



City Council Meeting 05-2021

Tuesday, February 2, 2021 at 4:45 pm
in a virtual electronic format hosted at City Hall.

Council will resolve into the Committee of the Whole
“Closed Meeting” and will reconvene
as regular Council at 7:00 pm.

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City Council Meeting 05-2021

Agenda

Tuesday, February 2, 2021

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(City Hall)

Call Meeting to Order

Roll Call

The Committee of the Whole “Closed Meeting”

1. **That** Council resolve itself into the Committee of the Whole “Closed Meeting” to consider the following items:
 - a) Labour relations or employee negotiations - ONA Negotiations Update;
 - b) Personal matters about an identifiable individual including municipal or local board employees - Recruitment of City Leadership Positions; and
 - c) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board – 670 Princess Street Structural Failure.

Approval of Addeds

Disclosure of Potential Pecuniary Interest

Presentations

Delegations

Briefings

1. Dr. Kieran Moore, Medical Officer of Health, KFL&A Public Health, will brief Council with respect to COVID-19 in the KFL&A area.

Petitions

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

Motions of Congratulations, Recognition, Sympathy, Condolences and Speedy Recovery are presented in order of category as one group and voted on as one motion.

Deferred Motions

Reports

Report Number 20: Received from the Chief Administrative Officer (Consent)

Report Number 20

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

All items listed on the Consent Report shall be the subject of one motion. Any member may ask for any item(s) included in the Consent Report to be separated from that motion, whereupon the Consent Report without the separated item(s) shall be put and the separated item(s) shall be considered immediately thereafter.

That Council consent to the approval of the following routine items:

1. Award of Contract – Corporate Records Storage Space and the Provision of Related Services

That Council authorize the Mayor and Clerk to enter into a two year limited service records storage contract with Martin's Data Management, pursuant to the results of Option 1 of RFP F18-CS-CO-2020-01, for Corporate Records Storage Space and the Provision of Related Services, in a form satisfactory to the City Solicitor.

(The Report of the Commissioner, Corporate Services (21-036) is attached to the agenda as schedule pages 1-6)

Report Number 21: Received from the Planning Committee

Report Number 21

To the Mayor and Members of Council:

The Planning Committee reports and recommends as follows:

All items listed on this Committee Report shall be the subject of one motion. Any member may ask for any item(s) included in the Committee Report to be separated from that motion, whereupon the Report of the Committee without the separated item(s) shall be put and the separated item(s) shall be considered immediately thereafter.

1. Approval of an Application for Zoning By-Law Amendment – 192 Union Street

That the application for a zoning By-Law amendment (File Number D14-011-2020) submitted by IBI Group Incorporated, on behalf of GP Property Management Inc., for the property municipally known as 192 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-21-010; 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 (1), 2021-26 attached to the agenda as schedule pages 7-10)

Report Number 22: Received from Heritage Kingston

Report Number 22

To the Mayor and Members of Council:

Heritage Kingston reports and recommends as follows from the Meeting held on January 20, 2021:

All items listed on this Committee Report shall be the subject of one motion. Any member may ask for any item(s) included in the Committee Report to be separated from that motion, whereupon the Report of the Committee without the separated item(s) shall be put and the separated item(s) shall be considered immediately thereafter.

1. Applications Recommended for Approval by Heritage Kingston (Statutory Consultation)

i. Approval of Application for Heritage Permit – 128-136 Ontario Street

That the alteration on the property at 128-136 Ontario Street, be approved in accordance with the details described in the applications (File Number P18-107-2020), which was deemed complete on December 9, 2020, with said alterations to include the installation of a mast-arm style projecting sign and the painting of the main entrance door; and

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

1. A Building/Sign Permit shall be obtained, as necessary;
2. An Encroachment Permit shall be obtained, as necessary;
3. The new sign shall be installed above the stone voussoirs;
4. All masonry works shall be completed in accordance with the City's Policy on Masonry Restorations in Heritage Buildings; and
5. Any minor deviations from the submitted plans, which meet the intent of this approval and does not further impact the heritage attributes of the property, shall be delegated to the Director of Planning for review and approval.

ii. Approval of Application for Heritage Permit – 171 Wellington Street

That the alteration on the property at 171 Wellington Street, be approved in accordance with the details described in the application (File Number P18-108-2020), which was deemed complete on December 16, 2020, with said alterations to include the installation of an awning over the main entrance door; and

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

1. A Building Permit shall be obtained, as necessary;
2. An Encroachment Permit shall be obtained, as necessary;
3. All masonry works shall be completed in accordance with the City's Policy on Masonry Restorations in Heritage Buildings; and
4. Any minor deviations from the submitted plans, which meet the intent of this approval and does not further impact the heritage attributes of the property, shall be delegated to the Director of Planning for review and approval.

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

i. Approval of Application for Heritage Permit – 194 King Street East

That alterations to the property at 194 King Street East, be approved in accordance with details described in the application (P18-104-2020), which was deemed completed on December 15, 2020 with said alterations to include:

1. The removal of paint and the repair and repointing of brickwork on the north and east elevations;
2. The repair and repainting of windows on the north and east elevations; and

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

1. All window works shall be completed in accordance with the City's Policy on Window Renovations in Heritage Buildings;

2. All masonry works shall be completed in accordance with the City's Policy on Masonry Restoration in Heritage Buildings;
3. If replacement bricks are required, they shall match the existing bricks in size and colour; and
4. An Encroachment Permit shall be obtained, as necessary.

(See Report Number HK-21-013 attached to the agenda as schedule pages 11-41)

ii. Application for Heritage Permit – 229 Green Bay Road

That alterations to the property at 229 Green Bay Road, be approved in accordance with details described in the application (File Number P18-101-2020), which was deemed complete on December 14, 2020 with said alterations to include:

1. The construction of a two-storey addition on the north elevation of the existing house;
2. The installation of a limestone veneer on the foundation walls on the west and north elevations of the existing house;
3. The modification of window openings on the west elevation of the existing house to include four new sash windows;
4. The installation of a metal roof on the existing house; and

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

1. A Building Permit shall be obtained, as necessary;
2. An Encroachment Permit shall be obtained, as necessary;
3. All Planning Act applications, including zoning By-Law amendment and Consent, as necessary, shall be completed;
4. Heritage Planning staff shall be circulated the drawings and design specifications tied to the Building Permit application for review and approval to ensure consistency with the scope of the Heritage Permit sought by this application;

5. Details related to the design, material and colour(s) of the new windows and doors shall be submitted to Heritage Planning staff, prior to installation, for review and approval, to ensure they complement the heritage character and attributes of the Barriefield Heritage Conservation District;
6. Details of the limestone veneer, including dimensions and proposed bond (i.e. coursed rubble, uncoursed rubble, ashlar, etc.) shall be submitted to Heritage Planning staff, prior to installation, for review and approval, to ensure it complements the heritage character and attributes of the Barriefield Heritage Conservation District;
7. Any minor deviations from the submitted plans, which meet the intent of this approval and do not further impact the heritage attributes of the Barriefield Heritage Conservation District, shall be delegated to the Director of Planning Services for review and approval.

(See Report Number HK-21-009 attached to the agenda as schedule pages 42-68)

Report Number 23: Received from the Nominations Advisory Committee

Report Number 23

To the Mayor and Members of Council:

The Nominations Advisory Committee reports and recommends as follows:

All items listed on this Committee Report shall be the subject of one motion. Any member may ask for any item(s) included in the Committee Report to be separated from that motion, whereupon the Report of the Committee without the separated item(s) shall be put and the separated item(s) shall be considered immediately thereafter.

1. Public Appointments to the Sir John A. Macdonald History and Legacy in Kingston Working Group

That Mary Farrar, Tanya Grodzinski and Ann Stevens be appointed to the Sir John A. Macdonald History and Legacy in Kingston Working Group for a term ending December 31, 2021, or until the final recommendations have been presented to Kingston City Council.

2. Affirmation of Indigenous Representative Appointments to the Sir John A. Macdonald History and Legacy in Kingston Working Group

That the following Indigenous Representative appointments be approved:

a. Self-identified Indigenous Community Members

- i. Laurel Clause Johnson;
- ii. Candace Lloyd; and
- iii. Dionne Nolan

b. Member from Alderville First Nation

- i. Chief Dave Mowatt

c. Member from the Mohawks of the Bay of Quinte

- i. Chief R. Donald Maracle

Committee of the Whole

Information Reports

1. Quarterly Report: Tourism Kingston – Q4 2020

The purpose of this report is to provide Council with detailed reporting on Q4 2020 for Tourism Kingston.

(The Report of the Chief Administrative Officer (21-061) is attached to the agenda as schedule pages 69-121)

Information Reports from Members of Council

Miscellaneous Business

- 1. That** notwithstanding section 3.1.4, subsection (v), of the First Capital Place Illumination Policy, Council approve the application submitted by Mandy Pasch, United Way KFL&A and 211 Ontario, for the illumination of City Hall and Springer Market Square on February 11, 2021 for “211 Day”.

(See Communication 05-227)

- 2. That** as requested by Lynn Steele, The Canadian PSW Network, Council proclaim May 19, 2021 as “Personal Support Worker (PWS) Day”.

(See Communication 05-228)

- 3. That** as requested by Penny LeClair, on behalf of CNIB Deafblind Community Services, Council proclaim June 2021 as “Deafblind Awareness Month” in Kingston.

(See Communication 05-245)

New Motions

Notices of Motion

Minutes

That the Minutes of City Council Meeting Number 04-2021, held Tuesday January 19, 2021 be confirmed.

(Distributed to all Members of Council on January 29, 2021)

Tabling of Documents

2021-10 Cataraqui Source Protection Committee Meeting Number 68 Agenda. The meeting is scheduled for Thursday, January 21, 2021 at 6:30 pm via teleconference.

(Distributed to all Members of Council on January 15, 2021)

2021-11 Kingston Police Services Board Meeting Number 21-3 Agenda. The meeting is scheduled for Thursday, January 21, 2021 at 12:00 pm in a virtual electronic format.

(Distributed to all Members of Council on January 19, 2021)

2021-12 Kingston Police Services Board Meeting Number 21-1 Minutes. The Meeting was held Thursday, December 17, 2020 in webinar format, hosted at Kingston Police Headquarters.

(Distributed to all Members of Council on January 19, 2021)

2021-13 Cataraqui Conservation Full Authority Board Meeting Agenda – AGM. The meeting is scheduled for Wednesday, January 27, 2021 at 6:45 pm via Microsoft Teams.

(Distributed to all Members of Council on January 20, 2021)

Communications

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

Filed

05-242 Notice of Adoption with respect to Official Plan Amendment Number 1 from the United Counties of Leeds and Grenville. The last day to file an appeal is February 11, 2021.

(Distributed to all Members of Council on January 25, 2021)

Referred to All Members of Council

05-214 Correspondence received from James Ostler – Thank you! Mitigation Measures – Westbrook Wetlands, dated January 13, 2021.

(Distributed to all members of Council on January 14, 2021)

05-215 Resolution received from The Corporation of the Township of Larder Lake with respect to support of resolution from the Municipality of Charlton and Dack regarding Municipal Insurance costs, dated January 12, 2021.

(Distributed to all members of Council on January 14, 2021)

05-216 Resolution received from the Corporation of the Municipality of West Grey with respect to Schedule 8 of the Provincial Budget Bill 229, Protect, Support and Recover from COVID-19 Act, dated January 13, 2021.

(Distributed to all members of Council on January 14, 2021)

05-217 Association of Municipalities Ontario AMO WatchFile, dated January 14, 2021.

(Distributed to all members of Council on January 14, 2021)

05-218 Association of Municipalities Ontario AMO Policy Update – New COVID-19 Ontario Regulations, Ontario Gas Tax for Transit Allocations, Ontario Heritage Act Amendments Update, Firefighter Training Changes, dated January 14, 2021.

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

05-219 Memorandum received from Ministry of Municipal Affairs and Housing with respect to Declaration of Provincial Emergency under the Emergency Management and Civil Protection Act, dated January 14, 2021.

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

05-220 Correspondence received from Ontario Trails Council with respect to Ontario Trails – COVID 19 Lockdown Impacts, Member Updates and more from Ontario's Trails, dated January 14, 2021.

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

05-221 Correspondence received from Ian Malcolm, Chair of the Congregation, Sydenham Street United Church, with respect to support for council's approval of Conversion Therapy motion, dated January 16, 2021.

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

05-222 Resolution received from the Town of Plympton-Wyoming with respect to support for resolution from the Township of Matachewan regarding the request for future grant application deadlines be given longer turnaround time, dated January 18, 2021.

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

05-223 Resolution received from the Town of Plympton-Wyoming with respect to support for resolution from Southwest Middlesex regarding drainage matters and need for coordination with national railways, dated January 18, 2021.

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

05-224 Resolution received from the Corporation of the Municipality of Mississippi Mills with respect to request for Revisions to Municipal Elections, dated January 18, 2021.

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

05-227 Illumination request received from Mandy Pasch, United Way KFL&A and 211 Ontario requesting City Hall and Springer Market Square be lit in red and white on February 11, 2021 for "211 Day".

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

05-228 Resolution received from the United Counties of Stormont, Dundas & Glengarry with respect to small businesses reopening, dated January 18, 2021.

(Distributed to all members of Council on January 20, 2021)

05-229 Resolution received from the Township of South-West Oxford with respect to Automatic Speed Enforcement (photo radar) by municipalities, dated January 11, 2021.

(Distributed to all members of Council on January 20, 2021)

05-230 Resolution received from The Corporation of the Township of Laird with respect to interim cap on gas plant and greenhouse gas pollution, dated January 19, 2021.

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

05-231 Correspondence received from the Rural Ontario Municipal Association with respect to ROMA Conference Tool Kit, dated January 20, 2021.

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

05-232 Correspondence received from Ontario Clean Air Alliance with respect to City of Kingston calls for phase-out of Ontario's gas-fired power plants, dated January 20, 2021.

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

05-233 Correspondence received from the Rural Ontario Municipal Association with respect to ROMA Conference – Zone 6 Meeting, dated January 20, 2021.

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

05-234 Association of Municipalities Ontario AMO WatchFile, dated January 21, 2021.

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

05-235 Association of Municipalities Ontario AMO Policy Update – Community Safety and Policing Grants, Broadband Investments in Northern Ontario, dated January 21, 2021.

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

05-236 Correspondence received from Janice Shaw with respect to input on Parks, dated January 22, 2021.

(Distributed to all members of Council on January 22, 2021)

- 05-237 Resolution received from the Corporation of the Town of Bracebridge with respect to Infrastructure Funding, dated January 22, 2021.
(Distributed to all members of Council on January 25, 2021)
- 05-238 Resolution received from The Corporation of the City of Port Colborne with respect to Amending the Alcohol Gaming Commission of Ontario Licensing and Application Process for Cannabis Retail Stores to consider radial separation from other Cannabis locations, dated January 22, 2021.
(Distributed to all members of Council on January 25, 2021)
- 05-239 Correspondence received from Alison Fath-York, Local Government and Housing Manager, Ministry of Municipal Affairs and Housing with respect to exercising horses during the Declaration of Emergency, dated January 22, 2021.
(Distributed to all members of Council on January 25, 2021)
- 05-240 Resolution received from The Corporation of the City of Port Colborne with respect to Drainage Matters on Canadian National Railway Lands, dated January 22, 2021.
(Distributed to all members of Council on January 25, 2021)
- 05-241 Resolution received from the Municipality of Grey Highlands with respect to Municipal Insurance, dated January 22, 2021.
(Distributed to all members of Council on January 25, 2021)
- 05-243 Memorandum received from the Ministry of Municipal Affairs and Housing with respect to Updated related to the Revised Rules for Areas in Stage 1 under the Reopening Ontario Act, the Emergency Management and Civil Protection Act, including the Set Fine Amounts under the Provincial Offences Act, and Reporting Enforcement Data, dated January 22, 2021.
(Distributed to all members of Council on January 25, 2021)
- 05-244 Correspondence received from Joanna Crandell with respect to A Solution for homeless people?, dated January 23, 2021.
(Distributed to all members of Council on January 25, 2021)

05-245 Resolution received from The Corporation of the City of Port Colborne with respect to amending the Tile Drainage Installation Act, dated January 25, 2021.

(Distributed to all members of Council on January 26, 2021)

05-246 Correspondence received from Bill Hallworth with respect to S.S. Keewatin, Port McNicoll, dated January 25, 2021.

(Distributed to all members of Council on January 26, 2021)

05-247 Resolution received from The Corporation of the City of Port Colborne with respect to unlicensed and unmonitored cannabis grow operations, dated January 26, 2021.

(Distributed to all members of Council on January 26, 2021)

Other Business

By-Laws

a) **That** By-Laws (1) and (4) be given their first and second reading.

b) **That** By-Laws (1) through (4) be given their third reading.

(1) 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 Special Education and Medical Use 'E' Zone to Site-Specific Three to Six Family Dwelling 'B.600' Zone, 192 Union Street)

Three Readings
(Clause 1, Report 21)

Proposed Number 2021-26

(2) A By-Law to Provide for a 2021 Interim Tax Levy; Payment of Taxes by Instalment; Penalty and Interest at One and One Quarter Percent Monthly on Tax Arrears

Third Reading
(Clause 4, Report 18, January 19)

Proposed Number 2021-22

- (3) A By-Law to Authorize the Undertaking of Energy Efficiency and Water Conservation Works on Private Residential Property as Local Improvements under the Kingston Home Energy Retrofit Program (KHERP)

Third Reading

Proposed Number 2021-23

(Clause 1, Report 19, January 19)

- (4) A By-Law to confirm the proceedings of Council at its meeting held on Tuesday February 2, 2021

Three Readings

Proposed Number 2021-27

(City Council Meeting Number 05-2021)

Adjournment