



## **City Council Meeting Number 15-2021**

The Regular Meeting of Kingston City Council was held on Tuesday, June 22, 2021, and was called to order at 6:00 pm in a virtual electronic format hosted at City Hall. Regular business commenced at 7:05pm. His Worship Mayor Bryan Paterson presided.

There was a "Closed Meeting" of the Committee of the Whole from 6:02 pm to 6:55 pm in a virtual electronic format hosted at City Hall.

### **(City Hall)**

#### **Roll Call**

Present: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (arrived at 7:12pm) (13)

Absent: (0)

### **(City Hall)**

#### **Administrative Staff Present:**

- Mr. J. Bolognone, City Clerk
- Mr. C. Desjardins, Director, Office of Strategy, Innovation & Partnerships
- Mr. B. Forrest, Director, Business, Environment & Real Estate
- Mr. P. Huigenbos, Commissioner, Building, Environment & Projects
- Ms. L. Hurdle, Chief Administrative Officer
- Ms. J. Jaynes, Deputy City Clerk

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

1) Moved by Deputy Mayor Neill

Seconded by Councillor Boehme

**That** Council resolve itself into the Committee of the Whole “Closed Meeting” to consider the following item:

- a) A proposed or pending acquisition or disposition of land by the municipality or local board – Employment Lands.

**Carried (12:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor M<sup>c</sup>Laren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson (12)

NAYS: (0)

ABSENT: Councillor Stroud (1)

**(City Hall)**

**Administrative Staff Present:**

- Ms. P. Agnew, Commissioner, Community Services
- Mr. J. Bolognone, City Clerk
- Ms. J. Campbell, Director, Heritage Services
- Ms. K. Compeau, Manager, Licensing & Enforcement
- Mr. R. Evoy, Acting Manager, Recreation Facilities
- Ms. E. Fawcett, Committee Clerk
- Ms. L. Foulds, Director, Financial Services
- Ms. C. Hitchen, Social Policy & Strategic Community Development Manager
- Mr. P. Huigenbos, Commissioner, Building, Environment & Projects
- Ms. L. Hurdle, Chief Administrative Officer

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- Ms. J. Jaynes, Deputy City Clerk
- Mr. B. Johnson, Corporate Records & Information Officer
- Mr. B. Joyce, Commissioner, Corporate Services
- Ms. D. Kennedy, Chief Financial Officer and City Treasurer
- Ms. K. Lillicrap, Project Manager, CAO's Office
- Mr. A. McLeod, Acting Director, Legal Services and City Solicitor
- Ms. D. Miller, Manager, Communications & Public Engagement
- Ms. R. Noordegraaf, Director, Housing & Social Services
- Mr. T. Park, Director, Planning Services
- Ms. J. Pinarski, Communications Officer
- Mr. C. Sabourin, Technology Associate
- Ms. J. Salter-Keane, Manager, Climate Leadership
- Ms. L. Turner, Director, Recreation & Leisure Services
- Mr. M. Van Buren, Deputy Commissioner, Transportation & Infrastructure Services – Engineering & Projects
- Mr. J. Walker, Manager, Taxation & Revenue
- Mr. C. Wiginton, Director, Arts & Cultural Services

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

(2) Moved by Councillor Boehme

Seconded by Deputy Mayor Neill

**That** Council rise from the Committee of the Whole “Closed Meeting” without reporting.

**Report of the Committee of the Whole “Closed Meeting” (continued)**

**Carried (12:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor M<sup>c</sup>Laren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson (12)

NAYS: (0)

ABSENT: Councillor Stroud (1)

**Approval of Addendum**

Moved by Councillor M<sup>c</sup>Laren

Seconded by Deputy Mayor Neill

**That** Addendum Numbers 1, 2 and 3 be approved.

**Carried (12:0)**

**(A 2/3 Vote of Council was Received)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor M<sup>c</sup>Laren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson (12)

NAYS: (0)

ABSENT: Councillor Stroud (1)

**Disclosure of Pecuniary Interest**

1. Councillor M<sup>c</sup>Laren declared a possible pecuniary interest in Clause 2 of Report Number 60: Received from the Chief Administrative Officer (Recommend) with respect to Asset Transfer from Town Homes Kingston to Kingston Frontenac

**Disclosure of Pecuniary Interest (continued)**

2. Housing Corporation as he is in a similar market and close proximity to the location.
3. Councillor Oosterhof declared a possible pecuniary interest in Clause 1a of Committee of the Whole “Closed Session” with respect to a proposed or pending acquisition or disposition of land by the municipality or local board – Employment Lands as he has a professional relationship with the company involved.

**Presentations**

None

**Delegations**

1. Lynn Carlotto, General Manager, Leon’s Centre, appeared before Council and spoke to Clause 4 of Report Number 60: Received from the Chief Administrative Officer (Recommend) with respect to Request for Temporary Noise Exemption – Leon’s Centre Music Concert.
2. Kingston Police Chief Antje McNeely appeared before Council and spoke to Clause 1 of Report Number 60: Received from the Chief Administrative Officer (Recommend) with respect to Community Safety and Well-Being Plan – “Connecting the Dots”.
3. Greg Tilson appeared before Council and spoke to Clause 7 of Report Number 60: Received from the Chief Administrative Officer (Recommend) with respect to Noise By-Law Number 2004-52 – Temporary Delegation of Authority for Exemptions to Support the Recovery of the Local Arts and Culture Sectors.
4. Alanna Jane and Ishita Aggarwal appeared before Council and spoke to New Motion Number 2 with respect to Homelessness and Precarious Housing.
5. Angie Salomon appeared before Council and spoke to New Motion Number 2 with respect to Homelessness and Precarious Housing.

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**Delegations (continued)**

Moved by Councillor M<sup>c</sup>Laren

Seconded by Councillor Kiley

**That** Clauses 12.9 and 12.11 of the City of Kingston Procedural By-Law 2021-41 be waived in order to allow Alanna Jane and Ishita Aggarwal to speak to New Motion Number 2 with respect to Homelessness and Precarious Housing.

**Carried (13:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor M<sup>c</sup>Laren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

Moved by Councillor M<sup>c</sup>Laren

Seconded by Deputy Mayor Neill

**That** Clauses 12.9 and 12.11 of the City of Kingston Procedural By-Law 2021-41 be waived in order to allow Angie Salomon to speak to New Motion Number 2 with respect to Homelessness and Precarious Housing.

**Carried (13:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor M<sup>c</sup>Laren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

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**Briefings**

1. Paige Agnew, Commissioner, Community Services provided introductory remarks and introduced Andrew Grunda of Watson & Associates who briefed Council on Clause 3 of Report Number 60: Received from the Chief Administrative Officer (Recommend) with respect to LifeCycle Fiscal Impacts on Development.

**Petitions**

None

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

1. Moved by Deputy Mayor Neill

Seconded by Councillor Holland

**That** Kingston City Council recognize Art Solomon, an Ojibwa Elder and Spiritual leader who was very active nationally and provincially. His work through Correctional Services, which frequently brought him to Kingston in the 1980's and 90's, opened our Prisons for Elders, leading to Pow Wows and other spiritual practices. The Native Brotherhoods and Sisterhoods in Corrections have continued his legacy. He received honorary doctorates from Queen's University in Divinity, and Laurentian University in Civil Law. Ontario awarded him the Bicentennial Medal and named him a Member of the Order of Ontario. His good works continue years after his passing.

**Carried (13:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

## Deferred Motions

None.

## Reports

### Report Number 59: Received from the Chief Administrative Officer (Consent)

Moved by Councillor Chapelle

Seconded by Councillor Hutchison

**That** Report Number 59: Received from the Chief Administrative Officer (Consent) be received and adopted.

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

Council consented to the separation of Clause 2.

#### 1. **Award of Contract for Header Trench Replacement at the Kingston Memorial Centre (F18-CSG-RLS-2020-03)**

**That** Council authorize the Mayor and Clerk to enter into an agreement with CIMCO Refrigeration, a division of Toromont Industries Ltd. pursuant to RFP F18-CSG-RLS-2020-03, in the amount of \$77,000 plus applicable taxes for the header trench at the Kingston Memorial Centre, as well as any related amendments thereto or other documents required to complete the work as directed by the Director, Recreation & Leisure Services and in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner, Business, Environment & Projects (21-155) was attached to the agenda as schedule pages 1-5)

#### 2. **Award of Contract – Boiler Replacement Program**

**That** Council authorize the Mayor and Clerk to enter into an agreement with Modern Niagara Toronto Inc. pursuant to RFP F18-CS-FMCS-2021-07 for the replacement of boiler systems in five (5) City owned facilities, in the amount of \$373,014.00 plus applicable taxes, as well as any related amendments thereto or other documents required to complete the work as directed by the Director,



**Reports (continued)**

Facilities Management & Construction Services and in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner, Corporate Services (21-166) was attached to the agenda as schedule pages 6-10)

**Carried (13:0)**

**(Clause 2)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

**3. Award of Contract – Standard Print Advertising Rates**

**That** Council authorize the Mayor and Clerk to enter into an agreement with Postmedia Network Inc. pursuant to RFP F18-CS-CCE-2021-02 for Standard Print Advertising Rates, up to the annual amount of \$95,000.00 plus applicable taxes, as well as any related amendments thereto or other documents required to complete the work as directed by the Director of Communications and Customer Experience and in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner, Corporate Services (21-168) was attached to the agenda as schedule pages 11-16)

**4. A By-Law to Amend By-Law 2016-189, “A By-Law to Consolidate the Delegation of Powers and Duties”**

**That** a By-Law be presented to Council to amend By-Law 2016-189, “A By-Law to Consolidate the Delegation of Powers and Duties”, by deleting Schedule “A” in its entirety and replacing it with the revised Schedule “A” to By-Law 2021-099, attached as Exhibit “A” to Report Number 21-044.

**(See By-Law Number (1), 2021-099)**

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**Reports (continued)**

(The Report of the Commissioner, Corporate Services (21-044) was attached to the agenda as schedule pages 17-45)

**Carried (13:0)**

**(Clauses 1, 3 and 4)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

Council recessed from 9:01 pm to 9:11 pm.

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

Moved by Councillor Hill

Seconded by Councillor Oosterhof

**That** Report Number 60: Received from the Chief Administrative Officer (Recommend) be received and adopted, clause by clause.

Report Number 60

To the Mayor and Members of Council:

**1. Community Safety and Well-Being Plan – “Connecting the Dots”**

**That** Council endorse the “Connecting the Dots - Community Safety and Well-being Plan for the City of Kingston” attached as Exhibit “A” to Report Number 21-167; and

**That** Council direct staff to submit the “Connecting the Dots - Community Safety and Well-being Plan for the City of Kingston” to the Ministry of the Solicitor General prior to July 1, 2021 and post the Plan on the Community Safety and Well-being Plan page of the City’s website.

**Reports (continued)**

(The Report of the Chief Administrative Officer (21-167) was attached to the agenda as schedule pages 46-151)

**Carried (13:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor M<sup>c</sup>Laren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

Councillor M<sup>c</sup>Laren withdrew from the meeting.

**2. Asset Transfer from Town Homes Kingston to Kingston Frontenac Housing Corporation**

**Whereas** on May 19, 2020 Council of the City of Kingston passed the following resolution:

**That** the Council of the Corporation of the City of Kingston, having considered the resolutions approved by the Members of the Kingston Municipal Non-Profit Housing Corporation (Town Homes Kingston) and the Shareholders of the Kingston Frontenac and Housing Corporation (KFHC), at their meetings held on May 19, 2020, respectively, hereby supports the merger of Town Homes Kingston and KFHC and transfer of all assets of Town Homes Kingston to KFHC; and

**That** the Council of the Corporation of the City of Kingston directs staff to undertake all due diligence and negotiations required to prepare a Business Purchase Agreement with KFHC for the transfer of assets of Town Homes Kingston to KFHC and to also make any incidental applications for third party notice, approval or consents necessary for the preparation of the Business Agreement as required to the satisfaction of the City Solicitor; and

**That** Council hereby authorize and directs staff to make the necessary application to the Province of Ontario to facilitate the transfer of assets from Town Home Kingston to the Kingston Frontenac and Housing Corporation; and

**Reports (continued)**

**That** Council directs staff to take any further necessary actions to assist in the facilitation of the merger between Town Homes Kingston and KFHC and the transfer of the assets of Town Homes Kingston to KFHC; and

**Whereas** staff have undertaken all necessary due diligence and, based on the outcome of those efforts, prepared all necessary documents, took all necessary steps and received required consents and approvals as set out in Report Number 21-160 in coordination with the Province, the Service Manager, Town Homes Kingston and KFHC; and

**Whereas** the Ministry of Municipal Affairs and Housing has granted its consent to the transfer of assets of Town Homes Kingston to KFHC under section 162(3)(b) of the Housing Services Act; and

**Whereas** Council as Shareholder of KFHC at its meeting held on June 22, 2021 approved a resolution to approve the transfer of assets from Town Homes Kingston to KFHC and to enter into such documents as set out in the agenda at that meetings to facilitate such transfer; and

**Whereas** Council as the Membership of the Kingston Municipal Non-Profit Housing Corporation (Town Homes Kingston) at its meeting held on June 22, 2021 approved a resolution to approve the transfer of assets from Town Homes Kingston to KFHC and to enter into such documents as set out in the agenda at that meetings to facilitate such transfer; and

**Therefore Be It Resolved That** Council approves the transfer of 610 Montreal Street from Town Homes Kingston to the Corporation of the City of Kingston as described and on the terms as set out in Report Number 21-160; and

**That** Council directs the Mayor and Clerk to execute an agreement with Kingston & Frontenac Housing Corporation (KFHC) confirming the terms of the promissory note and amended promissory note to be received by Kingston Municipal Non-Profit Housing Corporation (Town Homes Kingston) from KFHC for assignment to The Corporation of the City of Kingston with a term of 15 years at an interest rate of 0% prepared to the satisfaction of the Acting City Solicitor and Director of Legal Services; and

**That** Council as Membership of Kingston Municipal Non-Profit Housing Corporation / Town Homes Kingston approve and direct staff to assist with the issuance of the promissory note from Kingston & Frontenac Housing Corporation

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**Reports (continued)**

to Town Homes Kingston for later assignment to The Corporation of the City of Kingston in the amount of 45,720,172.00 with a term of 15 years at an interest rate of 0% prepared to the satisfaction of the Acting City Solicitor and Director of Legal Services; and

**That** Council as approve and direct staff to assist with the issuance of an amended promissory note by Kingston & Frontenac Housing Corporation to Town Homes Kingston for later assignment to The Corporation of the City of Kingston in a final adjusted amount upon receipt of final valuation with a term of 15 years at an interest rate of 0% prepared to the satisfaction of the Acting City Solicitor and Director of Legal Services; and

**That** Council give all three readings to the bylaw attached as Exhibit "G" to Report Number 21-160, providing for the transfer of the assets of Town Homes Kingston to KFHC as set out in Report Number 21-160 as is required by section 6.4 of the Shareholder Agreement issued between the City of Kingston and KFHC dated April 21, 2016; and

**That** Council directs staff to take any further necessary actions to assist in the facilitation of the transfer of the assets of Town Homes Kingston to KFHC and the dissolution of Town Homes Kingston in accordance with all legal requirements to the satisfaction of the Acting City Solicitor and Director of Legal Services; and

**That** Council directs the Mayor and Clerk to execute all other documents necessary to facilitate to assist in the facilitation of the transfer of the assets of Town Homes Kingston to Kingston & Frontenac Housing Corporation, the transfer of 610 Montreal Street from Town Homes Kingston to the Corporation of the City of Kingston as well as the dissolution of Town Homes Kingston to the satisfaction of the Acting City Solicitor and Director of Legal Services.

**(See By-Law Number (2), 2021-097)**

(The Report of the Chief Administrative Officer (21-160) was attached to the agenda as schedule pages 152-262)

**Reports (continued)**

**Carried (12:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor M<sup>c</sup>Laren (1)

Councillor M<sup>c</sup>Laren returned to the meeting.

**3. Lifecycle Fiscal Impacts on Development**

**That** Council receive the Lifecycle Fiscal Impacts of Development, City of Kingston, Final Report dated March 23, 2021, Exhibit A to Report Number 21-161, in fulfillment of the City's contract with Watson & Associates Economists Ltd.

(The Report of the Commissioner, Community Services (21-161) was attached to the agenda as schedule pages 263-313)

**Carried (13:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor M<sup>c</sup>Laren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

**4. Request for Temporary Noise Exemption – Leon's Centre Music Concert**

**That** ASM Global be granted an exemption from Schedule B Activity 4 of By-Law Number 2004-52, "A By-Law to Regulate Noise", to permit the playing of amplified sound for a music concert at the Leon's Centre until 12:30 a.m. on

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**Reports (continued)**

January 1, 2022, which is beyond the current permitted hours of 7 a.m. to 11 p.m.

(The Report of the Commissioner, Community Services (21-165) was attached to the agenda as schedule pages 314-319)

**Carried (13:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

**5. Amendment to Interim Control By-Law – 484 Albert Street and 620 Princess Street**

**That** Council approves amendments to By-Law Number 2019-73, “A By-Law to Establish an Interim Control By-Law within the Williamsville Main Street Corridor of the City of Kingston to Prohibit Intensified Uses”, as amended, as per Exhibit A (Draft By-Law and Schedule A to Amend By-Law Number 2019-73) of Report Number 21-171; and

**That** the By-Law to amend By-Law Number 2019-73 be presented to Council for all three readings.

**(See By-Law Number (3), 2021-100)**

(The Report of the Commissioner, Community Services (21-171) was attached to the agenda as schedule pages 320-335)

**Reports (continued)**

**Carried (13:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

**6. Withdrawal of Dispute Advisory Panel Appeal**

**That** Council direct the Chief Financial Officer and City Treasurer to formally withdraw the 2007-2008 appeal to the federal Dispute Advisory Panel regarding the Payments in Lieu of Taxes paid by Public Works Government Services Canada for federal properties located in Kingston; and

**That** Council direct the Chief Financial Officer and City Treasurer to execute any documents necessary to provide for the withdrawal of the appeal, to the satisfaction of the Acting City Solicitor; and

**That** staff take no further legal action to pursue amounts from the federal government for Payments in Lieu of Taxes with respect to the 2007 and 2008 fiscal years.

(The Report of the Chief Financial Officer & City Treasurer (21-172) was attached to the agenda as schedule pages 336-342)



**Reports (continued)**

**Carried (13:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

**7. Noise By-Law Number 2004-52 – Temporary Delegation of Authority for the Exemptions to Support the Recovery of the Local Arts and Culture Sectors**

**That** the Director of Arts & Culture, or his delegate, be delegated authority to review, approve and/or refuse requests for exemptions under By-Law Number 2004-52, "A By-Law to Regulate Noise", during the period June 23, 2021 to October 10, 2021, with respect to arts and culture events and programs in the City of Kingston, based on the terms and conditions outlined in Report Number 21-179; and

**That** Council waive the fee required under By-Law Number 2005-10, 'A By-Law To Establish Fees And Charges To Be Collected By The Corporation Of The City Of Kingston', for exemptions approved by the Director of Arts & Culture, or his delegate, under By-Law Number 2004-52, 'A By-Law to Regulate Noise', during the period June 23, 2021 to October 10, 2021, in respect of temporary arts and culture events and programs in the City of Kingston.

(The Report of the Commissioner, Business, Environment & Projects (21-179) was attached to the Addendum as schedule pages 1-8)

**Reports (continued)**

**Carried (13:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor M<sup>c</sup>Laren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

**Report Number 61: Received from the Planning Committee**

Moved by Deputy Mayor Neill

Seconded by Councillor Kiley

**That** Report Number 61: Received from the Planning Committee be received and adopted.

Report Number 61

To the Mayor and Members of Council:

The Planning Committee reports and recommends as follows:

Council consented to the separation of Clauses 1 and 2.

**1. Approval of Application for Zoning By-Law Amendment – 870 Centennial Drive**

That the application for a zoning by-law amendment (File Number D14-005-2021) submitted by Agora Research Group Inc., on behalf of 2731027 Ontario Inc., for the property municipally known as 870 Centennial Drive, 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-21-037; and

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**Reports (continued)**

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 (4), 2021-101)**

**Carried (13:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

**2. Application for Zoning By-Law Amendment – 9 Couper Street**

**Note 1:** The below recommendation lost at Planning Committee on June 17, 2021 and is being presented with a negative recommendation.

**Note 2:** Refer also to New Motion Number 3.

**That** the staff recommendation noted hereunder be denied:

**That** the application for a zoning by-law amendment (File Number D14-018-2019) submitted by The Boulevard Group, on behalf of C3M Asset Management Corporation, for the property municipally known as 9 Couper 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-21-035; 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

**Reports (continued)**

**That** the amending By-Law be presented to Council for all three readings.

**(See By-Law Number (5), 2021-102)**

**Carried (11:2)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor McLaren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (11)

NAYS: Councillor Kiley, Mayor Paterson (2)

ABSENT: (0)

**Report Number 62: Received from the Administrative Policies Committee**

Moved by Councillor Stroud

Seconded by Councillor Kiley

**That** Report Number 62: Received from the Administrative Policies Committee be received and adopted.

Report Number 62

To the Mayor and Members of Council:

The Administrative Policies Committee reports and recommends as follows:

Council consented to the separation of Clause 2.

**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 \$45,058.01 of which \$24,166.06 is the City's portion and the amount charged back to the school boards and Downtown Kingston! BIA are \$19,288.58 and \$1,603.37 respectively, as listed in Exhibit A to Report Number AP-21-005.

**Reports (continued)**

**2. Addition of Administrative Monetary Penalties to Various City By-Laws**

**Note:** Paragraph 8 of the recommendation below, with respect to By-Law Number 2021-10, “A By-Law to License and Regulate Short-term Rentals in the City of Kingston” lost at Administrative Policies Committee and is being presented with a negative recommendation.

**That** By-Law Number 2020-69, “A By-Law to Establish a Process for Administrative Penalties”, as amended, be further amended, as per Exhibit A, as amended to remove references to short-term rentals in Schedule B to Report Number AP-21-013; and

**That** By-Law Number 2014-5, “Solid Waste Management By-Law”, as amended, be further amended, as per Exhibit B to Report Number AP-21-004; and

**That** By-Law Number 2007-136, “A By-Law to Provide for Maintaining Land in a Clean and Clear Condition”, as amended, be further amended, as per Exhibit C to Report Number AP-21-004; and

**That** By-Law Number 2009-76, “A By-Law to Provide for the Regulation Use of Parks and Recreation Facilities of the Corporation of the City of Kingston”, as amended, be further amended, as per Exhibit D to Report Number AP-21-004; and

**That** By-Law Number 2006-122, “A By-Law to Provide for the Regulation of Water Supply for the City of Kingston”, be amended as per Exhibit E to Report Number AP-21-004; and

**That** By-Law Number 2004-52, “A By-Law to Regulate Noise”, as amended, be further amended, as per Exhibit F to Report Number AP-21-004; and

**That** By-Law Number 2018-53, “A By-Law to Regulate Nuisance Parties within the City of Kingston”, as amended, be further amended as per Exhibit G to Report Number AP-21-004; and

**That** By-Law Number 2021-10, “A By-Law to License and Regulate Short-term Rentals in the City of Kingston”, not be amended as per Exhibit H to Report Number AP-21-004; and

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**Reports (continued)**

**That** By-Law Number 2018-15, “A By-Law to Prohibit and Regulate the Destruction or Injuring of Trees in the City of Kingston”, as amended, be further amended as per Exhibit I to Report Number AP-21-004; and

**That** 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, be further amended as per Exhibit J to Report Number AP-21-004; and

**That** By-Law Number 2020-68, “A By-Law for the Provision and Enforcement of Orders During a Declared Emergency”, as amended, be further amended as per Exhibit K to Report Number AP-21-004.

**(See By-Law Number (6), 2021-103)**

**(See By-Law Number (7), 2021-104)**

**(See By-Law Number (8), 2021-105)**

**(See By-Law Number (9), 2021-106)**

**(See By-Law Number (10), 2021-107)**

**(See By-Law Number (11), 2021-108)**

**(See By-Law Number (12), 2021-109)**

**(See By-Law Number (13), 2021-110)**

**(See By-Law Number (14), 2021-111)**

**(See By-Law Number (15), 2021-112)**

**(See By-Law Number (16), 2021-113)**

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**Reports (continued)**

**Carried (13:0)**

**(Clause 2)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

**3. 2020 Audited Financial Statements**

**That** Council receive and approve the Audited Financial Statements for the Corporation of the City of Kingston for the year ended December 31, 2020, attached as Exhibit "A" to Report Number AP-21-009.

**Carried (13:0)**

**(Clauses 1 and 3)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

**Reports (continued)**

**Report Number 63: Received from the Nominations Advisory Committee**

Moved by Councillor Holland

Seconded by Councillor Kiley

**That** Report Number 63: Received from the Nominations Advisory Committee be received and adopted.

Report Number 63

To the Mayor and Members of Council:

The Nominations Advisory Committee reports and recommends as follows:

**1. Public Appointments to Equity, Diversity & Inclusion Advisory Committee**

**That** the following appointments be made to the Equity, Diversity & Inclusion Advisory Committee for a term ending November 14, 2022:

- i. Elsabe Falkson (community member);
- ii. Zermaan Khan (community member);
- iii. Charan Krishnaswamy (community member);
- iv. V. Ophelia Rigault (community member); and
- v. Manuela Rodriguez-Bowen (community member);
- vi. Vanessa Gerasimow (community organization member);
- vii. Sunita Gupta (community organization member)
- viii. Oliver Hill (community organization member); and
- ix. Hal Holt (community organization member).



**Reports (continued)**

**Carried (13:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor M<sup>c</sup>Laren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

**Report Number 64: Received from the Planning Committee**

Moved by Deputy Mayor Neill

Seconded by Councillor Kiley

**That** Report Number 64: Received from the Planning Committee be received and adopted.

Report Number 64

To the Mayor and Members of Council:

The Planning Committee reports and recommends as follows:

**1. Approval of Application for Zoning By-Law Amendment – 1316 and 1318 Princess Street and parts of 1330, 1334, and 1338 Princess Street**

**That** the application for a zoning By-Law amendment (File Number D14-028-2020) submitted by City of Kingston and Fotenn Consultants Inc., on behalf of City of Kingston, Marion and Beata Farklas, Shala Doyle, and Kingston Co-operative Homes Inc., for the property municipally known as 1316 and 1318 Princess Street, and parts of 1330, 1334, and 1338 Princess 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-21-038; and

**Reports (continued)**

**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** in accordance with the provisions of subsection 45(1.4) of the Planning Act, the owner(s) of the properties municipally known as 1316-1318 Princess Street and 1338 Princess Street shall be permitted to apply to the Committee of Adjustment for minor variances from the provisions of Zoning By-Law Number 8499 (as amended or replaced), before the second anniversary of the day on which the zoning By-Law was amended; and

**That** the amending By-Law be presented to Council for all three readings.

**(See By-Law Number (19), 2021-116)**

**Carried (13:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor M<sup>c</sup>Laren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

**Committee of the Whole**

None

**Information Reports**

**1. New Proposals by the Province: Proposed Updates to D-Series Guidelines; Proposed Regulation under the Conservation Authority Act**

The purpose of this report is to provide Council with a summary of new proposals by the Ministry of the Environment, Conservation and Parks to ensure compliance with environmental laws.

(The Report of the Commissioner, Community Services (21-162) was attached to the agenda as schedule pages 383-397)

**Information Reports (continued)**

**2. Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of April 2021**

The purpose of this report is to provide Council with details of purchases greater than \$50,000 that meet the established criteria of delegated authority as well as contracts awarded by senior staff between the \$20,000 and \$50,000 level for the month of April 2021.

(The Report of the Chief Financial Officer & City Treasurer (21-145) was attached to the agenda as schedule pages 398-405)

**3. 2022 Budget Engagement Process**

The purpose of this report is to provide Council with further information on the 2022 budget engagement plan.

(The Report of the Chief Financial Officer & City Treasurer (21-138) was attached to the agenda as schedule pages 406-416)

Moved by Deputy Mayor Neill

Seconded by Councillor Osanic

**That** Council waive the rules of By-Law Number 2021-41 "Council Procedural By-Law" to extend the meeting past 10:45 pm to complete the agenda.

**Carried (12:1)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor M<sup>c</sup>Laren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (12)

NAYS: Councillor Chapelle (1)

ABSENT: (0)

**Information Reports (continued)**

**4. Operating Budget Report as of April 30, 2021**

The purpose of this report is to provide Council with a financial status update of the general operating budget as at April 30, 2021.

(The Report of the Chief Financial Officer & City Treasurer (21-163) was attached to the agenda as schedule pages 417-431)

**5. Third Crossing – Quarterly Update Q2 2021**

The purpose of this report is to provide Council with an update on major work activities that have been completed since March 2021, including completion of detailed design activities, ongoing work on permits and approvals, and on-site construction activity.

(The Report of the Commissioner, Business, Environment & Projects (21-152) was attached to the agenda as schedule pages 432-440)

**6. Drinking Water Source Protection and Private Wells**

The purpose of this report is to provide Council with an update on the existing tools available through Cataraqui Region Conservation Authority and outlines the thorough review that City staff undertake on development applications demonstrating that the objective for the long-term protection of groundwater resources are in progress.

(The Report of the Commissioner, Business, Environment & Projects (21-173) was attached to the agenda as schedule pages 441-448)

**Information Reports from Members of Council**

**Miscellaneous Business**

Miscellaneous Business Items are voted on as one motion.

**1. Moved by Councillor Kiley**

Seconded by Councillor M<sup>c</sup>Laren

**That** the following members of Council be appointed to serve as Deputy Mayor in two month increments as follows:

August and September 2021 – Councillor Hill

**Miscellaneous Business (continued)**

October and November 2021 – Councillor Oosterhof

December 2021 and January 2022 – Councillor Chapelle

**2.** Moved by Councillor Osanic

Seconded by Councillor Hutchison

**That** Councillor Neill and Councillor Holland be appointed to the Equity, Diversity & Inclusion Advisory Committee, for a term ending November 30, 2021.

**3.** Moved by Councillor Oosterhof

Seconded by Councillor Boehme

**That** the resignation of Paul Allison from the Rural Advisory Committee be received with regret.

**(See Communication 15-663)**

**4.** Moved by Councillor Kiley

Seconded by Councillor Osanic

**That** the resignation of Councillor Doherty from the Taxi Commission be received with regret; and

**That** Councillor Chapelle be appointed to the Taxi Commission for a term ending November 30, 2021.

**Carried (13:0)**

**(Clauses 1, 2, 3 and 4)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

## New Motions

1. Moved by Councillor Kiley

Seconded by Mayor Paterson

**Whereas** the horrific finding by the Tk'emlúps te Secwépemc First Nation of unmarked graves of 215 Indigenous children at a residential school in Kamloops, British Columbia has sparked a wave of national mourning, outrage, and calls for continued action on Truth and Reconciliation, residential school education and justice, and decolonization; and

**Whereas** Justice and former Senator Murray Sinclair (also former chair of the Truth and Reconciliation Commission and incoming Queen's Chancellor) has publicly requested that the federal government release remaining documents on residential schools, both government and church copies, a position shared by local and national Indigenous communities; and

**Whereas** municipalities are partners in government with federal and provincial powers and subject to recommendations of the Truth and Reconciliation Commission, including recommendation #77 - "to identify and collect copies of all records relevant to the history and legacy of residential school system...";

**Therefore Be It Resolved That** Kingston City Council - in solidarity with and amplifying Justice Sinclair, Indigenous voices in our community and country, and the TRC - asks the provincial and federal government to release all records related to residential schools to the National Centre for Truth and Reconciliation; and

**That** a copy of this motion be forwarded to Chief Rosanne Casimir, Tk'emlúps te Secwépemc First Nation; National Chief Perry Bellegarde, Assembly of First Nations; MP Mark Gerretsen, Kingston and the Islands; MPP Ian Arthur, Kingston and the Islands; the Right Honourable Prime Minister Justin Trudeau; the Honourable Mark Miller, Minister of Indigenous Services; the Honourable Dr Carolyn Bennett, Minister of Crown-Indigenous Relations; the Association of Municipalities of Ontario; the Federation of Canadian Municipalities; and all opposition party leaders provincially and nationally.

**New Motions (continued)**

**Carried (13:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor M<sup>c</sup>Laren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

2. Moved by Councillor M<sup>c</sup>Laren

Seconded by Councillor Kiley

**Whereas** homelessness and precarious housing continue to be an ongoing and worsening fact of life for many Kingstonians; and

**Whereas** homelessness and precarious housing have a direct adverse impact on the health of individuals and the community; and

**Whereas** certain populations, including women and Indigenous Peoples, are overrepresented among Kingston's unhoused (55% and 24%, respectively) and have unique experiences of homelessness; and

**Whereas** people with lived experience are experts in the nuances of housing and homelessness issues, and can provide important insights into related policy; and

**Whereas** people who are precariously housed or homeless face structural barriers (inadequate housing, transportation, income) that limit their meaningful participation in policy formation that concerns them; and

**Whereas** providing material support (compensation, stipends, transportation) is a step towards equalizing power imbalances, promoting inclusion, and building trust and supportive relationships with end-users;

**Therefore Be It Resolved That** Staff present a report and recommendations to improve the meaningful inclusion, and compensated participation of people who are homeless and/or precariously housed and/or have lived experience with

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**New Motions (continued)**

homelessness or housing precarity, on all relevant City working groups, task forces, and committees; and

**That** this report include recommendations as to how the City will prioritize individuals that are in Kingston's homeless population, specifically women and Indigenous Peoples, through inclusive and targeted outreach to these demographic groups; and

**That** this report be presented in the 4th quarter of 2021.

**Carried with agreed to Amendments (13:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

**Note 1:** Refer also to Report 61, Clause 2, Received from the Planning Committee.

**Note 2:** Council consented to consideration of New Motion 3 immediately following disposition of Report 61, Clause 2, Received from the Planning Committee

**3.** Moved by Councillor Osanic

Seconded by Councillor Hutchison

**That** City Council does not approve the staff recommendation of Report PC-21-035, 9 Couper Street, for the following reasons:

- the recommendation is contrary to the existing Zoning By-law 8499 which prohibits the extension, expansion or structural alteration of existing multiple-family dwellings that have the effect of adding new floor area or dwelling units in the One and Two Family Dwelling (A) Zone; and
- the recommendation is contrary to the existing Zoning By-law 8499 which allows one or two family dwellings, but prohibits a triplex; and



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**New Motions (continued)**

- the recommendation is contrary to the existing Zoning By-law 8499 which specifies that the minimum lot area must be no less than 370 square metres per dwelling unit and the application is requesting an amendment to 269 square metres per dwelling unit; and
- the recommendation is contrary to the existing Zoning By-law 8499 which specifies that the maximum residential building depth be the same as the average of adjacent properties, that being 18.1 metres, and the application is requesting an amendment to 20.9 metres; and
- the recommendation is contrary to the existing Zoning By-law 8499 which specifies that projection of a development into yards have a minimum setback from the front lot line of no less than 4.5 metres, and the application is requesting an amendment to 2.2 metres; and
- the recommendation is contrary to the existing Zoning By-law 8499 which specifies that the off-street residential parking be 1.4 parking spaces per dwelling unit; therefore, 5 vehicle parking spaces are required; and the application is asking for an amendment to 3 vehicle parking spaces for 14 bedrooms; and
- the recommendation is contrary to the existing Zoning By-law 8499 which specifies that the parking area be up to 40 square metres of the rear yard or interior side yard and the application is asking for an amendment to 48.6 square metres.

**Carried (11:2)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (11)

NAYS: Councillor Kiley, Mayor Paterson (2)

ABSENT: (0)

**New Motions (continued)**

4. Moved by Mayor Paterson

Seconded by Councillor M<sup>c</sup>Laren

**Whereas** Council received information in Report 21-107 that Parks Canada and Transport Canada have completed their assessment of environmental conditions and potential risks associated with contaminated river sediments in portions of Kingston's inner harbour and are proposing a project to remediate environmental risks; and

**Whereas** part of the information provided to Council on April 6, 2021 referenced a report authored in 2014 by Dr. Ken Reimer and the Royal Military College's Environmental Sciences Group – 'Application of the Canada-Ontario Decision-Making Framework for Contaminated Sediments in the Kingston Inner Harbour'; and

**Whereas** this report was received for review by the federal agencies and other members of the Cataraqui River Stakeholders Group; and

**Whereas** Dr. Ken Reimer, professor emeritus the founding director of the Environmental Sciences group at the Royal Military College and biology professor Tamsin Laing from the Royal Military College have done extensive research on Kingston's Inner Harbour; and

**Whereas** Council has not had an opportunity to hear directly from them to ask questions on their research and report; and

**Whereas** they are independent experts that want to be arm's length from Transport Canada and wish to have a separate conversation with Council;

**Therefore Be It Resolved That** Dr. Ken Reimer and Dr. Tamsin Laing be invited to give a briefing at the July 13 Council meeting to provide some information on their report and answer questions related to their research.

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**New Motions (continued)**

**Carried (13:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

5. Moved by Deputy Mayor Neill

Seconded by Councillor Kiley

**Whereas** at its meeting on June 17, 2021 Planning Committee considered [Report Number PC-21-036](#), regarding an application for a Zoning By-Law Amendment submitted by Fotenn Consultants Inc., on behalf of Rory Dyck, with respect to the subject site located at 585 Union Street; and

**Whereas** the Planning Committee approved the staff recommendation in said staff report, without amendment; and

**Whereas** recommendations arising from the June 17, 2021 Planning Committee meeting would as a matter of process be considered by Council at its meeting scheduled for July 13, 2021; and

**Whereas** it would be appropriate and feasible to fast-track said approved Planning Committee recommendation for Council's consideration on June 22, 2021;

**Therefore Be It Resolved That** Council waive Section 8.5 of By-Law Number 2021-41, "Council Procedural By-Law" to permit the introduction of the following:

**That** the application for a zoning By-Law amendment (File Number D14-026-2020) submitted by Fotenn Consultants Inc., on behalf of Rory Dyck, for the property municipally known as 585 Union 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

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**New Motions (continued)**

Exhibit A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 8499 to Report Number PC-21-036; 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 (20), 2021-117)**

**Carried (13:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

**Motion to be Considered**

Moved by Deputy Mayor Neill

Seconded by Councillor Kiley

**That** the application for a zoning By-Law amendment (File Number D14-026-2020) submitted by Fotenn Consultants Inc., on behalf of Rory Dyck, for the property municipally known as 585 Union 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-21-036; 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

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**New Motions (continued)**

That the amending By-Law be presented to Council for all three readings.

**(See By-Law Number (20), 2021-117)**

**Carried (13:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

**Notices of Motion**

None

**Minutes**

Moved by Councillor Chapelle

Seconded by Councillor Hill

That the Minutes of City Council Meeting Number 14-2021 held Tuesday, June 1, 2021 be confirmed.

**Carried (13:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

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**Tabling of Documents**

2021-35 Kingston & Frontenac Housing Corporation Board Agenda 05-2021. The meeting was scheduled for May 31, 2021 at 13:30 pm in a virtual format.

(Distributed to all members of Council on June 2, 2021)

**Communications**

**Filed**

15-559 Public Notice of a Complete Application with respect to Zoning By-Law Amendment at 85 King Street East and 46 Simcoe Street, dated May 27, 2021.

(Distributed to all members of Council on May 28, 2021)

15-575 Notice of a Public Meeting with respect to Proposed Zoning By-Law Amendment at 596 MacDonnell Street. The Public meeting is scheduled for July 8, 2021 at 6:00 pm in a virtual format.

(Distributed to all members of Council on June 3, 2021)

15-580 Notice of a Public Meeting with respect to a Minor Variance at 1295 Centennial Drive. The public meeting is scheduled for June 21, 2021 at 5:30 pm in a virtual format.

(Distributed to all members of Council on June 4, 2021)

15-581 Notice of a Public Meeting with respect to Permission at 73 Gore Street. The public meeting is scheduled for June 21, 2021 at 5:30 pm in a virtual format.

(Distributed to all members of Council on June 4, 2021)

15-582 Notice of a Public Meeting with respect to a Minor Variance at 233 Colborne Street. The public meeting is scheduled for June 21, 2021 at 5:30 pm in a virtual format.

(Distributed to all members of Council on June 4, 2021)

15-583 Notice of a Public Meeting with respect to a Minor Variance at 11 The Point Road. The public meeting is scheduled for June 21, 2021 at 5:30 pm in a virtual format.

(Distributed to all members of Council on June 4, 2021)

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**Communications (continued)**

15-584 Notice of a Public Meeting with respect to Consent and Minor Variance at 2355 Horning Road. The public meeting is scheduled for June 21, 2021 at 5:30 pm in a virtual format.

(Distributed to all members of Council on June 4, 2021)

15-585 Notice of a Public Meeting with respect to a Minor Variance at 85 Connaught Street. The public meeting is scheduled for June 21, 2021 at 5:30 pm in a virtual format.

(Distributed to all members of Council on June 4, 2021)

15-586 Notice of a Public Meeting with respect to Permission at 137 Resource Road. The public meeting is scheduled for June 21, 2021 at 5:30 pm in a virtual format.

(Distributed to all members of Council on June 4, 2021)

15-587 Notice of a Public Meeting with respect to Permission at 124 Centre Street. The public meeting is scheduled for June 21, 2021 at 5:30 pm in a virtual format.

(Distributed to all members of Council on June 3, 2021)

15-593 Notice of Technical Consent with respect to creating an Easement at 14 Garrett Street. Written comments are due by 4:30 pm on June 24, 2021.

(Distributed to all members of Council on June 9, 2021)

**Referred to All Members of Council**

15-556 Memorandum received from the Ministry of Municipal Affairs and Housing with respect to Three-Step Roadmap to Safely Reopen the Province of Ontario and Amendment to Orders under the Reopening Ontario (A Flexible Response to COVID-19) Act (ROA), dated May 27, 2021.

(Distributed to all members of Council on May 28, 2021)

15-557 Resolution received from York Region with respect to Regional Council Decision – Timing of Step 1 of the “Provincial Roadmap to Reopen”, dated May 27, 2021.

(Distributed to all members of Council on May 28, 2021)

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**Communications (continued)**

15-558 Correspondence received from Cataraqui Conservation with respect to Regulatory Proposal Consultation Guide Available for Comment – Conservation Authorities Act, dated May 28, 2021.

(Distributed to all members of Council on May 28, 2021)

15-560 Resolution received from the Corporation of the Township of West Lincoln with respect to Endorsement of 988 Suicide and Crisis Prevention Hotline Initiative, dated May 26, 2021.

(Distributed to all members of Council on May 28, 2021)

15-561 Association of Municipalities Ontario AMO Events – Deadline for Booking Ministers' Delegation meetings at AMO Conference is June 4<sup>th</sup>, dated May 29, 2021.

(Distributed to all members of Council on May 31, 2021)

15-564 Resolution received from the Corporation of the Township of Lanark Highlands with respect to Planning Act timelines, dated May 31, 2021.

(Distributed to all members of Council on June 1, 2021)

15-568 Correspondence received from Ian Jeske with respect to addressing Kingston City Council re Queen's University Collaborating with Blacklisted Chinese AI Firm, dated May 29, 2021.

(Distributed to all members of Council on June 2, 2021)

15-569 Association of Municipalities Ontario AMO Policy Update – Stay at Home Orders to Expire Tomorrow with COVID-19 Restrictions Still in Place, dated June 1, 2021.

(Distributed to all members of Council on June 2, 2021)

15-570 Resolution received from the Town of Fort Erie with respect to support for the Corporation of the Town of Perth's Resolution – Provincial Hospital Funding of Major Capital Equipment, dated June 1, 2021.

(Distributed to all members of Council on June 2, 2021)



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**Communications (continued)**

15-571 Resolution received from the Town of Fort Erie with respect to Capital Gains Tax on Primary Residence, dated June 1, 2021.

(Distributed to all members of Council on June 2, 2021)

15-572 Memorandum received from the Ministry of Municipal Affairs and Housing with respect to Extension of Orders under the Emergency Management and Civil Protection Act (EMCPA), dated June 2, 2021.

(Distributed to all members of Council on June 3, 2021)

15-573 Resolution received from the Township of Lake of Bays with respect to Road Management Action on Invasive Phragmites, dated June 2, 2021.

(Distributed to all members of Council on June 3, 2021)

15-574 Resolution received from the Township of Lake of Bays with respect to Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), dated June 2, 2021.

(Distributed to all members of Council on June 3, 2021)

15-576 Resolution received from the Township of Havelock-Belmont-Methuen with respect to Drainage Matters and the Canadian National Railway, dated June 3, 2021.

(Distributed to all members of Council on June 3, 2021)

15-577 Resolution received from the Township of Havelock-Belmont-Methuen with respect to Support for the Use of Automatic Speed Enforcement (Photo Radar), dated June 3, 2021.

(Distributed to all members of Council on June 4, 2021)

15-578 Resolution received from the Township of Havelock-Belmont-Methuen with respect to Continuous Increases of Cost for Municipal Insurance, dated June 3, 2021.

(Distributed to all members of Council on June 4, 2021)

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**Communications (continued)**

- 15-579 Resolution received from the Town of Halton Hills with respect to the Elimination of the LPAT, dated June 1, 2021.  
(Distributed to all members of Council on June 4, 2021)
- 15-588 Correspondence received from Ontario Clean Air Alliance with respect to “We need to stop OPG’s GTA nuclear reactor plan now”, dated June 3, 2021.  
(Distributed to all members of Council on June 7, 2021)
- 15-589 Resolution received from the Municipality of Shuniah with respect to support for the Township of McKellar resolution regarding Tax Relief on CERB payments, dated May 25, 2021.  
(Distributed to all members of Council on June 7, 2021)
- 15-590 Cataraqui Conservation News Release with respect to Level 1 Low Water Condition Confirmed for Cataraqui Region, dated June 7, 2021.  
(Distributed to all members of Council on June 7, 2021)
- 15-591 Correspondence received from Association of Municipalities Ontario with respect to Second Date Added for AMO Human Rights and Equity Training: The Role and Obligations of Municipal Leaders, dated June 8, 2021.  
(Distributed to all members of Council on June 8, 2021)
- 15-592 Resolution received from The Corporation of the Township of Huron-Kinloss with respect to 988, a National three-digit suicide and crisis hotline, dated June 1, 2021.  
(Distributed to all members of Council on June 8, 2021)
- 15-594 Resolution received from the Town of Gore Bay with respect to support for the Town of South Bruce Peninsula regarding Lottery Licensing to Assist Small Organizations, dated May 11, 2021.  
(Distributed to all members of Council on June 9, 2021)
- 15-595 Correspondence received from Association of Municipalities Ontario AMO – Loomex Training Leading Through Crisis – New Date, dated June 9, 2021.  
(Distributed to all members of Council on June 9, 2021)

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**Communications (continued)**

15-596 Resolution received from The Corporation of the Township of Rideau Lakes with respect to Cemetery Funding, dated June 8, 2021.

(Distributed to all members of Council on June 10, 2021)

15-597 Correspondence received from John Sanfilippo with respect to statue of Sir John A. Macdonald, dated June 9, 2021.

(Distributed to all members of Council on June 10, 2021)

15-598 Association of Municipalities Ontario AMO WatchFile, dated June 10, 2021.

(Distributed to all members of Council on June 10, 2021)

15-599 Association of Municipalities Ontario AMO Policy Update – Province Announces Employment Services Changes and Phase 2 of Natural Gas Expansion Program in Rural, Northern and Indigenous Communities, dated June 10, 2021.

(Distributed to all members of Council on June 10, 2021)

15-663 Correspondence received from Paul Allison with respect to resignation from Rural Advisory Committee, dated June 10, 2021.

(Distributed to all members of Council on June 15, 2021)

15-664 Resolution received from the Township of Scugog with respect to Town of Fort Erie correspondence regarding Capital Gains Tax on Primary Residence, dated June 10, 2021.

(Distributed to all members of Council on June 15, 2021)

15-665 2021 Ministry of Natural Resources and Forestry Rabies Control Operations Notification, dated June 11, 2021.

(Distributed to all members of Council on June 15, 2021)

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**Communications (continued)**

15-675 Correspondence received from Lucille Groll with respect to Lake Ontario Park, dated June 12, 2021.

(Distributed to all members of Council on June 15, 2021)

15-676 Resolution received from The Municipality of Hastings Highlands with respect to Support for 988 a 3 digit suicide and crisis prevention hotline, dated June 11, 2021.

(Distributed to all members of Council on June 15, 2021)

15-677 Resolution received from the City of St. Catharines with respect to Lyme Disease Awareness Month, dated June 11, 2021.

(Distributed to all members of Council on June 15, 2021)

15-678 Memorandum received from Ministry of Municipal Affairs and Housing with respect to Entering Step One of the Roadmap to Reopen, dated June 14, 2021.

(Distributed to all members of Council on June 15, 2021)

**Other Business**

None

**By-Laws**

Councillor M<sup>c</sup>Laren withdrew from the meeting.

**a)** Moved by Councillor Osanic

Seconded by Councillor Holland

**That** By-Law (2) be given its first and second reading.

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**By-Laws (continued)**

**Carried (12:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor M<sup>c</sup>Laren (1)

**b)** Moved by Councillor Osanic

Seconded by Councillor Holland

**That** Clause 12.63 of By-Law Number 2021-41 be suspended for the purpose of giving By-Law (2) three readings.

**Carried (12:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor M<sup>c</sup>Laren (1)

**c)** Moved by Councillor Osanic

Seconded by Councillor Holland

**That** By-Law (2) be given its third reading.

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**By-Laws (continued)**

**Carried (12:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor M<sup>c</sup>Laren (1)

Councillor M<sup>c</sup>Laren returned to the meeting.

**d)** Moved by Councillor Osanic

Seconded by Councillor Holland

**That** By-Laws (1), (3), (4) and (6) through (12), (14) through (17), (19), (20) and (18) be given their first and second reading.

**Carried (13:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor M<sup>c</sup>Laren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

**e)** Moved by Councillor Osanic

Seconded by Councillor Holland

**That** Clause 12.63 of By-Law Number 2021-41 be suspended for the purpose of giving By-Law (3) three readings.

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**By-Laws (continued)**

**Carried (13:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

**f)** Moved by Councillor Osanic

Seconded by Councillor Holland

**That** By-Laws (3), (4), (17), (19), (20) and (18) be given their third reading.

**Carried (13:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

1) A By-Law to Amend By-Law 2016-189, "A By-Law to Consolidate the Delegation of Powers and Duties", as Amended

First and Second Readings  
**(Clause 4, Report 59)**

Proposed Number 2021-099

2) A By-Law to Authorize an Agreement pursuant to Section 6.4 of the Shareholder Agreement issued between the City of Kingston and KFHC dated April 21, 2016.

Three Readings  
**(Clause 2, Report 60)**

Proposed Number 2021-097

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**By-Laws (continued)**

- 3) A By-Law to Amend By-Law Number 2019-73, "A By-Law to Establish an Interim Control By-Law within the Williamsville Main Street Corridor of the City of Kingston to Prohibit Intensified Uses", as Amended

Three Readings

Proposed Number 2021-100

**(Clause 5, Report 60)**

- 4) A By-Law to Amend By-Law Number 76-26, "A By-Law to Regulate the Use of Lands and the Character, Location and Use of Buildings and Structures in the Township of Kingston" (Zone Change from Holding General Commercial 'C2-H' Zone, Site-Specific Holding General Commercial 'C2-28-H' Zone and Site-Specific General Commercial 'C2-28' Zone to Site-Specific General Commercial 'C2-76' Zone, 870 Centennial Drive)

Three Readings

Proposed Number 2021-101

**(Clause 1, Report 61)**

- 5) A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Site-Specific Zone Change from 'A' to 'A.604', 9 Couper Street)

Three Readings

**Withdrawn**

**(Clause 2, Report 61)**

- 6) A By-Law to Amend By-Law Number 2020-69, "A By-Law To Establish A Process for Administrative Penalties" (Designating By-Laws)

First and Second Readings

Proposed Number 2021-103

**(Clause 2, Report 62)**

- 7) A By-Law to Amend By-Law Number 2014-5, "Solid Waste Management By-Law"

First and Second Readings

Proposed Number 2021-104

**(Clause 2, Report 62)**

- 8) A By-Law to Amend By-Law Number 2007-136, "A By-Law to Provide for Maintaining Land in a Clean and Clean Condition"

First and Second Readings

Proposed Number 2021-105

**(Clause 2, Report 62)**



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**By-Laws (continued)**

- 9) A By-Law to Amend By-Law Number 2009-76, "A By-Law to Provide for the Regulation Use of Parks and Recreation Facilities Of the Corporation of the City of Kingston"

First and Second Readings

Proposed Number 2021-106

**(Clause 2, Report 62)**

- 10) A By-Law to Amend By-Law Number 2006-122, "A By-Law to Provide for the Regulation of Water Supply for the City of Kingston"

First and Second Readings

Proposed Number 2021-107

**(Clause 2, Report 62)**

- 11) A By-Law to Amend By-Law Number 2004-52, "A By-Law to Regulate Noise"

First and Second Readings

Proposed Number 2021-108

**(Clause 2, Report 62)**

- 12) A By-Law to Amend By-Law Number 2018-53, "A By-Law to Regulate Nuisance Parties in the City of Kingston"

First and Second Readings

Proposed Number 2021-109

**(Clause 2, Report 62)**

- 13) A By-Law to Amend By-Law Number 2021-10, "A By-Law to License and Regulate Short-Term Rentals in the City of Kingston"

**Withdrawn**

First and Second Readings

Proposed Number 2021-110

**(Clause 2, Report 62)**

- 14) A By-Law to Amend By-Law Number 2018-15, "A By-Law to Prohibit and Regulate the Destruction or Injuring of Trees in the City of Kingston"

First and Second Readings

Proposed Number 2021-111

**(Clause 2, Report 62)**

- 15) 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"

First and Second Readings

Proposed Number 2021-112

**(Clause 2, Report 62)**

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**By-Laws (continued)**

- 16) A By-Law to Amend By-Law Number 2020-68, “A By-Law for the Provision and Enforcement of Orders During a Declared Emergency”

First and Second Readings

Proposed Number 2021-113

**(Clause 2, Report 62)**

- 17) A By-Law to Exempt Certain Lands on Registered Plan 13M-131 from the Provisions of Subsection 50(5) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended (Blocks 11, 12, 13 and 14, Registered Plan 13M-131)

Three Readings

Proposed Number 2021-114

**(Delegated Authority)**

**(See Schedule Pages 449-450)**

- 18) A By-Law to confirm the proceedings of Council at its meeting held on Tuesday June 22, 2021

Three Readings

Proposed Number 2021-115

**(City Council Meeting Number 15-2021)**

- 19) A By-Law to Amend By-Law Number 8499, “Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston” (Zone Change from One-Family Dwelling (A2) Zone, Arterial Commercial (C2) Zone, Site-Specific Arterial Commercial (C2.305) Zone, Site Specific Arterial Commercial (C2.288) Zone, Site-Specific Arterial Commercial (C2.322) Zone to Site-Specific Multiple Family Dwelling (Unified Ownership) (B2.410) Zone to Site-Specific Multiple Family Dwelling (B3.606) Zone and Site-Specific Multiple Family Dwelling (B3.607) Zone, 1316-1318 Princess Street and Part of 1338 Princess Street)

Three Readings

Proposed Number 2021-116

**(Clause 1, Report 64)**

- 20) A By-Law to Amend By-Law Number 8499, “Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston” (Zone Change from One-Family Dwelling and Two-Family Dwelling ‘A5’ Zone to a Site-Specific One-Family Dwelling and Two-Family Dwelling ‘A5.605’ Zone, 585 Union Street)

Three Readings

Proposed Number 2021-117

**(New Motion 5)**

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**Adjournment**

Moved by Councillor Chapelle

Seconded by Deputy Mayor Neill

**That** Council do now adjourn.

**Carried (13:0)**

**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor M<sup>c</sup>Laren, Deputy Mayor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

Council adjourned at 11:39 pm.

(Signed)

John Bolognone

Bryan Paterson

City Clerk

Mayor