



City Council Meeting 11-2021

Tuesday, April 20, 2021 at 6:30 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 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) 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 – 11 Wright Crescent – Market Housing Construction Timelines; and
 - b) 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 - 11 Wright Crescent – Market Housing Construction Timelines (Supplemental).

Approval of Addeds

Disclosure of Potential Pecuniary Interest

Presentations

Delegations

Briefings

Petitions

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

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

1. Moved by Mayor Paterson

Seconded by Councillor Neill

That the sincere congratulations of Kingston City Council be extended to Dr. Elizabeth Eisenhauer for receiving the 2021 Canada Gairdner Wightman Award for outstanding leadership in medical science. This award recognizes Dr. Eisenhauer for her global leadership in cancer research. Congratulations and thank you for your ongoing efforts to change the lives of so many people who are affected by cancer in our community and around the world.

Deferred Motions

Reports

Report Number 44: Received from the Chief Administrative Officer (Consent)

Report Number 44

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 – Micro Surfacing – Various Locations

That Council authorize the Mayor and Clerk to enter into a contract, in a form satisfactory to the Director of Legal Services, with Miller Paving for Tender ENG-2021-06 Micro Surfacing for various locations.

(The Report of the Commissioner, Transportation & Public Works (21-123) is attached to the agenda as schedule pages 1-4)

2. Former Kingston Township Natural Gas Procurement Agreement Cancellation

That Council authorize staff to cancel the natural gas procurement agreement between the former Township of Kingston and LAS or other predecessor entities dated November 1988 and any other related agreements; and

That the By-Law attached as Exhibit A to Report Number 21-121, to repeal By-Law 89-19 of the former Township of Kingston, being “A By-Law to Authorize The Township of Kingston to Enter into Agreements with GASAMO, Direct Energy Marketing Limited, ICG Utilities and Gas Purchase Direct Limited”, and all subsequent by-laws extending an agreement or otherwise authorizing the natural gas procurement agreement between the former Township of Kingston and LAS or other predecessor entities dated November 1988, be presented to Council for all three readings; and

That Council authorize the Mayor and City Clerk to enter into any agreements or other documents required to give effect to the cancellation of the natural gas procurement agreement between the former Township of Kingston and LAS or other predecessor entities dated November 1988 to the satisfaction of the Acting Director of Legal Services.

(See By-Law Number (1), 2021-072 attached to the agenda as schedule pages 11-12)

(The Report of the Commissioner, Corporate Services (21-121) is attached to the agenda as schedule pages 5-12)

Report Number 45: Received from the Chief Administrative Officer (Recommend)

Report Number 45

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

1. City Encampment Protocol/Procedures and United Nations Encampment Protocol

That Council endorse the City of Kingston Encampment Protocol attached as Exhibit A to Report Number 21-118; and

That Council direct staff to re-evaluate the City of Kingston Encampment Protocol after one (1) year of implementation; and

That Council approve a total contribution of \$77,500 for Home Base Housing in order to enhance the Street Outreach services from 5 days per week to 7 days per week starting in April 2021 until December 31, 2022 and that this be funded from the Social Services Relief Fund Phase 3; and

That the Mayor and Clerk be authorized to execute an amended agreement with Home Base Housing to enhance the Street Outreach services from a 5 day to a 7 day per week operation in a form satisfactory to the Director of Legal Services.

(The Report of the Chief Administrative Officer (21-118) is attached to the agenda as schedule pages 13-37)

2. 2021 Tax Ratios and Tax Capping Parameters

That Council approve the 2021 tax ratios as follows:

- a) the residential property class be set at 1.00;
- b) the new multi-residential property class be set at 1.00;
- c) the multi-residential property class be set at 1.70;
- d) the commercial property class be set at 1.98;
- e) the industrial property class be set at 2.63;
- f) the pipeline property class be set at 1.1728;

g) the farm property class be set at 0.20; and

h) the managed forests property class be set at 0.25.

That the By-Law, attached as Exhibit A to Report Number 21-126, be presented to Council for all three readings on April 20, 2021 in order to establish the 2021 tax ratios; and

That the 2021 property tax capping programs utilize all of the options available that will move properties as quickly as possible to their current value assessment (CVA) tax and that the funding for capped properties be provided from within the respective tax class; and

That a By-Law and report establishing the capping options used, decrease percentage and actual capping results will be presented for Council approval after final property tax bills are calculated and processed; and

That the due date for the 2021 final tax billing be July 30, 2021.

(See By-Law Number (2), 2021-073 attached to the agenda as schedule pages 47-48)

(The Report of the Chief Financial Officer & City Treasurer (21-126) is attached to the agenda as schedule pages 38-48)

Committee of the Whole

Information Reports

1. 2021 Update on Population, Housing and Labour Force

The purpose of this report is to provide Council with an update on the data from the Canada Mortgage and Housing Corporation on annual vacancy rates, as well as updates on housing development, population and labour force information.

(The Report of the Chief Administrative Officer (21-075) is attached to the agenda as schedule pages 49-74)

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

The purpose of this report is to provide Council with details of purchases greater than \$50,000 that meet the established criteria of delegated authority for the month of February 2021.

(The Report of the Chief Financial Officer & City Treasurer (21-105) is attached to the agenda as schedule pages 75-83)

3. 2021 Municipal Debt Limits

The purpose of this report is to provide Council with information with respect to the municipality's existing levels of long-term debt as well as the additional long-term borrowings that could be available as per the provincial guidelines.

(The Report of the Chief Financial Officer & City Treasurer (21-104) is attached to the agenda as schedule pages 84-92)

Information Reports from Members of Council

Miscellaneous Business

Miscellaneous Business Items are voted on as one motion.

- 1. That**, as requested by Lauren Golding, Trigeminal Neuralgia and Me, Council proclaim October 7, 2021 as "Trigeminal Neuralgia Awareness Day" in Kingston.

(See Communication 11-454)

New Motions

Notices of Motion

Minutes

That the Minutes of City Council Meeting Number 09-2021, held Tuesday, April 6, 2021 be confirmed.

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

Tabling of Documents

2021-27 Kingston Police Services Board Meeting Number 21-09 Agenda. The meeting is scheduled for April 15, 2021 at 12:00pm in a virtual electronic form.

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

2021-28 Kingston Police Services Board Meeting Number 21-08 Minutes. The meeting was held March 18, 2021 at 12:00pm in a webinar format.

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

Communications

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

Filed

11-435 Committee of Adjustment Notice of Public Meeting for Permission at 812 John Marks Avenue. The meeting is scheduled for April 19, 2021 at 5:30pm in a virtual format.

(Distributed to all members of Council on April 8, 2021)

11-436 Committee of Adjustment Notice of Public Meeting for Permission at 11 Gardiner Street. The meeting is scheduled for April 19, 2021 at 5:30pm in a virtual format.

(Distributed to all members of Council on April 8, 2021)

11-437 Committee of Adjustment Notice of Public Meeting for Minor Variance at 60 Kenwoods Circle. The meeting is scheduled for April 18, 2021 at 5:30pm in a virtual format.

(Distributed to all members of Council on April 8, 2021)

11-438 Committee of Adjustment Notice of Public Meeting for Minor Variance at 149 Ordnance Street. The meeting is scheduled for April 19, 2021 at 5:30pm in a virtual format.

(Distributed to all members of Council on April 8, 2021)

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11-439 Committee of Adjustment Notice of Public Meeting for Minor Variance at 226-228 King Street East. The meeting is scheduled for April 19, 2021 at 5:30pm in a virtual format.

(Distributed to all members of Council on April 8, 2021)

11-440 Committee of Adjustment Notice of Public Meeting for Permission at 292 Dalton Avenue. The meeting is scheduled for April 19, 2021 at 5:30pm in a virtual format.

(Distributed to all members of Council on April 8, 2021)

11-441 Committee of Adjustment Notice of Public Meeting for Minor Variance at 809 Development Drive. The meeting is scheduled for April 19, 2021 at 5:30pm in a virtual format.

(Distributed to all members of Council on April 8, 2021)

11-442 Committee of Adjustment Notice of Public Meeting for Minor Variance at 867 Woodbine Road. The meeting is scheduled for April 19, 2021 at 5:30pm in a virtual format.

(Distributed to all members of Council on April 8, 2021)

11-443 Committee of Adjustment Notice of Public Meeting for Minor Variance at 1093 Midland Avenue (1105 and 1111 Midland Avenue). The meeting is scheduled for April 19, 2021 at 5:30pm in a virtual format.

(Distributed to all members of Council on April 8, 2021)

11-444 Committee of Adjustment Notice of Public Meeting for Minor Variance at 1444 Sproule Street. The meeting is scheduled for April 19, 2021 at 5:30 pm in a virtual format.

(Distributed to all members of Council on April 8, 2021)

11-451 Notice of a Non-Statutory Public Meeting for Proposed City-wide Zoning By-Law. The meeting is scheduled for April 29, 2021 at 6:00pm in a virtual format.

(Distributed to all members of Council on April 8, 2021)

Referred to All Members of Council

11-431 Resolution received from the City of Kitchener with respect to Planning Act Timelines, dated March 31, 2021.

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

11-432 Resolution received from the Township of Central Frontenac with respect to Randy Hillier, dated March 26, 2021.

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

11-433 Association of Municipalities Ontario AMO Policy Update – Provincial COVID-19 Lock Down, Water Taking Changes, and Long-Term Care Medication Safety, dated April 1, 2021.

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

11-434 Resolution received from the Corporation of the Township of Hudson with respect to support for Fire Department, dated March 31, 2021.

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

11-445 Correspondence received from Chrystal Wilson with respect to Encampment Eviction at Belle Park April 4, 2021, dated April 5, 2021.

(Distributed to all members of Council on April 8, 2021)

11-446 Association of Municipalities Ontario AMO Communications – 3 New Dates for Land Use Planning: Beyond the Basics Training, dated April 6, 2021.

(Distributed to all members of Council on April 8, 2021)

11-447 Resolution received from The Corporation of the Town of Amherstburg with respect to Support for Universal Paid Sick Days in Ontario, dated April 6, 2021.

(Distributed to all members of Council on April 8, 2021)

11-448 Resolution received from The Corporation of the Town of Amherstburg with respect to Request for Amendment to the Agricultural Tile Drainage Installation Act, dated April 6, 2021.

(Distributed to all members of Council on April 8, 2021)

11-449 Correspondence received from Wendy Erickson-Gray with respect to Natural Burial, dated April 6, 2021.

(Distributed to all members of Council on April 8, 2021)

11-450 Association of Municipalities Ontario AMO Policy Update – Province Declares a Third State of Emergency and Issues a Province-Wide Stay-at-Home Order, dated April 7, 2021.

(Distributed to all members of Council on April 8, 2021)

11-452 Association of Municipalities Ontario AMO WatchFile, dated April 8, 2021.

(Distributed to all members of Council on April 8, 2021)

11-453 Association of Municipalities Ontario AMO 2021 Conference: Program Update, dated April 10, 2021.

(Distributed to all members of Council on April 12, 2021)

11-454 Proclamation Application received from Lauren Golding, Trigeminal Neuralgia and ME, requesting Council proclaim October 7, 2021 as “Trigeminal Neuralgia Awareness Day” in Kingston.

(Distributed to all members of Council on April 12, 2021)

11-455 Association of Municipalities Ontario AMO Policy Update – Back to Remote Learning, Connecting Links Funding, and Funeral, Burial and Cremation Services Act Regulation Changes, dated April 12, 2021.

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

Other Business

By-Laws

- a) **That** By-Laws (1) through (4) be given their first and second reading.
- b) **That** Clause 12.63 of By-Law Number 2021-41 be suspended for the purpose of giving By-Laws (1) and (2) three readings.
- c) **That** By-Laws (1) through (4) be given their third reading.

- 1) A By-Law to Repeal By-Law Number 89-19, A By-Law to Authorize the Township of Kingston to Enter into Agreements with GASAMO, Direct Energy Marketing Limited, ICG Utilities and Gas Purchase Direct Limited; By-Law Number 90-96, A By-Law to Authorize the Township of Kingston to Enter into an Agreement with Direct Energy Marketing Limited and ECNG Inc.; By-Law Number 91028, A By-Law to Authorize the Township of Kingston to Extend a Gas Purchase Agreement between ICG Utilities (Ontario Limited) and It's Successors; By-Law Number 92-69, A By-Law to Authorize the Township of Kingston to Enter into an Extension Agreement with Direct Energy Marketing Limited and ECNG Inc.; By-Law Number 94-107, A By-Law to Authorize the Township of Kingston to Enter into an Extension Agreement with ECNG Inc.; and, By-Law Number 95-96, A By-Law to Authorize the Township of Kingston to Enter into an Extension Agreement with ECNG Inc.

Three Readings
(Clause 2, Report 44)

Proposed Number 2021-072

- 2) A By-Law to Establish the 2021 Tax Ratios

Three Readings
(Clause 2, Report 45)

Proposed Number 2021-073

- 3) A By-Law to Establish Parts 1 and 3 to 17 inclusive on Reference Plan 13R-18669 as Part of the Public Highway known as John Counter Boulevard in the City of Kingston, in Accordance with Section 31(4) of the Municipal Act, Chapter 25, S.O. 2001

Three Readings
(Delegated Authority)

Proposed Number 2021-074

(See Schedule Page 93)

- 4) A By-Law to confirm the proceedings of Council at its meeting held on Tuesday April 20, 2021

Three Readings
(City Council Meeting Number 11-2021)

Proposed Number 2021-075

Adjournment