



## **City Council Meeting 21-2021**

Tuesday, September 21, 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 items:
  - a. The security of the property of the municipality or local board– Cybersecurity; and
  - b. Information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them - Grant Application Approvals.

**Approval of Addeds**

**Disclosure of Potential Pecuniary Interest**

**Presentations**

**Delegations**

1. Ben Rodgers will appear before Council to speak to Clause 1 of Report Number 79: Received from the Chief Administrative Officer (Recommend) with respect to Conversion Therapy Information Program and By-Law.
2. Dr. Tiffany Nazareth and Doug Derabbie will appear before Council to Speak to New Motion Number 3 with respect to operating costs of optometrists.
3. Latoya Powder, Patry Inc. will appear before Council to speak to Information Report Number 3b. with respect to Former Davis Tannery Lands – Proposed Remediation of Provincially Significant Wetland.

**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 79: Received from the Chief Administrative Officer (Recommend)

Report Number 79

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

#### 1. **Conversion Therapy Information Program and By-Law**

**That** Council direct staff to continue to work with identified local health agencies and faith-based organizations to create programming including a public communications plan related to available local medical resources regarding sexual orientation, gender expression and/or gender identity in accordance with the Guide attached as Exhibit A to Report Number 21-236; and

**That** Council approve the By-Law, being “A By-Law to Create a Business Licence for Certain Health Services Authorized under the Regulated Health Professions Act in the City of Kingston” as per Exhibit B to Report Number 21-236; and

**That** 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, be further amended as per Exhibit C to Report Number 21-236; and

**That** 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, be further amended as per Exhibit D to Report Number 21-236; and

**That** By-Law Number 2015-159, “A By-Law to Establish Procedures for the Appeals Committee to Conduct Appeals to Property Standards Orders in accordance with the Building Code Act, and Appeals to License and Permit Decisions in Accordance with the City of Kingston Licensing By-Laws”, as amended, be further amended as per Exhibit E to Report Number 21-236; and

**That** By-Law Number 2020-69, “A By-Law to Establish a Process for Administrative Penalties”, as amended, be further amended as per Exhibit F to Report Number 21-236; and

**That** Council approve the Short Form Wording and Set Fine Schedule attached as Exhibit G to this Report Number 21-236; and

**That** Council direct staff to submit the required application for Short Form Wording and Set Fines to the Ministry of the Attorney General for approval; and

**That** the By-Laws attached as Exhibits B, C, D, E, and F to Report Number 21-236 be given all three readings.

**(See By-Law Number (1), 2021-158 attached to the agenda as schedule pages 16-26)**

**(See By-Law Number (2), 2021-159 attached to the agenda as schedule page 27)**

**(See By-Law Number (3), 2021-160 attached to the agenda as schedule page 28)**

**(See By-Law Number (4), 2021-161 attached to the agenda as schedule page 29)**

**(See By-Law Number (5), 2021-162 attached to the agenda as schedule pages 30-31)**

(The Report of the Chief Administrative Officer (21-236) is attached to the agenda as schedule pages 1-32)

**Report Number 80: Received from the Planning Committee**

Report Number 80

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 Application for Zoning By-Law Amendment – 1174 McAdoo’s Lane**

**That** the application for a zoning By-Law amendment (File Number D14-011-2019) submitted by Mark Touw, IBI Group Incorporated, on behalf of 2469824 Ontario Inc., for the property municipally known as 1174 McAdoo’s Lane, 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-21-056; 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 (6), 2021-163 attached to the agenda as schedule pages 33-36)**

## **Committee of the Whole**

### **Information Reports**

**1. Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of July 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 July 2021.

(The Report of the Chief Financial Officer (21-214) is attached to the agenda as schedule pages 37-46)

**2. Third Crossing – Quarterly Update Q3 2021**

The purpose of this report is to provide Council with an update on major work activities that have been completed since June 2021.

(The Report of the Commissioner, Business, Real Estate & Environment (21-224) is attached to the agenda as schedule pages 47-55)

**3a. Briefing -Paige Agnew, Commissioner, Community Services and Peter Huigenbos, Commissioner, Business, Environment & Projects will brief Council with respect to Information Report Number 3b. – Former Davis Tannery Lands – Proposed Remediation of the Provincially Significant Wetland.**

**3b. Former Davis Tannery Lands – Proposed Remediation of the Provincially Significant Wetland**

The purpose of this report is to provide Council with information regarding the policy challenges of remediating the Provincially Significant Wetland as it relates to the Planning Act and the Conservation Authorities Act, and outlines the potential options to facilitate the remediation of the wetland and the future redevelopment of these lands.

(The Report of the Commissioner, Community Services (21-221) is attached to the agenda as schedule pages 56-104)



## Information Reports from Members of Council

### Miscellaneous Business

Miscellaneous Business Items are voted on as one motion.

1. Moved by Councillor Osanic

Seconded by Councillor Doherty

**That** as requested by Andrea Howard, Canadian Center for Women's Empowerment, Council proclaim November 26, 2021 as "Economic Abuse Awareness Day" in Kingston.

**(See Communication 21-850)**

2. Moved by Councillor Holland

Seconded by Councillor Boehme

**That** the resignation of Kathleen Moulton from the Kingston Area Taxi Licensing Commission be received with regret.

**(See Communication 21-860)**

3. Moved by Councillor Chapelle

Seconded by Councillor M<sup>c</sup>Laren

**That** the resignation of James Allen from the Kingston Area Taxi Licensing Commission be received with regret.

**(See Communication 21-862)**

### New Motions

1. Moved by Councillor Doherty

Seconded by Councillor Osanic

**Whereas** Kingston City Council has committed to a 15% reduction in greenhouse gas emissions (GHGs) from 2018 levels by 2022, and carbon neutrality by 2040; and

**Whereas** Kingston City Council committed to demonstrating leadership on climate action and developed the vision to be Canada's most sustainable city in the Kingston's Strategic Plan for 2019-2022 and 2010 Sustainable Kingston Plan; and

**Whereas** Kingston City Council and organizations like Associations of Municipality of Ontario (AMO), Municipal Employer Pension Centre of Ontario (MEPCO), and the Ontario Municipal Employees Retirement System (OMERS) can utilize their positions to shift investment focus into the local renewable energy sector; and

**Whereas** the recent cancellation of the Keystone XL pipeline highlights the increasing risks of investing in the fossil fuels industry; and

**Whereas** there are other risk factors associated with the continuous investment into fossil fuels such as devaluation of assets and negative stigmatization of the industry; and

**Whereas** AMO recognizes in their strategic objectives the need to protect municipal employee interests through MEPCO by increasing the sustainability OMERS investments; and

**Whereas** Cities around the globe including New Orleans, Pittsburgh, and Vancouver already pledged to take similar actions from fossil fuels and Toronto has started the discussion; and

**Whereas** both, Kingston City Council and OMERS, have a fiduciary duty to adapt to financial risks posed by climate change;

**Therefore Be It Resolved That** Council request staff to consider incorporating pro-environmental language and climate risk mitigation strategies into its current Investment Policy and overriding investment principles as part of the policy's next update; and

**That** Kingston City Council urge AMO to formally request that OMERS:

- a. Implement clear and measurable targets that work to eliminate fossil fuels from the total fund;
- b. Enhance and ensure the transparency of current investment monitoring and reporting systems in order to make public the timeline of steps being taken to eliminate fossil fuels from the total fund; and

- c. Consider redirecting previous fossil fuel investments back into the provincial economy through increased renewable investments in Ontario, thereby strengthening a commitment to Ontarians' futures.

2. Moved by Councillor Holland

Seconded by Councillor Osanic

**Whereas** the City of Kingston Housing and Social Services Department acts as Service Manager and is responsible for the planning and management of licensed childcare and early years programs and services for children from 0 to 12 years old; and

**Whereas** on April 19, 2021, the Federal Government announced \$30 billion in new investment over the next 5 years, and \$8.3 billion ongoing for Early Learning and Child Care and Indigenous Early Learning and Child Care starting in 2021-22 to move towards a universal child care system, contingent on bilateral agreements being reached with provinces and territories; and

**Whereas** the Federal Government announced agreements reached with Saskatchewan, British Columbia, Manitoba, Quebec, Nova Scotia, Prince Edward Island, Newfoundland and Labrador, and Yukon on a Canada-wide Early Learning and Child Care Plan; and

**Whereas** the COVID-19 pandemic has highlighted inequities including the gender gap and barriers women and gender diverse persons experience in accessing adequate, affordable and suitable services and resources such as child care; and

**Whereas** a collective voice of municipalities in Ontario expressing support and interest in working collaboratively across all levels of government demonstrates support for building a national program of early learning and child care services that are accessible, affordable, high-quality, and responsive for all families.

**Therefore Be It Resolved That** Kingston City Council send a letter to Premier Doug Ford and Minister of Education Stephen Lecce affirming the City of Kingston's support for building a National program with the Association of Municipalities of Ontario, the Ontario Municipal Social Services Association (OMSSA) and other Ontario Municipalities that are Consolidated Municipal Service Managers.

3. Moved by Councillor McLaren

Seconded by Councillor Boehme

**Whereas** to date the provincial government has not yet made a binding commitment to cover the operating costs of optometrists to deliver eye exams; and

**Whereas** insured eye exams in Ontario are funded at the lowest level in the entire country; and

**Whereas** the fees for seniors' eye exams would have to increase by 70% to reach the next lowest province, Manitoba; and

**Whereas** the number of seniors in Ontario has increased by more than 70% over the past 30 years and the province's own projections indicate these numbers will almost double from 2.6 million in 2020 to 4.5 million by 2046; and

**Whereas** it is vital that there continue to be a sustainable high quality eye care system that residents in Kingston can access today and in the future;

**Therefore Be It Resolved That** the City Council of Kingston add its voice to the many cities, institutions and people calling on the Provincial government to enter into good faith formal negotiations with the Ontario Association of Optometrists, with the goal of bring service and funding levels in optometry in Ontario up to more equitable levels with the rest of Canada; and

**That** this resolution be shared with Premier Doug Ford, Health Minister Christine Elliott, and our local MPP Ian Arthur.

### Notices of Motion

### Minutes

**That** the Minutes of City Council Meeting Number 19-2021, held Tuesday, September 7, 2021 be confirmed.

(Distributed to all Members of Council on September 3, 2021)

### **Tabling of Documents**

2021-43 Kingston Police Services Board Meeting Number 21-17 Agenda. The meeting is scheduled for September 16, 2021 at 12:00 pm in a virtual electronic format, hosted at Kingston Police Headquarters.

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

2021-44 Kingston Police Services Board Meeting Minutes. The meeting was held August 26, 2021 at 12:00 pm via Webinar.

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

### **Communications**

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

#### **Filed**

21-851 Notice of Public Meeting with respect to Minor Variance at 35 Brock Street. The meeting is scheduled for September 20, 2021 at 5:30 pm in a virtual format.

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

21-852 Notice of Public Meeting with respect to Minor Variance and Permission at 254 Alfred Street. The meeting is scheduled for September 20, 2021 at 5:30 pm in a virtual format.

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

21-853 Notice of Public Meeting with respect to Consent and Minor Variance at 134 Butler Street. The meeting is scheduled for September 20, 2021 at 5:30 pm in a virtual format.

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

21-854 Notice of Public Meeting with respect to Permission at 11 Gardiner Street. The meeting is scheduled for September 20, 2021 at 5:30 pm in a virtual format.

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

21-855 Notice of Public Meeting with respect to Minor Variance at 96 Regent Street. The meeting is scheduled for September 20, 2021 at 5:30 pm in a virtual format.

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

21-861 Notice of Technical Consent with respect to Consent for Lot Addition at 15 Baiden Street. Comments are due by 4:30pm on Friday, September 24, 2021.

(Distributed to all members of Council on September 10, 2021)

21-865 Notice of Public Meeting with respect to Proposed Official Plan Amendment, Zoning By-Law Amendment (ZBA) and Draft Plan of Subdivision (DPS) at 40 Sir John A Macdonald Boulevard. The meeting is scheduled for October 7, 2021 at 6:00 pm in a virtual format.

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

#### **Referred to All Members of Council**

21-848 Resolution received from The City of Hamilton with respect to Noise Concerns and Request for Expiry of Extended Construction Hours, dated August 20, 2021

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

21-849 Correspondence received from Magnus Nowell and Sophie Lachapelle with respect to International Overdose Awareness Day proclamation, dated September 1, 2021.

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

21-850 Proclamation Application received from Andrea Howard, Canadian Centre for Women's Empowerment requesting Council proclaim November 26, 2021 as "Economic Abuse Awareness Day" in Kingston.

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

21-856 Correspondence received from Michael Judd with respect to policing in the Kingscourt area, dated September 5, 2021.

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

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21-857 Resolution received from the City of Port Colborne with respect to support for the City of Stratford resolution regarding Phasing Out Ontario's Gas Plants, dated August 27, 2021.

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

21-858 Resolution received from the Municipality of Trent Lakes with respect to OHIP Eye Care, dated September 9, 2021.

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

21-859 News Release received from Cataraqui Conservation with respect to Fall Water Level Adjustments on Inland Lakes, dated September 9, 2021.

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

21-860 Correspondence received from Kathleen Moulton with respect to resignation from the Taxi Commission, dated September 9, 2021.

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

21-862 Correspondence received from James Allen with respect to resignation from Taxi Commission, dated September 9, 2021.

(Distributed to all members of Council on September 10, 2021)

21-863 Correspondence received from Chris Cornish SPS Communications with respect to "Bob Watts – The National Truth and Reconciliation Day – symbolic gesture or systemic change?" (Policy Talks Lecture) taking place Friday, September 17, 2021 at 12:00 pm via Zoom, dated September 10, 2021.

(Distributed to all members of Council on September 10, 2021)

21-864 Correspondence received from Barbara L. Schlafer with respect to "First hand experience", dated September 9, 2021.

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

21-866 Memorandum received from Kingston Area Taxi Commission with respect to Kingston Area Taxi Licensing Commission Executive (KATC), dated September 11, 2021.

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

21-867 Resolution received from the Township of Frontenac Islands with respect to COVID-19 Vaccination Protocol, dated September 13, 2021.

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

## Other Business

### By-Laws

- a) **That** By-Laws (1) through (6), (11) and (12) 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 (5) three readings.
- c) **That** By-Laws (1) through (12) be given their third reading.

- 1) A By-Law to Create a Business License for Certain Health Services Authorized under the Regulated Health Professions Act in the City of Kingston

Three Readings

Proposed Number 2021-158

**(Clause 1, Report 79)**

- 2) 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 2021-159

**(Clause 1, Report 79)**

- 3) 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 2021-160

**(Clause 1, Report 79)**



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

Three Readings  
**(Clause 1, Report 79)**

Proposed Number 2021-161

- 5) A By-Law to Amend By-Law Number 2020-69, "A By-Law to Establish a Process for Administrative Penalties"

Three Readings  
**(Clause 1, Report 79)**

Proposed Number 2021-162

- 6) 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" (Zone Change from "A1" to "M4-6-H", 1174 McAdoo's Lane)

Three Readings  
**(Clause 1, Report 80)**

Proposed Number 2021-163

- 7) A By-Law to Enter into a Municipal Contribution Agreement with Kingston Home Base Non-Profit Housing Inc. for the Provision of Affordable Housing Units at 484 Albert Street & 620 Princess Street

Third Reading  
**(Clause 1, Report 75, September 7)**

Proposed Number 2021-147

- 8) A By-Law to Enter into a Municipal Contribution Agreement with Kingston Co-Operative Homes Inc. for the Provision of Affordable Housing Units at 1316-1318 Princess Street

Third Reading  
**(Clause 1, Report 75, September 7)**

Proposed Number 2021-148

- 9) A By-Law to Enter into a Municipal Contribution Agreement with Kingston & Frontenac Housing Corporation for the Provision of Affordable Housing Units at 1316-1318 Princess Street

Third Reading

Proposed Number 2021-149

**(Clause 1, Report 75, September 7)**

- 10) 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"

Third Reading

Proposed Number 2021-151

**(Clause 5, Report 75, September 7)**

- 11) A By-Law to Amend By-Law Number 32-74, "A By-Law to Regulate the Use of Lands and the Character, Location and Use of Buildings and Structures in the Township of Pittsburgh" (Removal of Holding Symbol, 1500-1514 Scarlett Street)

Three Readings

Proposed Number 2021-164

**(Delegated Authority)**

**(See Schedule Pages 108-110)**

- 12) A By-Law to confirm the proceedings of Council at its meeting held on Tuesday September 21, 2021

Three Readings

Proposed Number 2021-165

**(City Council Meeting Number 21-2021)**

**Adjournment**