



City Council Meeting Number 22-2021

The Regular Meeting of Kingston City Council was held on Tuesday, October 5, 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, Councillor Hill, Councillor Hutchison, Councillor Kiley, Councillor M^cLaren, Councillor Neill, Deputy Mayor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (12)

Absent: Councillor Holland (1)

(City Hall)

Administrative Staff Present:

- Ms. P. Agnew, Commissioner, Community 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
- Ms. E. Fawcett, Committee Clerk
- Mr. P. Huigenbos, Commissioner, Building, Environment & Projects
- Ms. J. Jaynes, Deputy City Clerk
- Mr. B. Joyce, Commissioner, Corporate Services
- Ms. S. Kidd, Commissioner, Transportation & Public Works
- Ms. J. Morley, Director of Legal Services & City Solicitor

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- Mr. C. Sabourin, Technology Associate
- Mr. I. Semple, Director, Transportation Services

Approval of Addendum

Moved by Councillor Neill

Seconded by Councillor Osanic

That the addendum 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 Hutchison, Councillor Kiley, Councillor M^cLaren, Councillor Neill, Deputy Mayor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor Holland (1)

Disclosure of Pecuniary Interest

1. Councillor Kiley declared a possible pecuniary interest in Clause 1 of Report Number 84: Received from the Chief Administrative Officer (Recommend) with respect to Short Term Rental – Set Fine Amounts as he has family members who operate Short Term Rentals.

Presentations

None

Councillor Kiley withdrew from the meeting.

Delegations

1. Megan Knott, Tourism Kingston, and Krista LeClair, Kingston Accommodation Partners appeared before Council and spoke to Clause 1 of Report Number 84:

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Delegations (continued)

Received from the Chief Administrative Officer (Recommend) with respect to Short Term Rental – Set Fine Amounts.

2. Alexander Legnini appeared before Council and spoke to Clause 1 of Report Number 84: Received from the Chief Administrative Officer (Recommend) with respect to Short Term Rental – Set Fine Amounts.
3. Ron Hartling appeared before Council and spoke to Clause 1 of Report Number 84: Received from the Chief Administrative Officer (Recommend) with respect to Short Term Rental – Set Fine Amounts.

Councillor Kiley returned to the meeting.

Briefings

None

Petitions

None

Councillor Stroud withdrew from the meeting.

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

1. Moved by Mayor Paterson

Seconded by Deputy Mayor Oosterhof

That the congratulations of Kingston City Council be extended to Property Standards/MLEO Officer Mark Vickery in recognition of receiving an Ontario Municipal Law Enforcement Long Service Medal for 15 years of service in Ontario as a Municipal Law Enforcement Officer. Thank you for your continued service to our community.

Motions of Congratulations, Recognition, Sympathy, Condolences and Speedy Recovery (continued)

Carried (11:0)

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Hutchison, Councillor Kiley, Councillor M^cLaren, Councillor Neill, Deputy Mayor Oosterhof, Councillor Osanic, Mayor Paterson (11)

NAYS: (0)

ABSENT: Councillor Holland, Councillor Stroud (2)

Deferred Motions

None

Councillor Stroud returned to the meeting.

Reports

Report Number 83: Received from the Chief Administrative Officer (Consent)

Moved by Councillor Hill

Seconded by Councillor Kiley

That Report Number 83: 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:

1. Award of Contract – Sign Reflectivity Inspection and Inventory Update

That Council authorize the Mayor and Clerk to enter into a contract, in a form satisfactory to the Director of Legal Services, with Advantage Data Collection, for the retro-reflectivity inspection and inventory update of the City of Kingston's regulatory traffic signage.

(The Report of the Commissioner, Transportation & Public Works (21-244) was attached to the agenda as schedule pages 1-4)

Reports (continued)

2. Parking By-Law – Minor Amendments

That the By-Law, attached as Exhibit A to Report Number 21-240, be presented for all three readings to amend By-Law Number 2010-128, “A By-Law to Regulate Parking”, as amended, to apply the proposed parking regulations.

(See By-Law Number (1), 2020-171)

(The Report of the Commissioner, Transportation & Public Works (21-240) was attached to the agenda as schedule pages 5-11)

3. Parking License Agreement – VRTUCAR – Car Sharing Program

That Council authorize the Mayor and Clerk to execute a license agreement, in a form satisfactory to the Director of Legal Services, to provide VRTUCAR with two parking spaces in the Springer lot for the purpose of continuing to operate a car-share program in Kingston.

(The Report of the Commissioner, Transportation & Public Works (21-249) was attached to the agenda as schedule pages 12-16)

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

That the following citizen representatives be ratified for appointment to the Citizen Committee to Review Council Remuneration:

- Laura Turner, former member of Council elected after November 2010;
- Lindsey Foster, community member at-large; and
- Jessica Seaton, community member at-large

(The Report of the Commissioner, Corporate Services (21-239) was attached to the Addendum as schedule pages 1-5)

Reports (continued)

Carried (12:0)

(Clauses 1, 2, 3 and 4)

(See Recorded Vote)

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

NAYS: (0)

ABSENT: Councillor Holland (1)

Councillor Kiley withdrew from the meeting.

Report Number 84: Received from the Chief Administrative Officer (Recommend)

Moved by Councillor Osanic

Seconded by Councillor Stroud

That Report Number 84: Received from the Chief Administrative Officer (Recommend) be received and adopted.

Report Number 84

To the Mayor and Members of Council:

Council recessed from 8:26pm to 8:36pm.

Councillor Chapelle withdrew from the meeting.

1. Short-Term Rental – Set Fine Amounts

That Council approve the set fine amounts in the schedule attached as Exhibit A to Report Number 21-238 for contraventions of By-Law Number 2021-10; and

That staff be directed to submit the required Set Fine Schedule to the Ministry of the Attorney General for approval as attached as Exhibit A to Report Number 21-238.

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Reports (continued)

(The Report of the Commissioner, Community Services (21-238) was attached to the agenda as schedule pages 17-24)

Deferred

(See Motion to Defer which Carried)

Moved by Councillor Hutchison

Seconded by Councillor McLaren

That Report 84, Clause 1, Received from the Chief Administrative Officer (Recommend) be deferred and referred back to staff in order for staff to report back at the Council Meeting scheduled for November 2, 2021 with respect to set fines that are in keeping with the Administrative Monetary Penalty numbers that were presented in June 2021.

Carried (10:0)

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Doherty, Councillor Hill, Councillor Hutchison, Councillor M^cLaren, Councillor Neill, Deputy Mayor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (10)

NAYS: (0)

ABSENT: Councillor Chapelle, Councillor Holland, Councillor Kiley (3)

Councillor Kiley returned to the meeting.

Report Number 85: Received from Heritage Kingston

Moved by Councillor Doherty

Seconded by Deputy Mayor Oosterhof

That Report Number 85: Received from Heritage Kingston be received and adopted.

Report Number 85

To the Mayor and Members of Council:

Heritage Kingston reports and recommends as follows:

Reports (continued)

1. Civic Collection Acquisitions and Deaccessions

That the following two (2) acquisitions for the Civic Collection (“Secondary Collection”) be accepted:

1. One (1) painting entitled: Ice Storm 1998, by Kingston artist, Robert Blenderman.
2. One (1) chrome-plated ceremonial shovel used for sod turning at inauguration of Polson Park subdivision development in Kingston, ON, June 21, 1957; and

That the Civic Collection objects listed in Exhibit A, Civic Collections Objects Recommended for Deaccessioning from Civic Collection (“Primary Collection”) to “General Heritage Assets”, to Report Number HK-21-038, be approved for deaccessioning from the Civic Collection (“Primary Collection”) and transferred to the “General Heritage Assets”.

(Exhibit A to Report Number HK-21-038 was attached to the agenda as schedule pages 25-28)

Carried (11:0)

(See Recorded Vote)

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

NAYS: (0)

ABSENT: Councillor Chapelle, Councillor Holland (2)

Report Number 86: Received from the Nominations Advisory Committee

Moved by Councillor Neill

Seconded by Councillor Hutchison

That Report Number 86: Received from the Nominations Advisory Committee be received and adopted.

Report Number 86

Reports (continued)

To the Mayor and Members of Council:

The Nominations Advisory Committee reports and recommends as follows:

1. Public Appointments to Boards and Committees

That the following Board and Committee appointments be approved:

a. Kingston & Frontenac Housing Corporation Board of Directors

That John Rose and Phuong MacNeill be appointed to the Kingston & Frontenac Housing Corporation Board of Directors for a term ending November 30, 2022.

b. Municipal Accessibility Advisory Committee

That Dinah Cotter be appointed to the Municipal Accessibility Advisory Committee for a term ending November 14, 2022.

c. Rural Advisory Committee

That Cameron Gunn be appointed to the Rural Advisory Committee for a term ending November 14, 2022.

Carried (11:0)

(Clauses 1a, 1b and 1c)

(See Recorded Vote)

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

NAYS: (0)

ABSENT: Councillor Chapelle, Councillor Holland (2)

Reports (continued)

Report Number 87: Received from the Arts, Recreation and Community Policies Committee

Moved by Councillor Hutchison

Seconded by Councillor Osanic

That Report Number 87: Received from the Arts, Recreation and Community Policies Committee be received and adopted.

Report Number 87

To the Mayor and Members of Council:

The Arts, Recreation and Community Policies Committee reports and recommends as follows:

1. Appointment of members to the Mayor's Arts Awards Working Group

That Rob Howard, Kathryn Mackay, and Councillor Neill be appointed to the Mayor's Arts Awards Working Group.

Carried (11:0)

(See Recorded Vote)

YEAS: Councillor Boehme, Councillor Doherty, Councillor Hill, Councillor Hutchison, Councillor Kiley, Councillor M^cLaren, Councillor Neill, Deputy Mayor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (11)

NAYS: (0)

ABSENT: Councillor Chapelle, Councillor Holland (2)

Committee of the Whole

None

Councillor Chapelle returned to the meeting.

Information Reports

1. Fees and charges for Heritage Planning Services under the Ontario Heritage Act

The purpose of this report is to provide Council with information regarding the cost of Heritage Planning Services.

(The Report of the Commissioner, Community Services (21-237) was attached to the agenda as schedule pages 29-45)

Information Reports from Members of Council

None

Miscellaneous Business

1. Moved by Councillor Chapelle

Seconded by Councillor Hutchison

That notwithstanding section 3.1.4, subsection (iv), of the First Capital Place Illumination Policy, Council approve the application submitted by Marissa Gougeon, for the illumination of City Hall and Springer Market Square on October 15, 2021 for "Pregnancy and Infant Loss Awareness Day".

(See Communication 21-868)

Carried (12:0)

(See Recorded Vote)

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

NAYS: (0)

ABSENT: Councillor Holland (1)

New Motions

None

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Notices of Motion

None

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Moved by Councillor Osanic

Seconded by Councillor Doherty

That the Minutes of City Council Meeting Number 21-2021 held Tuesday, September 21, 2021 be confirmed.

Carried (12:0)

(See Recorded Vote)

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

NAYS: (0)

ABSENT: Councillor Holland (1)

Tabling of Documents

2021-45 Cataraqui Conservation Full Authority Board Meeting Agenda. The meeting is scheduled for Wednesday, September 22, 2021 at 6:45 pm via Microsoft Teams.

(Distributed to all Members of Council on September 16, 2021)

2021-46 Kingston & Frontenac Housing Corporation Board Agenda 07-2021. The meeting is scheduled for Monday, September 27, 2021 at 12:30pm in a virtual format.

(Distributed to all Members of Council on September 24, 2021)

2021-47 Cataraqui Conservation Full Authority Board Hearing Agenda. The hearing is scheduled for Wednesday, October 6, 2021 at 6:15 pm via Microsoft Teams.

(Distributed to all Members of Council on September 27, 2021)

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Communications

Filed

22-869 Notice of Complete Application and a Public Meeting with respect to Proposed Zoning By-Law Amendment (ZBA) and Draft Plan of Subdivision (DPS) at 2925/2929 Princess Street. The Public Meeting will be held November 18, 2021 at 6:00 pm in an electronic format.

(Distributed to all members of Council on September 16, 2021)

Referred to All Members of Council

22-868 Correspondence received from Marissa Gougeon, Pregnancy and Infant Loss Awareness, requesting City Hall and Springer Market Square be lit in Blue and Pink on October 15, 2021 for “Pregnancy and Infant Loss Awareness Day” in Kingston.

(Distributed to all members of Council on September 16, 2021)

22-870 Association of Municipalities Ontario AMO Policy Update – Vaccine Certification, dated September 14, 2021.

(Distributed to all members of Council on September 16, 2021)

22-871 Correspondence received from Nadine Baker with respect to her resignation from the Tett Centre for Creativity and Learning Board, dated September 16, 2021.

(Distributed to all members of Council on September 17, 2021)

22-875 Resolution received from the Township of Scugog with respect to Structure Inventory and Inspections, dated September 17, 2021.

(Distributed to all members of Council on September 21, 2021)

22-876 News Release received from Cataraqui Conservation with respect to Level 2 Low Water Condition Confirmed for Cataraqui Region, dated September 21, 2021.

(Distributed to all members of Council on September 21, 2021)

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Communications (continued)

22-877 Resolution received from Northumberland County with respect to Capital Gains Tax on Primary Residence, dated September 15, 2021.

(Distributed to all members of Council on September 21, 2021)

22-878 Association of Municipalities Ontario AMO WatchFile, dated September 23, 2021.

(Distributed to all members of Council on September 24, 2021)

22-879 Correspondence received from Melanie Dugan with respect to Heritage Oak, Tannery Lands, dated September 24, 2021.

(Distributed to all members of Council on September 27, 2021)

22-880 Correspondence received from Jean Pfliederer with respect to "Remediation", Wetlands, and Heritage Trees, dated September 25, 2021.

(Distributed to all members of Council on September 27, 2021)

22-881 Correspondence received from Hannah Kaufman and Mary Murphy with respect to Official Correspondence re: heritage trees at Tannery site, dated September 27, 2021.

(Distributed to all members of Council on September 27, 2021)

Other Business

None

By-Laws

a) Moved by Councillor Boehme

Seconded by Councillor M^cLaren

That By-Laws (1), (11) and (12) be given their 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 Hutchison, Councillor Kiley, Councillor M^cLaren, Councillor Neill, Deputy Mayor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor Holland (1)

b) Moved by Councillor Boehme

Seconded by Councillor M^cLaren

That Clause 12.63 of By-Law Number 2021-41 be suspended for the purpose of giving By-Law (1) three readings.

Carried (12:0)

(See Recorded Vote)

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

NAYS: (0)

ABSENT: Councillor Holland (1)

c) Moved by Councillor Boehme

Seconded by Councillor M^cLaren

That By-Laws (1) through (12) be given their 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 Hutchison, Councillor Kiley, Councillor M^cLaren, Councillor Neill, Deputy Mayor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor Holland (1)

- 1) A By-Law to Amend By-Law Number 2010-128 “ A By-Law to Regulate Parking”, as amended

Three Readings

Proposed Number 2021-171

(Clause 2, Report 83)

- 2) A By-Law to Designate the Lower Colborne Street Victorian Terrace at 13, 15 & 17 Colborne Street to be of Cultural Heritage Value and Interest pursuant to the Provisions of the Ontario Heritage Act (R.S.O. 1990, 0.18)

Third Reading

Proposed Number 2021-138

(Clause 1ii, Report 73, August 10)

- 3) A By-Law to Designate the Crystal Springs Schoolhouse at 321 Days Road to be of Cultural Heritage Value and Interest pursuant to the Provisions of the Ontario Heritage Act (R.S.O. 1990, 0.18)

Third Reading

Proposed Number 2021-139

(Clause 1ii, Report 73, August 10)

- 4) A By-Law to Designate the Sproul’s Inn at 3574-3578 Princess Street to be of Cultural Heritage Value and Interest pursuant to the Provisions of the Ontario Heritage Act (R.S.O. 1990, 0.18)

Third Reading

Proposed Number 2021-140

(Clause 1ii, Report 73, August 10)

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By-Laws (continued)

- 5) A By-Law to Designate the Gardiner-Hegadorn Farmhouse at 3728 Princess Street to be of Cultural Heritage Value and Interest pursuant to the Provisions of the Ontario Heritage Act (R.S.O. 1990, 0.18)

Third Reading

Proposed Number 2021-141

(Clause 1ii, Report 73, August 10)

- 6) A By-Law to Repeal and Replace By-Law Number 2004-144, "A By-Law to Regulate Animals"

Third Reading

Proposed Number 2021-166

(Clause 1, Report 82, September 7)

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

Third Reading

Proposed Number 2021-167

(Clause 1, Report 82, September 7)

- 8) A By-Law to Amend By-Law Number 2010-205, "A By-Law to Define the Mandate and Meeting Procedures for Committees Established by the Corporation of the City of Kingston"

Third Reading

Proposed Number 2021-168

(Clause 1, Report 82, September 7)

- 9) A By-Law to Amend By-Law Number 2015-159, "A By-Law to Establish Procedures for the Appeals Committee to Conduct Appeals to Property Standards Orders in accordance with the Building Code Act, and Appeals to License and Permit Decisions in Accordance with the City of Kingston Licensing By-Laws"

Third Reading

Proposed Number 2021-169

(Clause 1, Report 82, September 7)

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By-Laws (continued)

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

Third Reading

Proposed Number 2021-170

(Clause 1, Report 82, September 7)

- 11) A By-Law to Establish Block 52, Plan 13M-120 as Part of the Public Highway known as Wheathill Street in the City of Kingston, in accordance with Section 31(4) of the Municipal Act, Chapter 25, S.O. 2001

Three Readings

Proposed Number 2021-172

(Delegated Authority)

(See Schedule Page 48)

- 12) A By-Law to confirm the proceedings of Council at its meeting held on Tuesday October 5, 2021

Three Readings

Proposed Number 2021-173

(City Council Meeting Number 22-2021)

Adjournment

Moved by Councillor Boehme

Seconded by Councillor M^cLaren

That Council do now adjourn.

Carried (12:0)

(See Recorded Vote)

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

NAYS: (0)

ABSENT: Councillor Holland (1)

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Adjournment (continued)

Council adjourned at 9:12 pm.

(Signed)

John Bolognone

City Clerk

Bryan Paterson

Mayor