

### **City Council Meeting Number 19-2021**

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

### (City Hall)

#### Roll Call

Present: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Deputy

Mayor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (arrived at 7:06 pm) (13)

Absent: (0)

### (City Hall)

### Committee of the Whole "Closed Meeting"

None

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

- Ms. S. Agarwal, Acting Manager, Policy Planning, Planning Services
- Mr. J. Bolognone, City Clerk
- Ms. J. Campbell, Director, Heritage Services
- Ms. L. Capener-Hunt, Director, Building & Enforcement
- Mr. K. Compeau, Manager, Licensing & Enforcement
- Mr. B. Davis, Project Manager, Housing & Social Services
- Mr. L. Follwell, Director, Engineering
- Mr. P. Huigenbos, Commissioner, Building, Environment & Projects
- Ms. L. Hurdle, Chief Administrative Officer

- Ms. J. Jaynes, Deputy City Clerk
- Mr. B. Joyce, Commissioner, Corporate Services
- Ms. D. Kennedy, Chief Financial Officer and City Treasurer
- Ms. S. Kidd, Commissioner, Transportation & Public Works
- Ms. M. Mascaro, Manager, Transportation Infrastructure
- Mr. A. McLeod, Senior Legal Council & Deputy City Solicitor
- Ms. J Morley, Director of Legal Services & City Solicitor
- Ms. R. Noordegraaf, Director, Housing & Social Services
- Mr. T. Park, Director, Planning Services
- Ms. J. Pinarski, Communications Officer
- Mr. J. Salter-Keane, Manager, Climate Leadership
- Mr. I. Semple, Director, Transportation Services
- Mr. I. Sullivan, Information Compliance Analyst
- Mr. C. Taylor, Technology Associate

### Report of the Committee of the Whole "Closed Meeting"

None

### **Approval of Addendum**

Moved by Councillor Neill

Seconded by Councillor Kiley

**That** the addendum be approved.

### **Approval of Addendum (continued)**

**Carried (12:0)** 

(A 2/3 Vote of Council was Received)

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Deputy

Mayor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Councillor Neill, Councillor Oosterhof, Councillor

Osanic, Mayor Paterson (12)

NAYS: (0)

ABSENT: Councillor Stroud (1)

### **Disclosure of Pecuniary Interest**

1. Councillor Holland declared a possible pecuniary interest in Clause 6 of Report Number 75: Received from the Chief Administration Officer (Consent) with respect to Request for Temporary Noise Exemption – Queen's University Society of Graduate and Professional Students as she is employed by Queen's University.

#### **Presentations**

None

### **Delegations**

Councillor Holland withdrew from the meeting.

1. Anthony Lomax and Emilia Ganslandt, Society of Graduate and Professional Students of Queen's University appeared before Council and spoke to Clause 6 of Report Number 75: Received from the Chief Administrative Officer (Recommend) with respect to Request for Temporary Noise Exemption – Queen's University Society of Graduate and Professional Students.

Councillor Holland returned to the meeting.

2. Tom Greening and Ed Smith, Kingston Home Base Housing, appeared before Council and spoke to Clause 1 of Report Number 75: Received from the Chief

### **Delegations (continued)**

Administrative Officer (Recommend) with respect to Affordable Housing Contributions – 484 Albert Street and 620 Princess Street, 1752 Bath Road & 1316-1318 Princess Street.

### **Briefings**

- 1. Dr. Hugh Guan, Interim Medical Officer of Health, KFL&A Public Health, briefed Council with respect to COVID-19 in the KFL&A area.
- 2. Julie Salter-Keane, Manager, Climate Leadership briefed Council on Clause 2 of Report Number 78: Received from the Environment, Infrastructure and Transportation Policies Committee with respect to Proposed Green Standard Community Improvement Plan.

#### **Petitions**

1. A petition bearing approximately 925 signatures opposing the Zoning By-Law Amendment and Official Plan Amendment at 2274 Princess Street, Kingston was presented by Councillor Chapelle.

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

None

#### **Deferred Motions**

Council consented to the separation of the second bullet of the resolve clause.

1. Moved by Councillor McLaren

Seconded by Councillor Osanic

Whereas in 2011 Council directed staff to outline the conditions that would support the elimination of train whistles at three consecutive locations (Coronation Boulevard, Collins Bay Road and the pedestrian crossing at Frontenac High School) in the west end of the city; and

**Whereas** staff retained MMM Group to undertake a safety assessment of these locations that was presented to the Environment, Transportation and Infrastructure Committee as an exhibit to Report EITP 14-013; and

### **Deferred Motions (continued)**

Whereas the 2014 staff report summarized the conditions upon which CN Rail and Transport Canada would support the elimination of whistling at these location at an estimated cost of \$1-3M in capital to fund an enhanced pedestrian trespassing program and \$50-100k in ongoing operating cost to monitor, inspect and maintain pedestrian barriers; and

**Whereas** the city has recently opened the new bridge on John Counter Boulevard that eliminates the level crossing but continues to be pedestrian trespass location;

#### Therefore Be It Resolved That:

- Council direct staff to ask Transport Canada what their requirement would be for a night-time (11pm-5am) whistle cessation at the Counter St. bridge and at the Division St. bridge, which have been deemed Trespass Locations by Transport Canada and consequently, currently require whistling and;
- If Transport Canada deems that the tracks need to be double fenced, that staff prepare for council a new cost estimate to double fence the corridor from Coronation Blvd in the west to the required location as outlined by Transport Canada in the east and;

Lost (0:13)

(Clause 2)

(See Recorded Vote)

YEAS: (0)

NAYS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Deputy

Mayor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Councillor Neill, Councillor Oosterhof, Councillor

Osanic, Mayor Paterson, Councillor Stroud (13)

ABSENT: (0)

 Council request the assistance of the Frontenac & the Islands Member of Parliament to change the Transport Canada required decibel level of train whistles in Canada to be similar to the lower level used by many trains in the United States.

### **Deferred Motions (continued)**

**Carried (13:0)** 

(Clauses 1 and 3)

(See Motion to Amend which Carried)

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Deputy

Mayor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Councillor Neill, Councillor Oosterhof, Councillor

Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

Moved by Councillor Holland

Seconded by Councillor Osanic

**That** Deferred Motion 1 be amended by deleting:

Therefore Be It Resolved That that staff include funds for consideration in the 2022 draft operating budget to provide an updated train whistle cessation assessment report for the Kingston Corridor between Coronation Boulevard and John Counter Boulevard, with the intention to complete the assessment and report back to Council by the end of 2022; and

**That** the report include current requirements from CN Rail and Transport Canada, risks to the municipality, updated cost estimates and timelines, and information on the experience of some other jurisdictions that have implemented train whistle cessation.

And replaced with

### Therefore Be It Resolved That

 Council direct staff to ask Transport Canada what their requirement would be for a night-time (11pm-5am) whistle cessation at the Counter St. bridge and at the Division St. bridge, which have been deemed Trespass Locations by Transport Canada and consequently, currently require whistling and;

### **Deferred Motions (continued)**

- If Transport Canada deems that the tracks need to be double fenced, that staff prepare for council a new cost estimate to double fence the corridor from Coronation Blvd in the west to the required location as outlined by Transport Canada in the east and;
- Council request the assistance of the Frontenac & the Islands Member of Parliament to change the Transport Canada required decibel level of train whistles in Canada to be similar to the lower level used by many trains in the United States

**Carried (12:1)** 

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Deputy

Mayor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Councillor Neill, Councillor Oosterhof, Councillor

Osanic, Mayor Paterson, Councillor Stroud (12)

NAYS: Councillor Neill (1)

ABSENT: (0)

Reports

### Report Number 75: Received from the Chief Administrative Officer (Recommend)

Moved by Councillor Boehme

Seconded by Councillor Osanic

**That** Report Number 75: Received from the Chief Administrative Officer (Recommend) be received and adopted, clause by clause.

Report Number 75

To the Mayor and Members of Council:

### Reports (continued)

1. Affordable Housing Contributions – 484 Albert Street and 620 Princess Street, 1752 Bath Road & 1316-1318 Princess Street

Council consented to the separation of paragraphs 1 and 2.

**That** Council approve an allocation in the amount of \$6,720,000 as described in Report Number 21-232 to Kingston Home Base Non-Profit Housing Inc. to support the development of 48 affordable, supportive youth housing units at 484 Albert Street & 620 Princess Street to be funded using \$4,115,800 from existing affordable housing capital budget envelopes and \$2,604,200 from the Social Services Relief Fund Phase 4; and

**That** Council approve an allocation in the amount of \$495,000 as described in Report Number 21-232 to Kingston Home Base Non-Profit Housing Inc. to support the renovation costs associated with the relocation of the One Roof youth services program to 484 Albert Street & 620 Princess Street to be funded from the Homelessness Reserve; and

**Carried (12:1)** 

(Paragraphs 1 and 2)

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Doherty, Deputy Mayor Hill, Councillor

Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren,

Councillor Neill, Councillor Ossterhof, Councillor Osanic, Mayor Paterson,

Councillor Stroud (13)

NAYS: Councillor Chapelle (1)

ABSENT: (0)

**That** Council reduce the municipal funding of \$3,400,000 previously allocated to ARM Construction Company Ltd. for 1752 Bath Road from existing affordable housing capital budgets by way of Report Number 20-043 to \$1,400,000 as described in Report Number 21-232 to ARM Construction Company Ltd. to support of the development of 28 affordable housing units at 80% CMHC market rents located at 1752 Bath Road; and

### Reports (continued)

**That** Council approve the final allocation of \$10.0M previously approved from the Municipal Capital Reserve Fund in Report Number 20-200, to support the development of 90 affordable housing units at 1316-1318 Princess Street as follows: \$4,222,222 to Kingston Co-Operative Homes Inc. and \$5,777,778 to the Kingston & Frontenac Housing Corporation; and

**That** Council replace funding initially approved from the Municipal Capital Reserve Fund in Report Number 20-200 to support Kingston & Frontenac Housing Corporation in the development of 52 affordable housing units at 1316-1318 Princess Street with the use of \$854,025 of Year 3 Ontario Priorities Housing Initiative funds; and

**That** Council approve additional funding of up to \$3.03M from the Municipal Capital Reserve Fund, to the Kingston & Frontenac Housing Corporation, if needed, to support the completion of the development of 52 affordable housing units at 1316-1318 Princess Street; and

**That** Council approve the By-Law, attached as Exhibit A to Report Number 21-232, "A By-law to Enter into a Municipal Contribution Agreement with Kingston Home Base Non-Profit Housing Inc. for the Provision of Affordable Housing Units at 484 Albert Street & 620 Princess Street"; and

**That** Council approve the By-Law, attached as Exhibit B to Report Number 21-232, "A By-law to Enter into a Municipal Contribution Agreement with Kingston Co-Operative Homes Inc. for the Provision of Affordable Housing Units at 1316-1318 Princess Street"; and

**That** Council approve the By-Law, attached as Exhibit C to Report Number 21-232, "A By-law to Enter into a Municipal Contribution Agreement with the Kingston & Frontenac Housing Corporation for the Provision of Affordable Housing Units at 1316-1318 Princess Street"; and

**That** Council authorize the Chief Administrative Officer or his/her delegate to review and approve all documents and agreements related to the funding allocations outlined in Report Number 21-232; and

**That** Council authorize the Mayor and Clerk to execute all documents and agreements related to the funding allocations outlined in Report Number 21-232, in a form satisfactory to the Director of Legal Services; and

### Reports (continued)

**That** Council authorize the Chief Financial Officer & City Treasurer to replace municipal funding sources with grant funding for Council approved affordable housing projects, as necessary, should additional provincial/federal grant funding programs become available.

(See By-Law Number (1), 2021-147)

(See By-Law Number (2), 2021-148)

(See By-Law Number (3), 2021-149)

(The Report of the Chief Administrative Officer (21-232) was attached to the agenda as schedule pages 1-18)

**Carried (13:0)** 

(Paragraphs 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12)

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Deputy

Mayor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Councillor Neill, Councillor Oosterhof, Councillor

Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

Council recessed from 9:28 pm to 9:38 pm.

#### 2. Downtown Improvement Plan

**That** "A By-Law to Authorize the Temporary Use of Land, Buildings or Structures within the City of Kingston for Temporary Outdoor Patios", attached as Exhibit A to Report Number 21-231 as amended, be presented to Council for all three readings; and

**That** Exhibit 'A' be amended to delete section 3(c) in the referenced By-Law, and that staff be directed to report back to Council indicating what property or properties are directly affected by this provision and what effects on the neighbourhood properties are to be expected from this provision.

### Reports (continued)

(See By-Law Number (4), 2021-150 as amended)

(The Report of the Chief Administrative Officer (21-231) was attached to the agenda as schedule pages 19-28)

Carried as Amended (13:0)

(See Motion to Amend which Carried)

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Deputy

Mayor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Councillor Neill, Councillor Oosterhof, Councillor

Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

Moved by Councillor Hutchison

Seconded by Councillor Osanic

**That** Report 75, Clause 2, Received from the Chief Administrative Officer (Recommend) be amended as follows:

That the words as amended be inserted following 21-231 in the first paragraph; and

**That** Exhibit 'A' be amended to delete section 3(c) in the referenced By-Law, and that staff be directed to report back to Council indicating what property or properties are directly affected by this provision and what effects on the neighbourhood properties are to be expected from this provision.

### Reports (continued)

**Carried (12:1)** 

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Doherty, Deputy Mayor Hill, Councillor

Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren,

Councillor Neill, Councillor Ossterhof, Councillor Osanic, Mayor Paterson,

Councillor Stroud (13)

NAYS: Councillor Chapelle (1)

ABSENT: (0)

3. Extension of the Term of the Integrity Commissioner Until Completion of Integrity Commissioner RFP Process and Selection

**That** Council authorize the extension of the term for the position of Integrity Commissioner with Principles Integrity, for a further two (2) months, until December 31, 2021.

(The Report of the Commissioner, Corporate Services (21-227) was attached to the agenda as schedule pages 29-32)

**Carried (10:3)** 

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Doherty, Deputy Mayor Hill, Councillor

Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren,

Councillor Neill, Councillor Oosterhof, Mayor Paterson (10)

NAYS: Councillor Chapelle, Councillor Osanic, Councillor Stroud (3)

ABSENT: (0)

4. Ratification of Sector Representative Appointments to Citizen Committee to Review Council Remuneration 2022-2026

**That** the following citizens, representing their respective sectors, be ratified for appointment to the Citizen Committee to Review Council Remuneration:

Marijo Cuerrier, representing the business community;

### Reports (continued)

- Indira Naraine, representing the health care community;
- John DiPaolo, representing the non-profit sector;
- Heather Cole (Queen's University) and Helen Chadwick (St. Lawrence College), representing the educational community; and
- Jordan Morelli, representing the organized labour community.

(The Report of the Commissioner, Corporate Services (21-229) was attached to the agenda as schedule pages 33-37)

**Carried (13:0)** 

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Deputy

Mayor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Councillor Neill, Councillor Oosterhof, Councillor

Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

Moved by Councillor Hutchison

Seconded by Deputy Mayor Hill

**That** Council waive the rules of By-Law Number 2021-41 "Council Procedural By-Law" to extend the meeting past 11:00 pm to complete the agenda.

### Reports (continued)

**Carried (11:2)** 

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Doherty, Deputy Mayor Hill, Councillor

Holland, Councillor Hutchison, Councillor McLaren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor

Stroud (11)

NAYS: Councillor Chapelle, Councillor Kiley (2)

ABSENT: (0)

Council recessed from 10:40 pm to 10:45 pm.

5. Next steps in relation to the Sir John A. Macdonald Statue, update to the Terms of Reference for the Sir John A. Macdonald History and Legacy Working Group, and requests related to continued Indigenous community and resident support

Council consented to the separation of paragraphs 1, 2 and further consented to the separation of paragraph 3.

That the multifaceted engagement and consultation plan, as outlined in Report Number 21-215, on 1) the intended relocation of the Sir John A. Macdonald statue to the Cataraqui Cemetery and 2) the new interpretive intentions for the previous statue location at City Park, be implemented as an amendment to the scope of work of First Peoples Group at no additional cost; and

**That** Council approve an amendment to 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', by deleting the existing Schedule G-1 in its entirety to be replaced by the updated mandate as outlined in Exhibit A attached to Report Number 21-215; and

### Reports (continued)

**Carried (11:2)** 

(Paragraphs 1 and 2)

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Doherty, Deputy Mayor Hill, Councillor

Holland, Councillor Hutchison, Councillor Kiley, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (11)

NAYS: Councillor Chapelle, Councillor McLaren (2)

ABSENT: (0)

**That** Council approve the use of previously approved Engage for Change Phase III funding, totalling \$62,500 to support Kingston Indigenous Languages Nest and the services identified as part of a Service Level Agreement between the City of Kingston and Kingston Indigenous Languages Nest in 2021 and 2022; and

**Carried (12:1)** 

(Paragraph 3)

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Doherty, Deputy Mayor Hill, Councillor

Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren,

Councillor Neill, Councillor Ossterhof, Councillor Osanic, Mayor Paterson,

Councillor Stroud (12)

NAYS: Councillor Chapelle (1)

ABSENT: (0)

**That** the Mayor and Clerk be authorized to execute a Service Level Agreement between the City of Kingston and Kingston Indigenous Languages Nest (KILN) that identifies the services to be provided by KILN and the associated funding to be issued by the City of Kingston for those services, in a form acceptable to the Director of Legal Services; and

### Reports (continued)

**That** Council recognize September 30, 2021 as the National Day for Truth and Reconciliation and re-affirm its commitment to sharing the stories of residential school survivors, their families and communities; and

**That** not withstanding the First Capital Place Illumination Policy, Council approve the illumination of City Hall orange on the following dates, September 30, October 19, November 18 and December 16 in support of community healing and in honour of the victims of residential schools; and

**That** Council approve the lowering of the flags at City Hall on the following dates, September 30, October 19, November 18 and December 16 in association with the illumination of City Hall orange; and

That the draft By-Law attached as Exhibit B to Report Number 21-215 be presented to Council for all three readings to amend By-Law Number 2016-189, "A By-law to Consolidate the Delegation of Powers and Duties", to delegate authority to the Director of Heritage Services or their designate, to waive park booking fees as outlined in By-Law Number 2005-10, "A By-Law to Establish Fees and Charges to be Collected by the Corporation of the City of Kingston", to accommodate requests from Indigenous community organizers to access park spaces for the purposes of ceremony and cultural gathering with the understanding that this authority does not apply to special event bookings or large gathering requests (over 99 people).

(See By-Law Number (5), 2021-151)

(See By-Law Number (6), 2021-152)

(The Report of the Commissioner, Community Services (21-215) was attached to the agenda as schedule pages 38-57)

### **Reports (continued)**

**Carried (13:0)** 

(Paragraphs 4, 5, 6, 7 and 8)

(See Motion to Amend which Lost)

(See Motion to Amend which was Ruled Out of Order)

(See Motion to Defer which was Withdrawn)

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Deputy

Mayor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Councillor Neill, Councillor Oosterhof, Councillor

Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

Moved by Councillor McLaren

Seconded by Councillor Boehme

**That** a new that statement reading "That in the multifaceted engagement and consultation plans of report 21-215 an option for having two perspectives (indigenous and non-indigenous), not just one, be presented" be added after the first that clause; and

**That** a new that statement reading "That a possibility of two perspectives be added to the final wording of Exhibit A wherever one perspective is considered or assumed." Be added after the original second that clause.

### Reports (continued)

Lost (3:10)

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Chapelle, Councillor McLaren (3)

NAYS: Councillor Doherty, Deputy Mayor Hill, Councillor Holland, Councillor

Hutchison, Councillor Kiley, Councillor Neill, Councillor Oosterhof,

Councillor Osanic, Mayor Paterson, Councillor Stroud (10)

ABSENT: (0)

Moved by Councillor McLaren

Seconded by Councillor Hutchison

**That** the first paragraph be amended by adding "other potential locations for the statue be sought in the public consultations and" after the word "and" and before the "2)".

**Ruled Out of Order** 

Moved by Councillor McLaren

Seconded by Councillor Boehme

**That** the By-Law attached as Exhibit B be deferred in order to allow staff to rewrite the By-Law in a way that avoids potential miss use of the terms "ceremonial" and "organizers" to get access to the park for free.

Withdrawn

Councillor Holland withdrew from the meeting.

6. Request for Temporary Noise Exemption – Queen's University Society of Graduate and Professional Students

**That** the Queen's University Society of Graduate and Professional Students (SGPS) be granted an exemption to Schedule B Activity 4 of By-Law Number 2004-52, "A By-Law to Regulate Noise", to permit the playing of amplified sound for an outdoor trivia and social event at Summer Hill from 4:30 p.m. to 6:30 p.m. on September 23, 2021; and

### Reports (continued)

**That** the Queen's University Society of Graduate and Professional Students (SGPS) be granted an exemption to Schedule B Activity 4 of By-Law Number 2004-52, "A By-Law to Regulate Noise", to permit the playing of amplified sound for an outdoor movie screening at Nixon Field from 7:00 p.m. to 10:00 p.m. on September 25, 2021.

(The Report of the Commissioner, Community Services (21-223) was attached to the agenda as schedule pages 58-64)

**Carried (12:0)** 

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Deputy

Mayor Hill, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson,

Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor Holland (1)

Councillor Holland returned to the meeting.

#### Report Number 76: Received from the Chief Administrative Officer (Consider)

Moved by Deputy Mayor Hill

Seconded by Councillor Hutchison

**That** Report Number 76: Received from the Chief Administrative Officer (Consider) be received and considered.

Report Number 76

To the Mayor and Members of Council:

### Reports (continued)

### 1. Options for In-Person and Hybrid City Council Meetings

Moved by Councillor Boehme

Seconded by Councillor McLaren

**That** Council continues to hold virtual meetings during the period permitted pursuant to Section 6.24 of the Council Procedural By-Law.

(The Report of the Commissioner, Corporate Services (21-235) was attached to the agenda as schedule pages 65-71)

Carried (9:4)

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor

Hutchison, Councillor McLaren, Councillor Neill, Councillor Oosterhof,

Councillor Osanic, Councillor Stroud (9)

NAYS: Deputy Mayor Hill, Councillor Holland, Councillor Kiley, Mayor Paterson

(4)

ABSENT: (0)

#### Report Number 77: Received from the Planning Committee

Moved by Councillor Neill

Seconded by Councillor Kiley

**That** Report Number 77: Received from the Planning Committee be received and adopted.

Report Number 77

To the Mayor and Members of Council:

The Planning Committee reports and recommends as follows:

Councillor Boehme withdrew from the meeting.

### **Reports (continued)**

### 1. Central Kingston Growth Strategy Final Recommendations Report

**That** the Central Kingston Growth Strategy Final Recommendations Report, dated July 2021, the Servicing and Infrastructure Assumptions, and the Transportation Review of Intensification Areas (Exhibits A, B, and C to Report Number PC-21-052) be received.

(Exhibits A, B, and C to Report Number PC-21-052 were attached to the agenda as schedule pages 72-333)

**Carried (11:1)** 

(See Recorded Vote)

YEAS: Councillor Chapelle, Councillor Doherty, Deputy Mayor Hill, Councillor

Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren,

Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson

(11)

NAYS: Councillor Stroud (1)

ABSENT: Councillor Boehme (1)

# Report Number 78: Received from the Environment, Infrastructure and Transportation Policies Committee

Moved by Councillor Stroud

Seconded by Councillor Neill

**That** Report Number 78: Received from the Environment, Infrastructure and Transportation Policies Committee be received and adopted.

Report Number 78

To the Mayor and Members of Council:

The Environment, Infrastructure and Transportation Policies Committee reports and recommends as follows:

Council consented to the separation of Clause 2.

### Reports (continued)

### 1. Guidelines for Pedestrian Crossing Facilities

**That** Council adopt the updated Guidelines for Pedestrian Crossing Facilities attached as Exhibit A to Report Number EITP-21-015.

(Exhibit A to Report Number EITP-21-015 was attached as schedule pages 334-406)

Councillor Boehme returned to the meeting.

### 2. Proposed Green Standard Community Improvement Plan

**That** the proposed By-Law attached as Exhibit A to Report Number EITP-21-017 be adopted to designate the Community Improvement Project Area for the City of Kingston Green Standard Community Improvement Plan in item 2 below; and

**That** the proposed By-Law attached as Exhibit B to Report Number EITP-21-017 be adopted to approve the City of Kingston Green Standard Community Improvement Plan (attached as Schedule A to the By-Law); and

**That** Council approve funding of up to \$50,000 from the Environmental Reserve Fund to fund feasibility study grants for applicants submitting Green Standard Community Improvement Plan applications during 2021; and

**That** Council direct staff to incorporate the necessary funding of the Green Standard Community Improvement incentive programs into future operating and capital budgets; and

**That** Council acknowledge a possible new budget requirement of up to \$600k annually for four years to enable full implementation of the Green Standard CIP incentive programs.

(By-Law Number (7), 2021-153 was withdrawn)

(By-Law Number (8), 2021-154 was withdrawn)

### Reports (continued)

**Deferred** 

(See Motion to Defer which Carried)

Moved by Mayor Paterson

Seconded by Councillor Chapelle

**That** Clause 2 of Report 78, Received from the Environment, Infrastructure and Transportation Policies Committee be deferred until no later than the 2<sup>nd</sup> Council meeting in October, in order for City staff to report back to Council with alternative options and strategies for a Green Standard Community Improvement Plan that will fit within the tax rate parameters established by Council in the 2019-2022 Council Strategic Plan.

**Carried (10:3)** 

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Deputy

Mayor Hill, Councillor Kiley, Councillor McLaren, Councillor Oosterhof,

Councillor Osanic, Mayor Paterson, Councillor Stroud (10)

NAYS: Councillor Holland, Councillor Hutchison, Councillor Neill (3)

ABSENT: (0)

### 3. Report Received from the Kingston Environmental Advisory Forum

**That** the 2020 Kingston Environmental Advisory Forum (KEAF) Report Card be approved as a summary of the work accomplished by KEAF.

(Report Card attached to the agenda as schedule pages 441-443)

### **Reports (continued)**

**Carried (12:0)** 

(Clauses 1 and 3)

(See Recorded Vote)

YEAS: Councillor Chapelle, Councillor Doherty, Deputy Mayor Hill, Councillor

Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren,

Councillor Neill, Councillor Ossterhof, Councillor Osanic, Mayor Paterson,

Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor Boehme (1)

#### **Committee of the Whole**

None

### **Information Reports**

### 1. 2021 Second Quarter Operating Budget Report

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

(The Report of the Chief Financial Officer & City Treasurer (21-204) was attached to the agenda as schedule pages 444-461)

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

#### **Miscellaneous Business**

Miscellaneous Business Items are voted on as one motion.

### 1. Moved by Councillor McLaren

Seconded by Councillor Neill

**That** the resignation of Alexandra Ortiz Carlsson from the Kingston Frontenac Housing Corporation Board be received with regret.

#### (See Communication 19-813)

### **Miscellaneous Business (continued)**

2. Moved by Councillor Osanic

Seconded by Councillor McLaren

**That** Sarah Ryding be appointed to the Kingston Environmental Advisory Forum as the representative for KFL&A Public Health.

3. Moved by Councillor Holland

Seconded by Councillor McLaren

**That** notwithstanding section 3.1.4, subsection (v), of the First Capital Place Illumination Policy, Council approve the application submitted by Shelley Werk, Prostate Cancer Support Canada, for the illumination of City Hall and Springer Market Square on September 27, 2021 for "Prostate Cancer Awareness Month".

### (See Communication 19-838)

4. Moved by Deputy Mayor Hill

Seconded by Councillor Neill

**That** notwithstanding section 3.1.4, subsection (v), of the First Capital Place Illumination Policy, Council approve the application submitted by Natasha Trehan, Take A Pain Check, for the illumination of City Hall and Springer Market Square on September 28, 2021 for "Arthritis Awareness Month".

#### (See Communication 19-839)

**5.** Moved by Deputy Mayor Hill

Seconded by Councillor Neill

That the resignation from Councillor Kiley from the Administrative Policies Committee and Heritage Grant Committee be received with regret; and

That Councillor Osanic be appointed to the Administrative Policies Committee; and

That Councillor Holland be appointed to the Heritage Grant Committee.

### **Miscellaneous Business (continued)**

**Carried (13:0)** 

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Deputy

Mayor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Councillor Neill, Councillor Oosterhof, Councillor

Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

#### **New Motions**

1. Moved by Councillor Neill

Seconder by Councillor Holland

**Whereas** a Heritage Tree Program, in partnership with the Ontario Urban Forest Council, was initiated in 2009, and

**Whereas** several cities have publicly recognized Heritage Trees, including Burlington, Oakville, Toronto, and others, and

**Whereas** Kingston takes great pride in being an historically significant city, with many Heritage Designated Properties, and

**Whereas** there is a Red Oak at the northeast corner of the Bellevue House, dating from the late 1700's and a 200 year old White Oak on the Tannery Property, both worthy of recognition and protection;

Therefore Be It Resolved That Kingston join the Heritage Tree Program, inviting Kingstonians to nominate potentially significant trees, and

**That** this information be shared with Heritage Kingston and Heritage Staff.

### **New Motions (continued)**

**Carried (13:0)** 

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Deputy

Mayor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Councillor 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 Oosterhof

**That** the Minutes of City Council Meeting Number 18-2021 held Tuesday, August 10, 2021 and Special City Council Meeting 20-2021, held Wednesday, August 18, 2021 be confirmed.

**Carried (13:0)** 

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Deputy

Mayor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Councillor Neill, Councillor Oosterhof, Councillor

Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

### **Tabling of Documents**

2021-39 Kingston Police Services Board Meeting Number 21-15 Agenda. The meeting is scheduled for Thursday, August 19, 2021 at 12:00 pm in a virtual electronic format.

(Distributed to all members of Council on August 13, 2021)

2021-40 Kingston Police Services Board Meeting Minutes. The meeting was held Thursday, July 15, 2021 at 12:00 pm in a virtual format.

(Distributed to all members of Council on August 13, 2021)

2021-41 Kingston Police Services Board Meeting Number 21-15 - Updated Meeting Notice. The meeting has been scheduled for Thursday, August 26, 2021 at 12:00 pm in a virtual electronic format.

(Distributed to all members of Council on August 18, 2021)

2021-42 Cataraqui Conservation Full Authority Board Meeting Agenda. The meeting is scheduled for Wednesday, August 25, 2021 at 6:45 pm via Microsoft Teams.

(Distributed to all members of Council on August 19, 2021)

#### **Communications**

#### **Filed**

19-809 Notice of Study Commencement Infrastructure Master Plan received from Loyalist Township, dated July 27, 2021.

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

19-828 Notice of a Public Meeting with respect to Proposed Zoning By-Law Amendment at 576-600 Princess Street and 465 Albert Street. The Public Meeting is scheduled for September 2, 2021 at 6:00 pm in a virtual format.

(Distributed to all members of Council on August 13, 2021)

19-829 Notice of Technical Consent for Long Term Lease at 774 Strand Boulevard. Comments are due by 4:30pm on August 27, 2021.

(Distributed to all members of Council on August 13, 2021)

### **Communications (continued)**

#### Referred to All Members of Council

19-808 Memorandum received from the Ministry of Municipal Affairs and Housing with respect to Main Street Recovery Act: Proclamation of Amendments to the Municipal Act and City of Toronto Act, dated August 3, 2021.

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

19-810 News Release received from Cataraqui Conservation with respect to Low Water Condition Downgraded to Level 1 for Cataraqui Region, dated August 4, 2021.

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

19-811 Resolution received from the City of Toronto with respect to Building the Early Learning and Child Care System Toronto Needs (Ward All).

(Distributed to all members of Council on August 5, 2021)

19-812 Resolution received from the City of Toronto with respect to Stronger Fairer Ontario Act Changes to Provincial Offences Act (Ward All), dated June 24, 2021.

(Distributed to all members of Council on August 5, 2021)

19-813 Correspondence received from Alexandra Ortiz Carlsson with respect to resignation from Kingston Frontenac Housing Corporation Board, dated August 4, 2021.

(Distributed to all members of Council on August 6, 2021)

19-814 News Release received from Cataraqui Conservation with respect to "Friends of the Cataraqui Trail Want to Hear from Trail Users", dated August 3, 2021.

(Distributed to all members of Council on August 6, 2021)

19-815 Resolution received from The Corporation of the Township of Huron-Kinloss with respect to support for The Town of Cochrane and the Town of Plympton-Wyoming regarding prostate blood test (PSA test) included in national health care system, dated August 6, 2021.

(Distributed to all members of Council on August 6, 2021)

### **Communications (continued)**

- 19-822 Correspondence received from Elvira Hufschmid with respect to Tannery 'Clean-Up' project, dated August 10, 2021.
  - (Distributed to all members of Council on August 11, 2021)
- 19-823 Resolution received from the City of Sarnia with respect to Capital Gains Tax Exemptions on Primary Residence, dated August 11, 2021.
  - (Distributed to all members of Council on August 11, 2021)
- 19-824 Resolution received from the Town of Petrolia with respect to 988, a National three-digit suicide and crisis hotline, dated August 11, 2021.
  - (Distributed to all members of Council on August 11, 2021)
- 19-825 Resolution received from The Corporation of the Village of Oil Springs with respect to Capital Gains Tax Exemptions on Primary Residence, dated August 11, 2021.
  - (Distributed to all members of Council on August 11, 2021)
- 19-826 Resolution received from the Town of Plympton-Wyoming with respect to Rising Costs of Building Materials, dated August 12, 2021.
  - (Distributed to all members of Council on August 13, 2021)
- 19-827 Resolution received from the Township of McMurrich/Monteith with respect to Support for 9-8-8 a 3 Digit Suicide and Crisis Prevention Hotline, dated August 3, 2021.
  - (Distributed to all members of Council on August 13, 2021)
- 19-830 Resolution received from the Municipality of Learnington with respect to Joint and Several Liability, dated August 17, 2021.
  - (Distributed to all members of Council on August 19, 2021)
- 19-831 Correspondence received from Ontario Trillium Foundation with respect to Community Building Fund Capital Stream: Resources and Supports Now Available, dated August 19, 2021.
  - (Distributed to all members of Council on August 19, 2021)

### **Communications (continued)**

- 19-832 Correspondence received from Tim Mardicis, President, Board of Directors, Greek Community of Kingston with respect to the Greek Festival being held on August 28, 2021, dated August 4, 2021.
  - (Distributed to all members of Council on August 26, 2021)
- 19-833 Correspondence received from Ontario Human Rights Commission with respect to "OHRC welcomes Chief Commissioner Patricia DeGuire", dated August 19, 2021.
  - (Distributed to all members of Council on August 26, 2021)
- 19-834 Correspondence received from Gravel Watch with respect to Land Use Compatibility Guideline, dated August 22, 2021.
  - (Distributed to all members of Council on August 26, 2021)
- 19-835 Association of Municipalities Ontario AMO Policy Update Draft Resolution for Municipal Recognition of September 30<sup>th</sup> as National Day for Truth and Reconciliation, New Municipal Resource Materials, dated August 23, 2021.
  - (Distributed to all members of Council on August 26, 2021)
- 19-836 Resolution received from the Town of Greater Napanee with respect to Lyme Disease Awareness Monday, dated August 25, 2021.
  - (Distributed to all members of Council on August 26, 2021)
- 19-837 Correspondence received from Turtles Kingston with respect to the Davis Tannery land development.
  - (Distributed to all members of Council on August 27, 2021)
- 19-838 Illumination Application received from Shelley Werk, Prostate Cancer Foundation BC and Prostate Cancer Support Canada requesting City Hall and Springer Market Square be illuminated blue on September 27, 2021 for Prostate Cancer Awareness Month.
  - (Distributed to all members of Council on August 27, 2021)

### **Communications (continued)**

- 19-839 Illumination Application received from Natasha Trehan, Take a Pain Check requesting City Hall and Springer Market Square be illuminated blue on September 24, 2021 for Arthritis Awareness Month.
  - (Distributed to all members of Council on August 27, 2021)
- 19-840 Association of Municipalities Ontario AMO WatchFile, dated August 26, 2021.(Distributed to all members of Council on August 27, 2021)
- 19-841 Resolution received from the Town of Greater Napanee with respect to PSA Testing for Men into the Medical Care, dated August 25, 2021.(Distributed to all members of Council on August 27, 2021)
- 19-842 Correspondence received from FCM Communications with respect to "Election 2021: Securing progress for Municipalities Register now: 2021 Sustainable Communities Conference New report from FCM's Urban Project, dated August 23, 2021.
  - (Distributed to all members of Council on August 27, 2021)
- 19-843 Resolution received from the Town of Greater Napanee with respect to Support for 988, A 3-Digit Suicide and Crisis Prevention Hotline, dated August 25, 2021.(Distributed to all members of Council on August 27, 2021)
- 19-844 Correspondence received from Mackenzie Cross with respect to Alcohol and Gaming Commission of Ontario permit for wedding at Portuguese Hall on September 18, 2021, dated August 13, 2021.
  - (Distributed to all members of Council on August 30, 2021)
- 19-845 Resolution received from the Town of South Bruce Peninsula with respect to Lottery Licensing to Assist Small Organizations, dated April 23, 2021.(Distributed to all members of Council on August 31, 2021)
- 19-846 Correspondence received from Mike Blanchfield with respect to 1291 Midland Avenue, File Number D12-003-2021, dated August 31, 2021.
  - (Distributed to all members of Council on August 31, 2021)

### **Communications (continued)**

19-847 Resolution received from The Corporation of the Township of Larder Lake with respect to support for the Town of Cochrane Motion to include the PSA Test for Men into the Medical Care, dated August 27, 2021.

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

#### **Other Business**

None

### **By-Laws**

a) Moved by Councillor Doherty

Seconded by Councillor McLaren

**That** By-Laws (1) through (4), as amended, (5), (6) and (11) through (13) be given their first and second reading.

**Carried (13:0)** 

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Deputy

Mayor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Councillor Neill, Councillor Oosterhof, Councillor

Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

**b)** Moved by Councillor Doherty

Seconded by Councillor McLaren

**That** Clause 12.63 of By-Law Number 2021-41 be suspended for the purpose of giving By-Laws (4) as amended and (6) three readings.

### **By-Laws (continued)**

**Carried (13:0)** 

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Deputy

Mayor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Councillor Neill, Councillor Oosterhof, Councillor

Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

c) Moved by Councillor Doherty

Seconded by Councillor McLaren

**That** By-Laws (4) as amended, (6) and (9) through (13) be given their third reading.

**Carried (13:0)** 

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Deputy

Mayor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Councillor Neill, Councillor Oosterhof, Councillor

Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

 A By-Law to Enter into a Municipal Contribution Agreement with Kingston Home Base Non-Profit Housing Inc. for the Provision of Affordable Housing Units at 484 Albert Street & 620 Princess Street

First and Second Readings (Clause 1, Report 75)

Proposed Number 2021-147

### **By-Laws (continued)**

2) A By-Law to Enter into a Municipal Contribution Agreement with Kingston Co-Operative Homes Inc. for the Provision of Affordable Housing Units at 1316-1318 Princess Street

First and Second Readings (Clause 1, Report 75)

Proposed Number 2021-148

(Clause 1, Report 75)

3) A By-Law to Enter into a Municipal Contribution Agreement with Kingston & Frontenac Housing Corporation for the Provision of Affordable Housing Units at 1316-1318 Princess Street

First and Second Readings

Proposed Number 2021-149

(Clause 1, Report 75)

4) A By-Law to Authorize the Temporary Use of Lands, Buildings or Structures within the City of Kingston for Temporary Outdoor Patios

Three Readings

Proposed Number 2021-150

(Clause 2, Report 75)

5) 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, as amended"

First and Second Readings

Proposed Number 2021-151

(Clause 5, Report 75)

6) A By-Law to Amend By-Law Number 2016-189, A By-Law to Consolidate the Delegation of Powers and Duties, as amended

Three Readings

Proposed Number 2021-152

(Clause 5, Report 75)

7) A By-Law to Designate a Green Standard Community Improvement Project Area in the City of Kingston

First and Second Readings

Withdrawn

(Clause 2, Report 78)

8) A By-Law to Adopt the Green Standard Community Improvement Plan

First and Second Readings (Clause 2, Report 78)

Withdrawn

### **By-Laws (continued)**

9) A By-Law to Establish the 2021 Tax Capping Program

Third Reading

Proposed Number 2021-136

(Clause 3, Report 72, August 10)

10) A By-Law to Establish the 2021 Tax Capping Decrease Limits

Third Reading

Proposed Number 2021-137

(Clause 3, Report 72, August 10)

11) 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" (Removal of Holding Symbol, 1350 Woodfield Crescent)

Three Readings

Proposed Number 2021-155

(Delegated Authority)

(See Schedule Pages 462-464)

12) A By-Law to Amend By-Law Number 76-26, "A By-Law to Regulate the Use of Land and the Character, Location and Use of Buildings and Structures in the Township of Kingston" (Removal of Holding Symbol, 2698 Princess Street)

Three Readings

Proposed Number 2021-156

(Delegated Authority)

(See Schedule Pages 465-467)

13) A By-Law to confirm the proceedings of Council at its meeting held on Tuesday September 7, 2021

Three Readings

Proposed Number 2021-157

(City Council Meeting Number 19-2021)

#### **Adjournment**

Moved by Councillor Boehme

Seconded by Councillor Hill

**That** Council do now adjourn.

### **Adjournment (continued)**

**Carried (13:0)** 

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Deputy

Mayor Hill, Councillor Holland, Councillor Hutchison, Councillor Kiley, Councillor McLaren, Councillor Neill, Councillor Oosterhof, Councillor

Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

Council adjourned at 11:36 pm.

(Signed) John Bolognone Bryan Paterson

City Clerk Mayor