



City Council Meeting 13-2021

Tuesday, May 18, 2021 at 6:00 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 – CAO Performance Evaluation Review.

Approval of Addeds

Disclosure of Potential Pecuniary Interest

Presentations

Delegations

1. Bhavana Varma, President & CEO, United Way KFL&A, Shawn Sargeant, Lionhearts and Helen Mabblerly, Kingston Community Health Centre, will appear before Council to speak to Clause 1 of Report Number 52: Received from the Chief Administrative Officer (Recommend) with respect to Community Food Redistribution Warehouse for KFL&A.
2. Mark Gerretsen, M.P. for Kingston and the Islands, will appear before Council to speak to Information Report Number 3 with respect to Update Regarding the Special Public Meeting at Environment, Infrastructure & Transportation Policies Committee for Transport Canada’s Proposed Contaminated Sediment Management Project for Kingston Inner Harbour.

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.

Deferred Motions

Reports

Report Number 51: Received from the Chief Administrative Officer (Consent)

Report Number 51

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. Renewal of the Service Level Agreement between the City of Kingston and the Kingston Theatre Alliance

That the Mayor and Clerk be authorized to execute a Service Level Agreement between the City of Kingston and the Kingston Theatre Alliance that identifies the services to be provided by the Kingston Theatre Alliance 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

That Council approve the release of \$47,500 from the Cultural Services Department's 2021 operating budget to support the Kingston Theatre Alliance and the services identified as part of a Service Level Agreement between the City of Kingston and the Kingston Theatre Alliance in 2021.

(The Report of the Commissioner, Business, Environment & Projects (21-136) is attached to the agenda as schedule pages 1-7)

2. Delegation of Authority to Appoint Municipal By-Law Enforcement Officers and Repeal of By-Law Number 98-9, A By-Law to Appoint Municipal Law Enforcement Officers of The Corporation of the 'New' City of Kingston

That a By-Law to repeal By-Law Number 98-9, "A By-Law to Appoint Municipal Law Enforcement Officers Of The Corporation Of The 'New' City of Kingston", as amended, attached as Exhibit A to Report Number 21-135, be presented to Council for all three readings; and

That a By-Law to amend By-Law Number 2016-189, "A By-law to Consolidate the Delegation of Powers and Duties", as amended, attached as Exhibit B to Report Number 21-135, be presented to Council for all three readings.

(See By-Law Number (1), 2021-083 attached to the agenda as schedule page 13)

(See By-Law Number (2), 2021-084 attached to the agenda as schedule page 14)

(The Report of the Commissioner, Community Services (21-135) is attached to the agenda as schedule pages 8-14)

3. Housekeeping Amendments for Short-term Rental Licensing Program

That a By-Law to amend By-Law Number 2005-10, A By-Law to Establish Fees and Charges to be Collected by The Corporation of the City of Kingston, as amended, attached as Exhibit A to Report Number 21-139, be presented to Council for all three readings; and

That 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, attached as Exhibit B to Report Number 21-139, be presented to Council for all three readings.

(See By-Law Number (3), 2021-085 attached to the agenda as schedule page 20)

(See By-Law Number (4), 2021-086 attached to the agenda as schedule page 21)

(The Report of the Commissioner, Community Services (21-139) is attached to the agenda as schedule pages 15-21)

4. Amendment to By-Law Number 2004-190, A By-Law to Regulate the Use of City Streets

That the By-Law attached to Report Number 21-151 as Exhibit A (A By-Law to amend By-Law Number 2004-190, being “A By-Law to Regulate The Use of City Streets”) by deleting Schedule D (Public Notice Board Locations) in its entirety and inserting in a new Schedule D wherein public notice boards will only be permitted at Princess and Wellington Streets (northwest corner), Portsmouth Olympic Harbour (two boards), and Princess and Tower Streets, be presented to Council for enactment.

(See By-Law Number (5), 2021-087 attached to the agenda as schedule pages 27-28)

(The Report of the Commissioner, Corporate Services (21-151) is attached to the agenda as schedule pages 22-28)

5. Award of Contract – Cataraqui-Kinsmen Arena Roof Replacement and Repairs

That Council authorize the Mayor and Clerk to enter into an agreement with Roof & Building Service Intl pursuant to RFP F18-CS-FMCS-2021-04, in the amount of \$473,325.00 plus applicable taxes for roof replacement and repairs at Cataraqui-Kinsmen Arena, as well as any related amendments thereto or other documents required to complete the work as directed by the Director, Facilities Management & Construction Services and in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner, Corporate Services (21-146) is attached to the agenda as schedule pages 29-33)

6. Award of Contract – Surface Treatment - 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-2021-05 Surface Treatment – Various Locations in the City of Kingston and Township of Leeds and Thousand Islands.

(The Report of the Commissioner of Transportation & Public Works (21-130) is attached to the agenda as schedule pages 34-37)

7. Award of Contract – Resurfacing Gardiners Road

That Council authorize the Mayor and Clerk to enter into a contract, in a form satisfactory to the Director of Legal Services, with Coco Paving Inc. for Tender ENG-2021-04 Resurfacing Gardiners Road in the City of Kingston.

(The Report of the Commissioner, Transportation & Public Works (21-147) is attached to the agenda as schedule pages 38-41)

8. Award of Contract – Purchase of Mobile Service Truck for Corporate Fleet Services Department

That the Mayor and City Clerk enter into a contract with Petrie Ford Sales Ltd., in a form satisfactory to the Director of Legal Services, for the purchase of one newest model year mobile service truck (F18-TWP-CAMF-2021-02).

(The Report of the Commissioner, Transportation & Public Works (21-143) is attached to the agenda as schedule pages 42-45)

Report Number 52: Received from the Chief Administrative Officer (Recommend)

Report Number 52

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

1. Community Food Redistribution Warehouse for KFL&A

That Council approve a contribution of up to \$375,000 toward the five-year operating costs of a Community Food Redistribution Warehouse, pending securement of a location for the facility and necessary funding from other funding partners, to be financed with \$150,000 from the Social Services Relief Fund Phase 3 and \$225,000 from the Social Services Stabilization Reserve; and

That the Mayor and City Clerk be authorized to enter into a service agreement with the United Way of Kingston, Frontenac Lennox and Addington to the satisfaction of the Director of Legal Services, for the establishment and operation of the Community Food Redistribution Warehouse.

(The Report of the Chief Administrative Officer (21-116) is attached to the agenda as schedule pages 46-61)

2. Red Light Camera Program Update

That based on the technical analysis and updated contract terms of the Red Light Camera program, staff be directed to modify implementation of the Red Light Camera program to an initial seven intersections in the City of Kingston for operation beginning in 2022, with an option to implement additional intersections through the term of the contract.

(The Report of the Commissioner, Transportation & Public Works (21-133) is attached to the agenda as schedule pages 62-73)

3. 2020 Fourth Quarter Operating Budget Report

That Council receive the 2020 fourth quarter operating budget status report; and

That the net surplus generated from the municipal utilities operations in the amount of \$6,242,898 be allocated to the following utility reserve funds:

- | | |
|------------------------------------|--------------|
| a. Water Capital Reserve Fund | \$ 3,132,114 |
| b. Wastewater Capital Reserve Fund | \$ 2,491,002 |
| c. Municipal Capital Reserve Fund | \$ 579,738 |
| d. Appliance Rental Reserve Fund | \$ 40,044 |

(The Report of the Chief Financial Officer & City Treasurer (21-098) is attached to the agenda as schedule pages 74-101)

Committee of the Whole

Information Reports

1. Bayridge Drive Cycling Facilities

The purpose of this report is to provide Council with an update on the opportunities that exist to enhance the planned active transportation infrastructure along Bayridge Drive.

(The Report of the Commissioner, Transportation & Public Works (21-137) is attached to the agenda as schedule pages 102-110)

2. Climate Leadership Initiatives – Status Update

The purpose of this report is to provide Council with an overview and update on the initiatives from the Corporate Strategic Plan and motions of Council, and the anticipated timeline for completion.

(The Report of the Commissioner, Business, Environment & Projects 21-124) is attached to the agenda as schedule pages 111-119)

3. Update Regarding the Special Public Meeting at Environment, Infrastructure & Transportation Policies Committee for Transport Canada's Proposed Contaminated Sediment Management Project for Kingston Inner Harbour

The purpose of this report is to provide Council with an update on the request to receive additional information regarding the Federal government's proposed management of contaminated river sediment within the Kingston Inner Harbour.

(The Report of the Commissioner, Business, Environment & Projects (21-154) is attached to the agenda as schedule pages 120-124)

4. Asset Transfer from Town Homes Kingston to Kingston Frontenac Housing Corporation

The purpose of this report is to provide Council with an update on the steps taken towards a potential transfer of the assets of Town Homes Kingston to Kingston Frontenac Housing Corporation, and the remaining steps required to finalize.

(The Report of the Chief Administrative Officer (21-140) is attached to the agenda as schedule pages 125-197)

5. Quarterly Report: Kingston Economic Development Corporation - Q1 2021

The purpose of this report is to provide Council with detailed reporting on Q1 2021 for the economic development organization.

(The Report of the Chief Administrative Officer (21-132) is attached to the agenda as schedule pages 198-218)

6. Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of March 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, as well as contracts awarded by senior staff between the \$20,000 and \$50,000 level for the month of March 2021.

(The Report of the Chief Financial Officer & City Treasurer (21-127) is attached to the agenda as schedule pages 219-230)

Information Reports from Members of Council

Miscellaneous Business

Miscellaneous Business Items are voted on as one motion.

Moved by Councillor Holland

Seconded by Councillor Osanic

1. **That** the resignation of Chloe Draeger from the Taxi Commission be received with regret.

(See Communication 13-498)

2. **That** as requested by Amie McLean, Greater Kingston VON Stroke Services, Council proclaim June 2021 as “Stroke and Aphasia Awareness Month” in Kingston.

(See Communication 13-514)

3. **That** the resignation of Melissa Shumaker from the Kingston & Frontenac Housing Corporation Board be received with regret.

(See Communication 13-524)

New Motions

1. Moved by Mayor Paterson

Seconded by Councillor Holland

Whereas the COVID-19 pandemic has had a significant impact on both the needs of the community and the financial and human resources of the City; and

Whereas last fall City Council approved a revised staff work plan for achieving City Council priorities, based on the impacts from the first wave of the pandemic on both community needs and constraints on staff resources; and

Whereas there have since been two further waves of the pandemic, which has required additional support for community partners, both in managing the health care burden, and the effects from public health restrictions and the current lockdown; and

Whereas City Council recognizes the physical and mental strain of the last year on City staff caused by redeployment caused by closed facilities, health and safety concerns for frontline employees and balancing family while children are in remote learning at and how these challenges impact the capacity and wellbeing of City staff;

Therefore Be It Resolved That City staff be requested to report back to Council in August with an updated staff work plan and associated timelines for City Council priorities, that takes into account the capacity of City staff given the additional challenges from the most recent pandemic lockdowns, and positions the City's workforce for effective post-pandemic recovery.

2. Moved by Councillor Holland

Seconded by Councillor McLaren

Whereas a significant proportion of private long-term care homes in Ontario are older designs which include 3 or 4-bed shared rooms; and

Whereas private providers of long-term care have not improved the standards of facilities, despite access to provincial funds and private dividend payments; and

Whereas the Ontario Health Coalition has presented significant research showing that for-profit homes have fewer staff on average than non-profit and municipal homes and that they pay their staff less than non-profit publicly-owned homes; and

Whereas such factors are known to negatively impact health and quality of life for residents, illustrated by the fact that 80% of COVID-19 fatalities in nursing homes in Ontario occurred in privately owned and operated facilities; and

Whereas municipal-run facilities have higher staff-patient ratios and public oversight of operations and are the preferred option for most prospective long-term care patients and their families;

Therefore Be It Resolved That City Council direct staff to provide a report by the end of Q4 2021 outlining possible municipal, provincial, or federal properties that could be available for 30 year provincial contracts for future long-term care facilities owned and operated by public and/or not-for-profit partners; and

That the report include relevant information on estimated cost of construction, potential provincial subsidies and cost of operating long term care homes.

Notices of Motion

Minutes

That the Minutes of City Council Meeting Number 12-2021, held Tuesday May 4, 2021 be confirmed.

(Distributed to all Members of Council on May 14, 2021)

Tabling of Documents

2021-31 Kingston & Frontenac Housing Corporation Agenda 04-2021. The meeting was Monday, April 26, 2021 at 12:30 pm in a virtual format.

(Distributed to all members of Council on April 28, 2021)

Communications

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

Filed

13-489 Notice of a Complete Application and Public Meeting Zoning By-Law Amendment – Township of Leeds and the Thousand Islands – Various properties. The meeting is scheduled for Monday, May 10, 2021 at 6:00 pm in a virtual format.

(Distributed to all members of Council on April 28, 2021)

13-491 Public Notice of a Complete Application and an Open House with respect to Official Plan and Zoning By-Law Amendment at 5 Lower Union Street. The Open House is scheduled for Tuesday, May 25, 2021 at 6:00 pm via Zoom.

(Distributed to all members of Council on April 28, 2021)

13-499 Notice of a Public Meeting with respect to a Minor Variance at 1613 Brookedayle Avenue. The meeting is scheduled for May 17, 2021 at 5:30 pm in a virtual format.

(Distributed to all members of Council on May 3, 2021)

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13-500 Notice of a Public Meeting with respect to a Minor Variance at 2 Dale Street. The meeting is scheduled for May 17, 2021 at 5:30 pm in a virtual format.

(Distributed to all members of Council on May 3, 2021)

13-501 Notice of a Public Meeting with respect to a Minor Variance at 2812 Battersea Road. The meeting is scheduled for May 17, 2021 at 5:30 pm in a virtual format.

(Distributed to all members of Council on May 3, 2021)

13-502 Notice of a Public Meeting with respect to a Minor Variance at 198, 200 Princess Street and 20 Montreal Street. The meeting is scheduled for May 17, 2021 at 5:30 pm in a virtual format.

(Distributed to all members of Council on May 3, 2021)

13-503 Notice of a Public Meeting with respect to a Minor Variance at 1399 Swallowdale Court. The meeting is scheduled for May 17, 2021 at 5:30 pm in a virtual format.

(Distributed to all members of Council on May 3, 2021)

13-504 Notice of a Public Meeting with respect to a Minor Variance at 4016 A Bath Road. The meeting is scheduled for May 17, 2021 at 5:30 pm in a virtual format.

(Distributed to all members of Council on May 3, 2021)

13-505 Notice of a Public Meeting with respect to Consent (New Lot) at 2040 Sydenham Road. The meeting is scheduled for May 17, 2021 at 5:30 pm in a virtual format.

(Distributed to all members of Council on May 3, 2021)

13-519 Notice of a Regular Meeting with respect to Proposed Zoning By-Law Amendment at 9 Couper Street. The meeting is scheduled for May 27, 2021 at 6:00 pm in a virtual format.

(Distributed to all members of Council on May 7, 2021)

13-523 Notice of a Complete Application, Public Meeting and Regular Meeting with respect to Proposed Zoning By-Law Amendment at 870 Centennial Drive. The Public and Regular meeting are scheduled for May 27, 2021 at 6:00 pm in a virtual format.

(Distributed to all members of Council on May 11, 2021)

Referred to All Members of Council

13-486 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 April 28, 2021)

13-487 Correspondence received from Nicolas Diamant with respect to cigarette butt recycling, dated April 27, 2021.

(Distributed to all members of Council on April 28, 2021)

13-488 Association of Municipalities Ontario AMO Policy Update – Ministry of Transportation Bill, CSPA Regulations, Municipal Act Clarification, and Delegation Requests Open, dated April 27, 2021.

(Distributed to all members of Council on April 28, 2021)

13-490 Correspondence received from Steve Morris with respect to Active transportation safety and enhancements for Kingston, dated March 31, 2021.

(Distributed to all members of Council on April 29, 2021)

13-492 Association of Municipalities Ontario AMO Policy Update – Reports on Long-Term Care Pandemic Response, dated April 28, 2021.

(Distributed to all members of Council on April 29, 2021)

13-493 Association of Municipalities Ontario AMO WatchFile, dated April 29, 2021.

(Distributed to all members of Council on April 29, 2021)

13-494 Cataraqui Conservation News Release with respect to Floodplain Mapping Update for Buells & Butlers Creeks, dated April 26, 2021.

(Distributed to all members of Council on April 29, 2021)

13-495 Association of Municipalities Ontario AMO Policy Update – Province Introduces Paid COVID-19 Leave, dated April 29, 2021.

(Distributed to all members of Council on April 29, 2021)

13-496 Correspondence received from Sarah Gibson with respect to Community Outreach for Kingston Police, dated April 29, 2021.

(Distributed to all members of Council on April 29, 2021)

13-497 Resolution received from The Corporation of the City of Brantford with respect to Province withdraw prohibition on golfing and any other outdoor recreational activities, dated April 30, 2021.

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

13-498 Correspondence received from Chloe Draeger with respect to resignation from the Taxi Commissioner, dated April 30, 2021.

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

13-506 Association of Municipalities Ontario AMO 2021 Conference”: Path to Economic Recovery Panel Announced, dated May 1, 2021.

(Distributed to all members of Council on May 3, 2021)

13-510 Association of Municipalities Ontario AMO Policy Update – Long-Term Care Commission Report Overview, Digital Ontario, dated May 3, 2021.

(Distributed to all members of Council on May 3, 2021)

13-513 Correspondence received from Sophia Lachapelle and Angela May with respect to Kingston’s Housing Crisis and COVID-19: A Matter of Life and Death, dated May 4, 2021.

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

13-514 Proclamation Application received from Amie McLean requesting Council proclaim June 2021 as “Stroke and Aphasia Awareness Month” in Kingston.

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

- 13-515 Ministry of the Environment, Conservation and Parks Land Policy – Notification of Proposal on Modernizing Environmental Compliance Practices and Ontario Community Environment Fund Re-Launch, dated May 5, 2021.
(Distributed to all members of Council on May 5, 2021)
- 13-516 Association of Municipalities Ontario AMO WatchFile, dated May 6, 2021.
(Distributed to all members of Council on May 6, 2021)
- 13-517 Resolution received from The Corporation of the City of Barrie with respect to National 3-Digit Suicide and Crisis Hotline, dated April 30, 2021.
(Distributed to all members of Council on May 7, 2021)
- 13-518 Resolution received from the Municipality of Grey Highlands with respect to National 3-Digit Suicide and Crisis Hotline, dated May 7, 2021.
(Distributed to all members of Council on May 7, 2021)
- 13-520 Resolution received from the Town of Aurora with respect to support for a 3-Digit Suicide and Crisis Prevention Hotline, dated May 3, 2021.
(Distributed to all members of Council on May 7, 2021)
- 13-521 Correspondence received from the Town of Perth regarding Provincial Hospital Funding of Major Capital Equipment, dated April 30, 2021.
(Distributed to all members of Council on May 7, 2021)
- 13-522 Association of Municipalities Ontario AMO Events: Women’s Leadership Forum at the AMO 2021 Conference Announced, dated May 8, 2021.
(Distributed to all members of Council on May 10, 2021)
- 13-524 Correspondence received from Melissa Shumaker with respect to resignation from Kingston & Frontenac Housing Corporation Board.
(Distributed to all members of Council on May 12, 2021)

Other Business

By-Laws

- a) **That** By-Laws (1) through (7) 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) through (4) three readings.
- c) **That** By-Laws (1) through (4), (6) and (7) be given their third reading.
- 1) A By-Law to Repeal By-Law Number 98-9, "A By-Law to Appoint Municipal Law Enforcement Officers of The Corporation of the 'New' City of Kingston", as amended

Three Readings

Proposed Number 2021-083

(Clause 2, Report 51)

- 2) 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 2021-084

(Clause 2, Report 51)

- 3) A By-Law to Amend By-Law Number 2005-10, "A By-Law to Establish Fees and Charges to be Collected by The Corporation of the City of Kingston"

Three Readings

Proposed Number 2021-085

(Clause 3, Report 51)

- 4) 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"

Three Readings

Proposed Number 2021-086

(Clause 3, Report 51)

- 5) A By-Law to Amend By-Law Number 2004-190, "A By-Law to Regulate the Use of City Streets", as amended

First and Second Readings

Proposed Number 2021-087

(Clause 4, Report 51)

- 6) A By-Law to Establish Part 1, Reference Plan 13R-22313, as Part of the Public Highway known as Creekford Road in the City of Kingston, in Accordance with Section 31(4) of the Municipal Act, Chapter 25, S.O. 2001

Three Readings

Proposed Number 2021-088

(Delegated Authority)

(See Schedule Page 231)

- 7) A By-Law to confirm the proceedings of Council at its meeting held on Tuesday May 18, 2021

Three Readings

Proposed Number 2021-089

(City Council Meeting Number 13-2021)

Adjournment