 and Blocks 14 and 15 of Plan 13M-86 as part of the public highways known as Venture Drive and Resource Road 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 2019-121

(Delegated Authority)

(See Schedule Page 406)

- (12) A By-Law to Amend By-Law 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" (Removal of Holding Symbol, 1232 Highway 15, Riverview Subdivision Phase 4, Save and Except Blocks 64 and 65)

Three Readings

Proposed Number 2019-122

(Delegated Authority)

(See Schedule Pages 407-409)

- (13) A By-Law to Exempt Certain Lands on Registered Plan 13M-112 from the Provisions of Section 50(5) of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended (Blocks 93, 94 and 96, for the purpose of townhomes and rear yard access easements)

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Three Readings

Proposed Number 2019-123

(Delegated Authority)

(See Schedule Pages 410-411)

(14) A By-Law to confirm the proceedings of Council at its meeting held on Tuesday
August 13, 2019

Three Readings

Proposed Number 2019-124

(City Council Meeting Number 2019-20)

Adjournment