



City Council Meeting 12-2021

Tuesday, May 4, 2021 at 5:30 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 item:
 - a) Personal matters about an identifiable individual, including municipal or local board employees – Organizational Update – 2021.

Approval of Addeds

Disclosure of Potential Pecuniary Interest

Presentations

Delegations

1. Deanna Hanes, Kingston Pickleball Club, will appear before Council to speak to Clause 1 of Report Number 49: Received from the Arts, Recreation and Community Policies Committee with respect to Parks and Recreation Master Plan Update.

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 46: Received from the Chief Administrative Officer (Recommend)

Report Number 46

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

1. Rural Kingston Economic Development Strategy

That Council endorse the Rural Kingston Economic Development Strategy attached as Exhibit A to Report Number 21-111; and

That Council direct staff to work through the implementation of City of Kingston led initiatives included in the Rural Kingston Economic Development Strategy and as outlined in Report Number 21-111; and

That Council approve an allocation of up to \$200,000 from the Working Fund Reserve to fund the implementation of the Rural Kingston Economic Development Strategy; and

That Council direct staff to pursue grant opportunities where available to advance recommendations of the Rural Economic Development Strategy.

(The Report of the Commissioner, Business, Environment & Projects (21-111) is attached to the agenda as schedule pages 1-74)

Report Number 47: Received from the Planning Committee

Report Number 47

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 – 1485 Westbrook Road

That the application for a zoning By-Law amendment (File Number D14-041-2017) submitted by Dunn Capital Corporation, on behalf of Harbouredge Realty Administration Corporation, for the property municipally known as 1485 Westbrook Road, be approved; and

That By-Law Number 76-26, entitled "Township of Kingston Restricted Area By-Law", as amended, be further amended, as per Exhibit A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 76-26) to Report Number PC-21-028; 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), 2021-077 attached to the agenda as schedule pages 75-76)

Report Number 48: Received from Heritage Kingston

Report Number 48

To the Mayor and Members of Council:

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

i. Approval of Application for Heritage Permit – 1 Church Street

That alterations to the property at 1 Church Street, be approved in accordance with details described in the application (P18-013-2021), which was deemed completed on March 10, 2021 with said alterations to include:

1. The renovation and enlargement of the existing two-storey rear addition; and
2. The renovation of the existing detached garage/studio; 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, 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. All window works shall be completed in accordance with the City's Policy on Window Renovations in Heritage Buildings;

6. All masonry works shall be completed in accordance with the City's Policy on Masonry Restoration in Heritage Buildings;
7. Details related to the colour(s) of the repaired and repainted siding, new siding, windows and doors 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 property;
8. Details of the proposed roofing (asphalt shingles or metal roofing) 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 property; and
9. Any minor deviations from the submitted plans, which meet the intent of this approval and do not further impact the heritage attributes of the property, shall be delegated to the Director of Planning Services for review and approval.

ii. Approval of Application for Heritage Permit – 163 Union Street

That alteration on the property at 163 Union Street, be approved in accordance with details described in the application File Number (P18-010-2021), which was deemed completed on March 19, 2021 with said alteration to include the construction of a new two-unit, two-and-a-half storey dwelling, with gabled roof and a 1.8 metre tall wooden fence; and

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

1. A Building Permit shall be obtained, as necessary;
2. 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;
3. All necessary Planning Act applications shall be completed and approved;
4. A Tree Permit shall be obtained, as necessary;
5. A servicing plan shall be provided to Utilities Kingston, as necessary;
6. A Gas Load Summary shall be provided to Utilities Kingston, as necessary;

7. A Service Request shall be provided to Kingston Hydro, as necessary; and
8. Any minor deviations from the submitted plans, which meet the intent of this approval and do not further impact the heritage attributes of the property, shall be delegated to the Director of Planning Services for review and approval.

iii. Approval of Application for Heritage Permit – 181 King Street West

That alterations to the property at 181 King Street West, be approved in accordance with details described in the application (P18-011-2021), which was deemed completed on March 11, 2021 with said alterations to include the disassembly, where necessary, assessment and restoration of the main covered front porch, using like materials and matching the existing profile, details and colours of the existing porch; and

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

1. Following an assessment of the condition of the porch, a restoration plan, including measured drawings, outlining the scope of works required, shall be submitted to Heritage Planning staff, prior to installation, for review and approval;
2. A Building Permit shall be obtained, as necessary;
3. 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;
4. All works that interface with the masonry on the building shall be completed in accordance with the City's Policy on Masonry Restoration in Heritage Buildings;
5. Details related to the colour(s) and any new materials proposed in the restoration 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 property;

6. All decorative architectural details, such as dentils, pilasters, columns, fascia, eaves and arched portico roof, shall be retained and restore, or replicated if necessary, to match their existing profile, location and scale; and
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 property, shall be delegated to the Director of Planning Services for review and approval.

2. Applications with No Recommendation from Heritage Kingston (Statutory Consultation)

i. Approval of Application for Heritage Permit – 291 Princess Street

Note: The following recommendation lost on a tie vote at Heritage Kingston on April 21, 2021 and is being presented with no recommendation:

That alterations to the property at 291 Princess Street, be approved in accordance with details described in the application (P18-012-2021), which was deemed completed on March 22, 2021 with said alterations to include the installation of a wall-mounted sign; and

That the approval of the application 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 mounting-track (raceway) shall be installed above the ground-floor stone voussoirs;
4. All masonry works shall be completed in accordance with the City's Policy on Masonry Restorations in Heritage Buildings, with special care to avoid creating any new penetrations through the stone units; 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.

(See Report HK-21-025 attached to the agenda as schedule pages 77-105)

Report Number 49: Received from Arts, Recreation and Community Policies Committee

Report Number 49

To the Mayor and Members of Council:

Arts, Recreation and Community Policies 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. Parks and Recreation Master Plan Update

That the Parks and Recreation Master Plan, attached as Exhibit A to Report Number ARCP-21-003, be approved; and

That staff be directed to incorporate the recommendations of the Parks and Recreation Master Plan, attached as Exhibit A, to Report Number ARCP-21-003, into future operating budgets and the 15-year capital forecasts for consideration; and

That staff be directed to report back to the Arts, Recreation and Community Policies Committee in Q2 2022 on a court implementation plan to increase the service level of tennis courts and pickleball above the service level and strategy outlined in the Parks & Recreation Master Plan Update including, but not limited to, accelerating the 4 permanent Pickleball courts shown in the Belle Park Master Plan as “Beyond 15 Years” to the Phase 1 improvement project, accelerating lighting at one court site (for tennis/pickleball) and the tennis wall to the short term (1-5 years) – instead of the medium term (6-10 years) and providing alternate option to the reduction of courts in Henderson Park; and

That staff be directed to report back to the Arts, Recreation and Community Policies Committee in Q2 2022 about indoor winter tennis/pickleball play with a report about how Brampton and London, Ontario offer their residents municipally run indoor tennis (the costs/do they break even of municipal subsidy required), a scan of other Ontario cities and details if they have municipally run indoor tennis,

and how Cook's Arena could be retrofitted to allow for indoor Pickleball courts or one tennis court if space allows; and

That staff be directed to report back to the Arts, Recreation and Community Policies Committee in Q2 2022 on the cost to begin the planning process for a new swimming pool at the INVISTA Centre in the medium term (6-10 years) as per the recommendation in the 2010 Parks & Recreation Master Plan a new swimming pool in the East End in the long-term time frame (11-15 years).

2. Report Received from the Housing and Homelessness Advisory Committee – Establishing a Housing and Homelessness Review Working Group

That a Housing and Homelessness Review Working Group be established to develop updated terms of reference for the Housing and Homelessness Advisory Committee, it being understood that the Working Group will be comprised of not more than 4 members of the Housing and Homelessness Advisory Committee, to be selected by the Committee, to work with City staff to seek input from the community and report back to the Committee by the end of Q3 of 2021.

3. Approval of Arts Advisory Committee 2020 Report Card

That the 2020 Arts Advisory Committee Report Card be approved as a summary of the work accomplished by the Committee.

4. Appointments to the Local Music Working Group

That Nadine Baker, Dean Burry, Lynn Carlotto, Aaron Holmberg, Councillor Neill, Tricia Knowles and Chris Morris be appointed to the Local Music Working Group.

Report Number 50: Received from Heritage Kingston

Report Number 50

To the Mayor and Members of Council:

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

i. Approval of Application for Heritage Easement Agreement – 223 Princess Street

That Council approve the By-Law to enact a heritage easement agreement under Section 37 of the Ontario Heritage Act to permit the demolition of buildings located at 223 Princess Street and conserve the cultural heritage value of the property by identifying its cultural heritage values and physical cultural heritage attributes to be conserved, as per Exhibit A (Draft By-Law to Enact a Heritage Easement Agreement) to Report Number HK-21-031; and

That Council authorize the Mayor and Clerk to execute the Heritage Easement Agreement and all documents related thereto, in a form satisfactory to the Director of Legal Services and City Solicitor; and

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

(See By-Law Number (2), 2021-078 attached to the agenda as schedule pages 106-126)

(See Exhibit A to Report HK-21-031 attached to the agenda as schedule pages 106-126)

Committee of the Whole

Information Reports

1. 2021 Update on Population, Housing and Labour Force

Note: Information Report Number 21-075 was deferred from the April 20, 2021 Council meeting.

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 127-152)

2. Quarterly Report: Tourism Kingston – Q1 2021

The purpose of this report is to provide Council with detailed reporting on Q1 2021 for Tourism Kingston.

(The Report of the Chief Administrative Officer (21-134) is attached to the agenda as schedule pages 153-219)

Information Reports from Members of Council

Miscellaneous Business

Miscellaneous Business Items are voted on as one motion.

1. Moved by Councillor Neill

Seconded by Councillor Doherty

That the resignation of Councillor Boehme from the Downtown Kingston! Business Improvement Area Board of Directors be received with regret; and

That Councillor _____ be appointed to the Downtown Kingston! Business Improvement Area Board of Directors for a term ending November 14, 2022.

New Motions

1. Moved by Councillor Neill

Seconded by Councillor Stroud

Whereas on February 26, the Council of Ontario Universities reported that Ontario's Universities have lost more than \$1 billion due to Covid-19 related costs and declining revenues; and

Whereas the Council of Ontario Universities has requested emergency stabilization funds of \$500 million to support universities and colleges through the pandemic, but the province has offered only \$100 million; and

Whereas one of Ontario's Universities – Laurentian University – has already been placed into creditor protection at the cost of millions of public dollars for legal charges and fees, and at the cost of millions of dollars in lost research funding, as well as job losses in the hundreds, and damage to the reputation and future of the University; and

Whereas Ontario's Universities and colleges are critical to Ontario and to 26 cities and regions, contributing more than \$120 billion to Ontario's economy; and

Whereas Ontario's Universities and Colleges employ more than 118,000 workers, and graduate more than 180,000 students annually with advanced skills and qualifications required for a growing economy; and

Whereas a strong, vibrant, and inclusive post-secondary system is critical to any post-pandemic recovery; and

Whereas Ontario students need programs that contribute to building and sustaining healthy communities; and

Whereas a just transition to a post-COVID world will require retraining for unemployed Canadians, especially in sectors that will not return to pre-COVID levels of employment, and whereas universities and colleges are essential for major new initiatives to spark a transition to a clean energy economy; and

Whereas citizens in Kingston would be amongst the main beneficiaries of new public funding for Queen's University and St. Lawrence College; and

Whereas many local organizations, such as the Kingston and District Labour Council, are supporting the calls for new provincial funding and the creation of a new federal Post-Secondary Act that restores public funding and eliminates tuition fees for all students in post-secondary education;

Therefore Be It Resolved That the Kingston City Council, in the spirit of social and economic fairness, and in recognition of government's basic role to provide the infrastructure and education necessary to meet tomorrow's challenges, hereby petitions Queens Park to provide \$400 million in emergency stabilization funds for post-secondary education institutions in Ontario; and

That Kingston City Council, in the spirit of federal cooperation, hereby petition the federal and provincial governments to pass a Post-secondary Education Act that ensures 80 percent of all funding of post-secondary education be provided by public funds and that tuition fees be eliminated for students in the province.

2. Moved by Councillor Doherty

Seconded by Deputy Mayor Hill

Whereas Lanark-Frontenac-Kingston MPP Randy Hillier represents a portion of the Kingston Community; and

Whereas MPP Hillier's active disregard for Provincial Government Orders and Public Health directives regarding the COVID-19 pandemic is reckless and dangerous; and

Whereas the Council of the Township of South Frontenac passed a resolution on March 16, 2021 stating, "That Council inform the premier of Ontario and the Ontario Legislature that the conduct of Lanark-Frontenac-Kingston, MPP Randy Hillier is in no way condoned or supported by the Council of the Township of South Frontenac" and this resolution was forwarded to all other municipalities within the riding; and

Whereas Council will not silently stand by when members in our community are placed in harms way through Mr. Hillier's wilful propagation of misinformation and/or association with groups that promote racist messaging;

Therefore Be It Resolved That the City of Kingston Council supports the Town of Perth and the Township of South Frontenac by calling on Premier Ford:

- (i) to refer Mr. Hillier's unethical and harmful behaviour to the Ontario Integrity Commissioner for investigation; and
- (ii) to take further actions and sanctions that may be available to the Provincial Government.

Notices of Motion

Minutes

That the Minutes of City Council Meeting Number 11-2021, held Tuesday April 20, 2021 be confirmed.

(Distributed to all Members of Council on April 30, 2021)

Tabling of Documents

2021-29 Cataraqui Conservation Full Authority Board Meeting Agenda. The meeting is scheduled for April 28, 2021 at 6:45 pm via Microsoft Teams.

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

2021-30 Cataraqui Source Protection Authority Meeting Agenda. The meeting is scheduled for April 28, 2021 at 6:45 pm via Microsoft Teams.

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

Communications

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

Filed

12-462 Notice of a Public Meeting with respect to Official Plan Amendment (OPA), Zoning By-Law Amendment (ZBA) and Draft Plan of Subdivision (DPS) at 998 Highway 15. The meeting is scheduled for May 6, 2021 at 6:00 pm in a virtual format.

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

12-463 Notice of Technical Consent with respect to Lot Addition at 239 Main Street, Barriefield. Written comments required by 4:30 pm on April 30, 2021.

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

12-475 Notice of a Complete Application and Public Meeting with respect to Proposed Zoning By-Law Amendment at 1752 Bath Road. The meeting is scheduled for May 20, 2021 at 6:00 pm in a virtual format.

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

Referred to All Members of Council

12-456 Memorandum from the Ministry of Municipal Affairs and Housing with respect to Declaration of Provincial Emergency under the Emergency Management and Civil Protection Act and Amendments to the Reopening Ontario Act, dated April 13, 2021.

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

12-457 Association of Municipalities Ontario AMO and the Loomex Group Leading Through Crisis: Strengthening Personal Resilience, dated April 13, 2021.

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

12-458 Correspondence received from Amy Bauder-Sauve with respect to Alcohol and Gaming Commission of Ontario event notice, dated March 15, 2021.

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

12-459 Association of Municipalities Ontario AMO Policy Update – Municipal Code of Conduct Consultation Launched, dated April 14, 2021.

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

12-460 Association of Municipalities Ontario AMO WatchFile, dated April 15, 2021.

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

12-461 Correspondence received from Alcohol and Gaming Commission of Ontario with respect to Reforms to support Ontario liquor licensees, dated April 15, 2021.

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

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12-464 Association of Municipalities Ontario AMO 2021 Conference: Program Update, dated April 17, 2021.

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

12-465 Memorandum received from the Ministry of Municipal Affairs and Housing with respect to Enhanced Enforcement and New Order under the Emergency Management and Civil Protection Act (EMCPA), dated April 17, 2021.

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

12-467 Association of Municipalities Ontario AMO Policy Update – Federal Budget Highlights, Revised COVID-19 Measurers, and Red Tape Bill, dated April 19, 2021.

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

12-468 Municipal Finance Officers Association of Ontario MFOA's Summary of the 2021 Federal Budget, dated April 19, 2021.

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

12-469 Borden Ladner Gervais LLP BLG Newsletter – Budget 2021 – Spending on the Three C's: COVID, Childcare and Climate Change, dated April 20, 2021.

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

12-470 Association of Municipalities Ontario AMO and the Loomex Group Leading Through Crisis: Strengthening Personal Resilience, dated April 20, 2021.

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

12-476 Correspondence received from Ivan Stoiljkovic, General Secretary of the Katarokwi (Kingston) Union of Tenants with respect to Delegation to the Kingston City Council, April 20, 2021 regarding Report to Council, Report Number 21-118.

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

12-477 Association of Municipalities Ontario AMO WatchFile, dated April 22, 2021.

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

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12-478 Resolution received from The Corporation of the City of Cambridge with respect to Request for Paid Sick Leave, dated April 21, 2021.

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

12-479 News Release received from Cataraqui Conservation with respect to Dry Conditions Across Cataraqui Region Watershed, dated April 23, 2021.

(Distributed to all members of Council on April 23, 2021)

12-480 Association of Municipalities Ontario AMO Events – Request for AMO Conference Delegation Meetings Now Open!, dated April 23, 2021.

(Distributed to all members of Council on April 23, 2021)

12-481 Correspondence received from Ken Ohtake with respect to opening up all outdoor spaces, dated April 24, 2021.

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

12-482 Correspondence received from Jeffrey Lowes with respect to Response to By-Law Number 2021-053, dated April 24, 2021.

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

12-483 Correspondence received from Fahim Zahid with respect to Heritage Application P18-012-2021- 291 Princess Street, dated April 26, 2021.

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

12-484 Resolution received from the Township of North Frontenac with respect to Randy Hiller LPP Lanark-Frontenac-Kingston – Disregard for COVID Regulations, dated April 26, 2021.

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

12-485 Correspondence received from Carla Ingimundson, President, Phase 2 Clothing Inc., with respect to improved Aquatic and Leisure facilities in the City of Kingston.

(Distributed to all members of Council on April 27, 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-Law (2) three readings.
- c) **That** By-Laws (1) through (4) be given their third reading.

- 1) 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", as Amended (Amendment to 'OS-15' Zone Provisions, 1485 Westbrook Road)

Three Readings

Proposed Number 2021-077

(Clause 1, Report Number 47)

- 2) A By-Law to Enact a Heritage Easement Agreement over Lands located at 223 Princess Street, Pursuant to the Provisions of the Ontario Heritage Act, R.S.O. 1990, c. O18

Three Readings

Proposed Number 2021-078

(Clause 1i, Report Number 50)

- 3) A By-Law to provide for the assumption of the public highways in Woodhaven Tamarack Subdivision Phase 2, Stage 1, Registered Plan 13M-109, in the City of Kingston, in accordance with section 31(4) of the Municipal Act, Chapter 25, S.O. 2001; and to provide acceptance by the City of Kingston, of the associated public works within

Three Readings

Proposed Number 2021-079

(Delegated Authority)

(See Schedule Pages 220-221)

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

Three Readings

Proposed Number 2021-080

(City Council Meeting Number 12-2021)

Adjournment