



City Council Meeting Number 2016-12

The Regular Meeting of Kingston City Council was held on Tuesday April 5, 2016, and was called to order at 7:34 pm in the Council Chamber, City Hall.

(Council Chamber)

Roll Call

Present: Mayor Paterson, Councillor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Councillor Neill, Councillor Osanic, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

Absent: (0)

Committee of the Whole “Closed Meeting”

None

(Council Chamber)

Administrative Staff Present:

Ms. P. Agnew, Director of Planning, Building & Licensing
Ms. C. Beach, Commissioner of Corporate and Strategic Initiatives
Mr. J. Bolognone, City Clerk
Mr. L. Coleman, Information Systems and Technology
Ms. D. Green, Manager, Traffic Division
Mr. G. Hunt, Chief Administrative Officer
Ms. D. Kennedy, Chief Financial Officer and City Treasurer
Mr. D. Leger, Commissioner of Transportation, Facilities and Emergency Services
Mr. A. McLeod, Senior Legal Counsel
Ms. R. Morgan, Communications Officer
Mr. G. Newman, Manager, Policy Planning
Ms. S. Nicholson, Director, Legal Services and City Solicitor
Ms. H. Roberts, Manager, Solid Waste Operations
Mr. P. Robertson, City Curator
Mr. J. Thompson, Committee Clerk
Ms. C. Thomson, Assistant to the Mayor
Mr. M. Van Buren, Director, Engineering
Mr. C. Wiginton, Cultural Director, Cultural Services

Report of the Committee of the Whole “Closed Meeting”

None

Approval of Addeds

Moved by Councillor Neill

Seconded by Deputy Mayor Turner

That the addeds be approved.

Carried (13:0)
(A 2/3 Vote of Council was Received)
(See Recorded Vote)

YEAS: Councillor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

Disclosure of Pecuniary Interest

None

Presentations

None

Delegations

Moved by Councillor Stroud

Seconded by Councillor M^cLaren

That Clauses 11.4 and 11.5 of City of Kingston Procedural By-law 2010-1, as amended, be waived in order to allow a delegation, Mr. Luke Harris, resident, to speak before Council to Clause b, Report Number 43: Received from the Chief Administrative Officer (Consent) regarding Agreements Required for Red Light Camera Program.

Carried (13:0)
(A 2/3 Vote of Council was Received)
(See Recorded Vote)

YEAS: Councillor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

City Council Meeting Number 2016-12

Minutes

Tuesday April 5, 2016

Delegations (continued)

Moved by Councillor M^cLaren
Seconded by Councillor Schell

That Clauses 11.4 and 11.5 of City of Kingston Procedural By-law 2010-1, as amended, be waived in order to allow a delegation, Mr. Bill Visser, resident, to speak before Council to Clause 1, Report Number 45: Received from the Arts, Recreation and Community Policies Committee with respect to the Civic Collection: Long-term Plans for the Steam Launch Phoebe.

Carried (13:0)
(A 2/3 Vote of Council was Received)
(See Recorded Vote)

YEAS: Councillor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

Moved by Councillor Schell
Seconded by Councillor Allen

That Clauses 11.4 and 11.5 of City of Kingston Procedural By-law 2010-1, as amended, be waived in order to allow a delegation, Ms. Patricia Fiori, resident, to speak before Council to Clause 1, Report Number 45: Received from the Arts, Recreation and Community Policies Committee with respect to the Civic Collection: Long-term Plans for the Steam Launch Phoebe.

Carried (13:0)
(A 2/3 Vote of Council was Received)
(See Recorded Vote)

YEAS: Councillor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

Council consented to the addition of Delegation Number 3, 4, 5 and 6.

1. Doug Ritchie, Managing Director, Downtown Kingston! BIA appeared before Council and spoke to Clause 1, Report Number 44: Received from the Chief Administrative Officer (Consider) with respect to Downtown Kingston! BIA – Retail Business Holidays Act (RBHA).

City Council Meeting Number 2016-12

Minutes

Tuesday April 5, 2016

Delegations (continued)

2. Henk Wevers, resident, on behalf of Friends of the Phoebe, appeared before Council and spoke to Clause 1, Report Number 45: Received from the Arts, Recreation and Community Policies Committee with respect to the Civic Collection: Long-term Plans for the Steam Launch Phoebe.
3. Justine Scala, Owner, Minotaur Games & Gifts and Adam Pottier, Manager, Kingston Gaming Nexus, appeared before Council and spoke to Clause 1, Report Number 44: Received from the Chief Administrative Officer (Consider) with respect to Downtown Kingston! BIA – Retail Business Holidays Act (RBHA).
4. Luke Harris, resident, appeared before Council and spoke to Clause b, Report Number 43: Received from the Chief Administrative Officer (Consent) regarding Agreements Required for Red Light Camera Program.
5. Bill Visser, resident, appeared before Council and spoke to Clause 1, Report Number 45: Received from the Arts, Recreation and Community Policies Committee with respect to the Civic Collection: Long-term Plans for the Steam Launch Phoebe.
6. Patricia Fiori, resident, appeared before Council and spoke to Clause 1, Report Number 45: Received from the Arts, Recreation and Community Policies Committee with respect to the Civic Collection: Long-term Plans for the Steam Launch Phoebe.

Briefings

None

Petitions

None

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

Council consented to the addition of Motion of Condolence Number 1.

Motion of Condolence

1. Moved by Mayor Paterson
Seconded by Deputy Mayor Turner

That the condolences of Kingston City Council be extended to Darren Smith, Supervisor of Recreation Facilities with the Recreation & Leisure Services Department, on the passing of his mother, Cheryl Smith, on March 26, 2016. Our thoughts are with Darren and his family during this difficult time.

Motion of Condolence (continued)

**Carried (13:0)
(See Recorded Vote)**

YEAS: Councillor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

Deferred Motions

1. Moved by Councillor George
Seconded by Councillor Candon

Whereas municipalities are required to invest their reserves in accordance with the Municipal Act, 2001 and Ontario Regulation 438/97 (as amended), which specifically outlines allowable investments; and

Whereas to ensure the sustainability and sound stewardship of the municipality's investments, the City of Kingston is of the opinion that changes should be made to the Municipal Act, 2001 and Ontario Regulation 438/97 (as amended), to allow for the prudent investment of reserves, if those investments are professionally managed and part of a broader investment strategy; and

Whereas the Prudent Investor Standard is an industry accepted best practice in effectively managing a portfolio of investments, and the Standard applies to investments, not in isolation, but in the context of the portfolio of investments and as part of an overall strategy, that should incorporate acceptable risk and return objectives suitable to stakeholders; and

Whereas the Province is conferring "Prudent Investor" status on the City of Toronto to enable greater diversification in portfolio management; and

Whereas the Association of Municipalities of Ontario (AMO), Local Authority Services (LAS), and the Municipal Finance Officers Association of Ontario (MFOA), have long requested that the Prudent Investor Standard apply to all municipal investment returns for municipalities within these "new" investment sectors; and

Whereas in 2005, municipalities were granted the ability to invest in longer-term corporate bonds and Canadian equity investments via only the One Investment Program, and the One Investment Program has demonstrated strong investment returns for municipalities within these "new" investment sectors; and

Whereas the institutional portfolio managers utilized by the One Investment Program recommend that the Prudent Investor Standard approach is a more appropriate approach to investing; and

Whereas operating municipal investments under the Prudent Investor Standard is precluded by the Municipal Act, Eligible Investments, in its current form;

Deferred Motion (continued)

Therefore Be It Resolved That Council support the request of AMO, LAS and MFOA to amend Ontario Regulation 438/97 (as amended) of the Municipal Act, 2001, to allow municipalities to invest consistent with the Prudent Investor Standard, if such investments are through the One Investment Program; and **That** this motion be forwarded to the Association of Municipalities of Ontario (AMO), Local Authority Services (LAS), and the Municipal Finance Officers Association of Ontario (MFOA) to confirm the support of Council of the City of Kingston.

Carried (13:0)
(See Recorded Vote)

YEAS: Councillor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

Reports

Report Number 43: Received from the Chief Administrative Officer (Consent)

Moved by Councillor Osanic

Seconded by Councillor Holland

That Report Number 43: Received from the Chief Administrative Officer (Consent) be received and adopted.

To the Mayor and Members of Council:

Council consented to the addition of Clause g) and the separation of Clauses b), c) and f).

The Chief Administrative Officer reports and recommends as follows:

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

a) Ratify and Confirm Telephone Poll Vote for Flag Raising

That the following recommendation, which was approved via telephone poll, conducted on March 24, 2016 by the City Clerk's Department at the request of Mayor Paterson be ratified and confirmed:

Reports (continued)

That notwithstanding the Flag Policy Display and Flying Policy, the Kingston Frontenac's flag be flown on the roof of City Hall, for the duration that the Kingston Frontenacs are in the Ontario Hockey League playoffs.

(Note: The results of the telephone poll are as follows)

YEAS: Councillor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (12)

NAYS: (0)

ABSENT: Councillor Neill (1)

b) Agreements Required for Red Light Camera Program

That Council direct the Mayor and Clerk to enter into agreements as follows to the satisfaction of Legal Services:

1. A joint procurement agreement with the vendor "Traffipax" for the installation, operation and maintenance of the red light cameras;
2. A contract with the City of Toronto for red light camera ticket processing services;
3. A contract with the Ministry of Transportation Ontario for the provision of registered vehicle owner information to the City of Toronto for violation processing; and
4. Any other related documents required to allow the City of Kingston to enter into and participate in the red light camera program; and

Furthermore that Council provides final approval for the installation of red light cameras as the 10 locations listed in this report and approves the proposed financial structure for the operation of the red light camera program.

(The Report of the President and CEO of Utilities Kingston (16-096) was attached to the agenda as schedule pages 1-25)

(File Number CSU-T08-000-2016)

Deferred

See Motion to Defer Which Was Carried

Moved by Councillor Stroud

Seconded by Councillor Boehme

That Clause b) of Report 43: Received from the Chief Administrative Officer (Consent) be deferred to the April 19th, 2016 Council meeting so that the Council can receive a briefing from Kingston Police Services about current enforcement practices.

Reports (continued)

**Carried (10:3)
(See Recorded Vote)**

YEAS: Councillor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (10)

NAYS: Councillor Hutchison, Councillor M^cLaren, Councillor Neill (3)

ABSENT: (0)

c) Approval of Applications for License of Sidewalk Patios at 275, 226, 240 and 166 Princess Street

That Council authorize the Mayor and Clerk to enter into License Agreements with the owners of “Stone City Ales Inc.” located at 275 Princess Street for the lease of City property adjacent to their businesses on the Princess Street frontage for the purpose of operating a serving sidewalk patio. Such license is to be conditional on approval of the application by Council and the license agreement is to be in a form satisfactory to the Director of Legal Services; and

That Council authorize the Mayor and Clerk to enter into a License Agreement with the owner of “Tag Restaurants Inc. dba Megalo’s Restaurants” located at 226 Princess Street for the lease of City property adjacent to their business on the Princess Street frontage for the purpose of operating a serving sidewalk patio. Such license is to be conditional on approval of the application by Council and the license agreement is to be in a form satisfactory to the Director of Legal Services; and

That Council authorize the Mayor and Clerk to enter into a License Agreement with the owner of “Copper Penny Restaurant” located at 240 Princess Street for the lease of City property adjacent to their business on the Princess Street frontage for the purpose of operating a serving sidewalk patio. Such license is to be conditional on approval of the application by Council and the license agreement is to be in a form satisfactory to the Director of Legal Services; and

That Council authorize the Mayor and Clerk to enter into a License Agreement with the owner of “CentrePoint Group Inc. Crave Coffeehouse and Bakery” located at 166 Princess Street for the lease of City property adjacent to their business on the Princess Street frontage for the purpose of operating a non-serving sidewalk patio. Such license is to be conditional on approval of the application by Council and the license agreement is to be in a form satisfactory to the Director of Legal Services.

(The Report of the President and CEO of Utilities Kingston (16-123) was attached to the agenda as schedule pages 26-36)

(File Number CSU-D23-000-2016)

Reports (continued)

**Carried (13:0)
(Clause c)
(See Recorded Vote)**

YEAS: Councillor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

d) Award of Contract – Grass Cutting and Lawn Maintenance

That Council authorize the Mayor and Clerk to enter into a contract in a form satisfactory to the Director of Legal Services with R. Stover Landscaping Maintenance Inc., for the services of Grass Cutting and Lawn Maintenance.

(The Report of the President and CEO of Utilities Kingston (16-125) was attached to the agenda as schedule pages 37-40)

(File Number CSU-F31-000-2016)

e) 297 King Street East, Street Encroachment

That Schedule E (Authorized Alterations and Uses of Boulevards) of By-Law Number 2004-190, otherwise known as the “Streets By-Law”, be amended to include the following:

Location: 297 King Street East, King Street East frontage only

Purpose: To accommodate an accessibility ramp with the terms of a license agreement acceptable to the City; and

That the amending by-law be presented to Council for all three readings; and

That the Mayor and City Clerk be authorized to execute a license agreement, in a form satisfactory to the Director of Legal Services, with the owner of 297 King Street East for the accessible ramp on the City road allowance fronting the subject lands; and

That the final engineering design details for the ramp be approved by the Director of Engineering.

(The Report of the President and CEO of Utilities Kingston (16-130) was attached to the agenda as schedule pages 41-47)

(File Number CSU-D16-000-2016)

(See By-Law Number (1), 2016-79)

Reports (continued)

f) Community Visioning Exercise and Preliminary Market Analysis for the North King's Town Secondary Plan - Award of Contract

That Council authorize the Mayor and Clerk to enter into a contract in a form satisfactory to the Director of Legal Services with DIALOG for the Community Visioning Exercise and Preliminary Market Analysis for the North King's Town Secondary Plan.

(The Report of the Commissioner of Community Services (16-117) was attached to the agenda as schedule pages 48-87)

(File Number CSU-D18-000-2016)

Carried (13:0)
(Clause f)
(See Recorded Vote)

YEAS: Councillor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

g) Approval of an Application for Heritage Permit under the Ontario Heritage Act – 297 King Street East, Market Square HCD

That alterations to a designated property at 297 King Street East, be approved in accordance with details described in the application (File Number P18-038-2015), which was deemed complete on February 9, 2016, with said alterations to include the following:

1. Installation of an accessibility ramp measuring approximately 1.23 metres (4 feet) wide, and 2.29 metres (7 feet 6 inches) in length, with the following characteristics:
 - i. A hand rail, approximately 0.038 metres (1.5 inches) in diameter and 0.91 metres (3 feet) in height, coloured to match the bronze anodized entrance doors;
 - ii. A new barrier-free push button on the handrail;
 - iii. A new landing and step with a maximum height of 0.20 metres (7.87 inches);
 - iv. Ramp and landing material that will blend with the surrounding sidewalk pavers or building materials;
 - v. A tonal contrast strip that will be provided at the top of the ramp and along the step; and

Reports (continued)

2. New symmetrical entrance door with side lights on either side installed within the central opening in the tripartite glazing pattern to match the existing bronze anodized aluminum doors; and

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

1. The ramp and landing material blend with the limestone material on the building at the level of the ramp, and that Planning staff be provided the opportunity to review the material treatment and colouring, prior to selection;
2. That the tonal contrast strip provided at the top of the ramp and step be a shade of grey or black where possible, as opposed to yellow or orange;
3. If feasible, the applicant pursue a lower rise to the step created by the ramp landing (i.e. 0.18 metres or 7.09 inches) for greater accessibility;
4. A 0.05 metre curb be provided on the side of the ramp not provided with a solid guard or enclosure (wall);
5. The required building permit be obtained, and that Planning staff be provided the opportunity to review and comment on building permit drawings;
6. The property owner obtain Council approval for the encroachment, and register the appropriate license agreement; and
7. That expansion anchors be included between the existing building and the ramp to minimize impacts associated with differential settlement.

(The Report of the Commissioner of Community Services (16-131) was attached to the addends as schedule pages 1-22)

(File Number CSU-P18-000-2016)

Carried (13:0)
(Clauses a), d) e) and g))
(See Recorded Vote)

YEAS: Councillor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

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

Moved by Councillor Schell

Seconded by Councillor Boehme

That Report Number 44: Received from the Chief Administrative Officer (Recommend) be received.

Report Number 44

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

- 1. Declaration of the Downtown Kingston Business Improvement Area as a Tourism Area for the Purposes of Exempting Businesses in the BIA from Restrictions of the Retail Business Holidays Act on a Year Round Basis**

Option 1

Moved by Councillor Boehme

Seconded by Councillor Allen

That the necessary By-law to amend By-law Number 98-127 being "A By-Law to Permit Retail Businesses to Operate on Statutory Holidays During the Period Between May 1 to October 15, Inclusive in the Calendar Year for the Maintenance of Tourism in the City of Kingston" to declare the downtown BIA a "Tourist Area", as defined by the Retail Business Holidays Act (the "Act"), for the purposes of exempting businesses in the Business Improvement Area from restrictions of the Act on a year round basis, as outlined in Exhibit D to Report Number 16-127, be presented to Council for enactment and given three readings at the same meeting; and

That staff be directed to provide Notice of Passing of said By-law in accordance with the Retail Business Holidays Act.

**Carried (11:2)
(See Motion to Amend Which Lost)
(See Recorded Vote)**

YEAS: Councillor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (11)

NAYS: Councillor M^cLaren, Councillor Neill (2)

ABSENT: (0)

City Council Meeting Number 2016-12

Minutes

Tuesday April 5, 2016

Reports (continued)

Moved by Councillor Neill

Seconded by Councillor Osanic

That the Motion of Councillors Boehme and Allen be amended to include the following phrase following the word 'basis', "with the exception of Christmas Day and New Years Day" and further to include the phrase "as amended" following 'Exhibit D' to read as follows:

That the necessary By-law to amend By-law Number 98-127 being "A By-Law to Permit Retail Businesses to Operate on Statutory Holidays During the Period Between May 1 to October 15, Inclusive in the Calendar Year for the Maintenance of Tourism in the City of Kingston" to declare the downtown BIA a "Tourist Area", as defined by the Retail Business Holidays Act (the "Act"), for the purposes of exempting businesses in the Business Improvement Area from restrictions of the Act on a year round basis with the exception of Christmas Day and New Years Day, as outlined in Exhibit D, as amended, to Report Number 16-127, be presented to Council for enactment and given three readings at the same meeting; and

That staff be directed to provide Notice of Passing of said By-law in accordance with the Retail Business Holidays Act.

**Lost (3:10)
(See Recorded Vote)**

YEAS: Councillor M^cLaren, Councillor Neill, Councillor Osanic (3)

NAYS: Councillor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (10)

ABSENT: (0)

Option 2

Moved by Councillor M^cLaren

Seconded by Councillor Neill

That Council not enact an amending By-law to declare the downtown BIA a "Tourist Area", as defined by the Retail Business Holidays Act (the "Act"), for the purposes of exempting businesses in the Business Improvement Area from restrictions of the Act on a year round basis.

(The Report of the Commissioner of Corporate & Strategic Initiatives (16-127) was attached to the agenda as schedule pages 88-121)

(File Number CSU-D06-000-2016)

(See By-Law Number (2), 2016-80)

Lost (5:8)
(See Recorded Vote)

YEAS: Councillor Hutchison, Councillor M^cLaren, Councillor Neill, Councillor Osanic, Councillor Stroud (5)

NAYS: Councillor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Mayor Paterson, Councillor Schell, Deputy Mayor Turner (8)

ABSENT: (0)

Report Number 45: Received from the Arts, Recreation and Community Policies Committee

Moved by Councillor Hutchison
Seconded by Councillor Boehme

That Report Number 45: Received from the Arts, Recreation and Community Policies Committee be received and adopted.

Report Number 45

To the Mayor and Members of Council:

Council consented to the separation of Clause 1.

The Arts, Recreation and Community Policies Committee reports and recommends as follows:

1. Civic Collection: Long-term Plans for the Steam Launch Phoebe

Whereas the Museums and Collections Advisory Committee and the Arts, Recreation and Community Policies Committee provided direction on the options for which further feasibility study should be conducted in order for staff to bring a recommendation to Council regarding a long-term plan for the steam launch Phoebe;

Therefore Be It Resolved That the Phoebe be removed to storage and the exhibit shelter be dismantled prior to start of the construction of the expansion to the Pump House Steam Museum; and

That the Phoebe be re-located and displayed within the city of Kingston including the Pump House Steam Museum; and

That pending Council approval, staff be directed to prepare a detailed plan, budget and schedule supporting the implementation of the selected proposal and to report back to Council by September, 2016.

(Report number MACAC-16-001 is provided for information purposes and was attached to the agenda as schedule pages 122-139)

Reports (continued)

Carried As Amended (13:0)
(See Motions to Amend Which Were Carried)
(See Recorded Vote)

Moved by Councillor Osanic
Seconded by Councillor Stroud

That paragraph 4 be amended by deleting “at a future date” from the last paragraph and by inserting “by September, 2016.”

Carried (13:0)
(See Recorded Vote)

YEAS: Councillor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

Moved by Councillor Allen
Seconded by Councillor Boehme

That paragraph 3 be amended by deleting the words “at a City-owned site” and inserting “within the city of Kingston”.

Carried (12:1)
(See Recorded Vote)

YEAS: Councillor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Councillor Neill, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (12)

NAYS: Councillor Osanic (1)

ABSENT: (0)

2. Report on the Progress of the Museums and Collections Advisory Committee 2015-2016

That the 2015-2016 Museums and Collections Advisory Committee Report Card attached as Exhibit A be approved as a summary of the work accomplished; and

That the Report Card be made available as a resource to Heritage Kingston on matters pertaining to civic museums and collections.

(Exhibit A was attached to the agenda as schedule pages 140-143)

Reports (continued)

3. Amendment to the Definitions in the 10-Year Municipal Housing and Homelessness Plan

That Council approve the amendment of the definitions contained in the 10-Year Housing and Homelessness Plan of “chronic homelessness” and “episodic homelessness”, as well as approving new definitions of “short-term homelessness” and “at imminent risk of homelessness,” as described in Exhibits A and B to Report Number HHC-16-004.

(Exhibits A and B were attached to the agenda as schedule pages 144-145)

4. Request for Status Update Report - Baseball Facilities Maintenance

That staff provide a report to the Arts, Recreation & Community Policies Committee by the September, 2016 meeting on the outstanding issues identified in Report Number ARCP-16-003 regarding the matters raised by baseball user groups and related to the Turf Management Plan.

Carried (13:0)
(Clause 2), 3) and 4))
(See Recorded Vote)

YEAS: Councillor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

Committee of the Whole

None

Information Reports

1. Waste Recycling Strategy Update

This information report provides a summary of the accomplishments in 2015, as well as an outline of goals and initiatives for 2016.

(The Report of the President and CEO of Utilities Kingston (16-124) was attached to the agenda as schedule pages 146-174)

(File Number CSU-E07-001-2016)

Information Reports from Members of Council

None

Miscellaneous Business

None

Moved by Councillor Neill

Seconded by Councillor Osanic

That Council waive the rules of By-Law Number 2010-1, "Council Procedural By-Law", in order to extend the meeting to complete the agenda.

Carried (11:1)
(A 2/3 Vote of Council Was Received)
(See Recorded Vote)

YEAS: Councillor Allen, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Deputy Mayor Turner (11)

NAYS: Councillor Stroud (1)

ABSENT: Councillor Boehme (1)

New Motions

1. Moved by Deputy Mayor Turner
Seconded by Councillor Holland

Whereas the Federation of Canadian Municipalities (FCM) represents the interests of municipalities on policy and program matters that fall within federal jurisdiction; and

Whereas FCM's Board of Directors is comprised of elected municipal officials from all regions and sizes of communities to form a broad base of support and provide FCM with the capacity to carry the municipal message to the federal government; and

Whereas the City of Kingston has previously benefited from having City of Kingston representation on the FCM board; and

Whereas the Federation of Canadian Municipalities (FCM) is seeking nominations to their board of directors, and nominations must be received by Tuesday May 16, 2016; and

Whereas nominations to the FCM board must be supported by a council motion which indicates the financial support of that council;

Therefore Be It Resolved That the Council of the City of Kingston endorses Councillor Richard Allen to stand for election to the Federation of Canadian Municipalities Board of Directors starting June 2016 and ending in June 2017; and

That the City of Kingston agrees to cover the travel expenses related to Councillor Allen attending meetings.

City Council Meeting Number 2016-12

Minutes

Tuesday April 5, 2016

New Motions (continued)

Carried (13:0)
(See Recorded Vote)

YEAS: Councillor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

Mayor Paterson passed the gavel to Deputy Mayor Turner.

2. Moved by Mayor Paterson
Seconded by Deputy Mayor Turner

Whereas the City of Kingston and communities across the country have been encouraged to participate in to the Mayor's Poetry City Challenge, issued by Mayor Naheed Nenshi, City of Calgary; and

Whereas the Mayor's Poetry City Challenge is a celebration of poetry, writing and publishing; and

Whereas participating in this challenge will identify Kingston as a community that values and supports the contributions of the arts, particularly poets and writers, to our quality of life; and

Whereas National Poetry Month is celebrated in Canada and the United States for the month of April;

Therefore Be It Resolved That notwithstanding the proclamation policy, the month of April be declared 'National Poetry Month in the City of Kingston' and the City of Kingston poet laureate, Helen Humphreys, be invited to present a poem at the April 19 meeting of council in recognition of national poetry month.

Carried (13:0)
(See Recorded Vote)

YEAS: Councillor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

Deputy Mayor Turner returned the gavel to Mayor Paterson who re-assumed the Chair.

City Council Meeting Number 2016-12

Minutes

Tuesday April 5, 2016

Notices of Motion

None

Minutes

Moved by Councillor Allen

Seconded by Deputy Mayor Turner

That the Minutes of Special City Council Meeting Numbers 2016-8, held Tuesday, February 23, 2016 and 2016-10, held Wednesday March 9, 2016 and the minutes of regular City Council Meeting Number 2016-11, held Tuesday March 22, 2016 be confirmed.

Carried (13:0)
(See Recorded Vote)

YEAS: Councillor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

Tabling of Documents

- 2016-36 Police Services Board
Agenda - March 24, 2016
Minutes - February 18, 2016
2015-Year-end budget Report
(File Number CSU-P17-000-2016)
- 2016-37 Kingston, Frontenac, and Lennox & Addington (KFL&A) Public Health
Board Minutes - January 27, 2016
(File Number CSU-S08-001-2016)
- 2016-38 Kingston Frontenac Public Library
Board Minutes - March 1 (rescheduled from February 24, 2016)
(File Number CSU-R02-000-2016)
- 2016-39 Committee of Adjustment
Minutes - February 22, 2016
(File Number CSU-D19-000-2016)

City Council Meeting Number 2016-12

Minutes

Tuesday April 5, 2016

Communications

Filed

- 12-311 Public Notice of Complete Planning Application and Zoning By-Law Amendment - 5059 Leo Lake Road.
(File Number CSU-D14-000-2016)
- 12-317 From the Committee of Adjustment - Notice of Planning Application - Delegated Authority - 2525 Woodburn Road.
(File Number CSU-D19-000-2016)
- 12-318 From the Committee of Adjustment - Notice of Decisions for the following applications:
- MINOR VARIANCE – In respect of an application for permission under Section 45(2)(a)(i) of the Planning Act for the property at 1568 Bath Road, the Committee decided that the application **Should be Approved**, subject to conditions. The final date for appeal is April 11, 2016.
- MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law Number 32-74 for the property at 1674 Jackson Boulevard, the Committee decided that the application **Should be Approved**, subject to conditions. The final date for appeal is April 11, 2016.
- MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law Number 8499 for the property at 145 Kirkpatrick Street, the Committee decided that the application **Should be Approved**, subject to conditions. The final date for appeal is April 11, 2016.
- MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law Number 8499 for the property at 557 Brock Street, the Committee decided that the application **Should be Approved**, subject to conditions. The final date for appeal is April 11, 2016.
(File Number CSU-D19-000-2015)

Referred to All Members of Council

- 12-307 From Paul Snider, Director of Administrative Services-Clerk, Loyalist Township, providing notice of appointment to Taxi Commission.
(Distributed to all Members of Council on March 30, 2016)
(File Number CSU-C12-000-2016)
- 12-308 From Matt Pegg, President, Ontario Association of Fire Chiefs (O AFC) - O AFC 2016 Municipal Officials Seminar - The Essentials of Firefighting and Firefighting 101.
(Distributed to all Members of Council on March 30, 2016)
(File Number CSU-A04-000-2016)
- 12-309 From Sophia J. Babocci, resident, letter to Council regarding Solar Energy - Rental Business Idea.
(Distributed to all Members of Council on March 30, 2016)
(File Number CSU-E11-000-2016)

City Council Meeting Number 2016-12

Minutes

Tuesday April 5, 2016

Communications (continued)

- 12-310 From Cheryl Rider, Finance Coordinator, Cataraqui Region Conservation Authority, Financial Statement Year Ending December 31, 2015.
(Distributed to all Members of Council on March 30, 2016)
(File Number CSU-D03-000-2016)
- 12-312 From Greg Newman, Manager, Policy Planning, notice of open house and public meeting as part of the City of Kingston's Official Plan Update.
(Distributed to all Members of Council on March 30, 2016)
(File Number CSU-D08-000-2016)
- 12-313 From George Clark, resident, letter to Council regarding the Third Crossing and Development.
(Distributed to all Members of Council on March 30, 2016)
(File Number CSU-T04-000-2016)
- 12-314 From the Association of Municipalities of Ontario (AMO) - AMO Communications - AMO Policy Update - 2016 Federal Budget.
(Distributed to all Members of Council on March 30, 2016)
(File Number CSU-F05-000-2016)
- 12-315 From the Municipal Finance Officers' Association of Ontario (MFOA) - MFOA's 2016 Federal Budget Write-up.
(Distributed to all Members of Council on March 30, 2016)
(File Number CSU-F05-000-2016)
- 12-319 From Gary Thompson, resident, letter to Council regarding Downtown Kingston! BIA and the Retail Business Holidays Act.
(Distributed to all Members of Council on April 5, 2016)
(File Number CSU-D06-000-2016)
- 12-320 From Frank Dixon, resident, Official Correspondence, letter to Council regarding Phoebe's future.
(Distributed to all Members of Council on April 5, 2016)
(File Number CSU-R01-000-2016)
- 12-321 From Henk Wevers, resident on behalf of Friends of Phoebe, letter to Council regarding the Phoebe's future.
(Distributed to all Members of Council on April 5, 2016)
(File Number CSU-R01-000-2016)
- 12-322 From Keith Buxton, resident, letter to Council regarding the Red Light Camera Program.
(Distributed to all Members of Council on April 5, 2016)
(File Number CSU-T08-000-2016)
- 12-323 From Luke Harris, resident, letter to Council Regarding the Red Light Camera Program.
(Distributed to all Members of Council on April 5, 2016)
(File Number CSU-T08-000-2016)

City Council Meeting Number 2016-12

Minutes

Tuesday April 5, 2016

Communications (continued)

- 12-324 From Lorelei Graham, resident, letter to Council regarding the Downtown Kingston! BIA and the Retail Business Holidays Act.
(Distributed to all Members of Council on April 5, 2016)
(File Number CSU-D06-000-2016)
- 12-325 From Patricia Amaral, resident, letter to Council regarding the Downtown Kingston! BIA and the Retail Holidays Business Act.
(Distributed to all Members of Council on April 5, 2016)
(File Number CSU-D06-000-2016)
- 12-326 From Diane E. MacDonald, letter to Council regarding the Downtown Kingston! BIA and the Retail Holidays Business Act.
(Distributed to all Members of Council on April 5, 2016)
(File Number CSU-D06-000-2016)
- 12-327 From Gerry Locklin, resident, letter to Council regarding the Downtown Kingston! BIA and Retail Holidays Business Act.
(Distributed to all Members of Council on April 5, 2016)
(File Number CSU-D06-000-2016)
- 12-328 From Steve Mathieson, resident, letter to Council regarding the Downtown Kingston! BIA and the Retail Holidays Business Act.
(Distributed to all Members of Council on April 5, 2016)
(File Number CSU-D06-000-2016)
- 12-329 From Karin McVean, resident, letter to Council regarding the Downtown Kingston! BIA and the Retail Business Holidays Act.
(Distributed to all Members of Council on April 5, 2016)
(File Number CSU-D06-000-2016)

Referred to City Clerk

- 12-316 From Kingston and District Labour Council asking Council to proclaim April 28 as the Day of Mourning and to raise the flag at Confederation Basin.
(Distributed to all Members of Council on March 30, 2016)
(File Number CSU-M10-000-2016)

Other Business

None

By-Laws

- a) Moved by Councillor Osanic
Seconded by Councillor Holland

That By-Laws (1) through (4) and (7) be given their first and second reading.

City Council Meeting Number 2016-12

Minutes

Tuesday April 5, 2016

By-Laws (continued)

Carried (13:0)
(See Recorded Vote)

YEAS: Councillor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

- b)** Moved by Councillor Osanic
Seconded by Councillor Holland

That Clause 11.34 of By-Law Number 2010-1 be suspended for the purpose of giving By-Laws (1) and (2) three readings.

Carried (13:0)
(See Recorded Vote)

YEAS: Councillor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

- c)** Moved by Councillor Osanic
Seconded by Councillor Holland

That By-Laws (1) through (7) be given their third reading.

Carried (13:0)
(See Recorded Vote)

YEAS: Councillor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

- (1) A By-Law to Amend By-Law Number 2004-190, as amended "A By-Law to Regulate the Use of City Streets" (Authorized Alterations and Uses of Boulevards)

Three Readings
(See Clause (e), Report Number 43)

Proposed Number 2016-79

City Council Meeting Number 2016-12

Minutes

Tuesday April 5, 2016

By-Laws (continued)

- (2) A By-Law to Amend By-Law Number 98-127 "A By-Law to Permit Retail Businesses to Operate on Statutory Holidays during the Period between May 1 to October 15, inclusive in the Calendar Year for the Maintenance of Tourism in the City of Kingston"
Three Readings Proposed Number 2016-80
(See Clause (1), Report Number 44)
- (3) A By-Law to Establish Parts 1 Thru 8 on Reference Plan 13R-18892 known as First Canada Avenue as Parts of the Public Highway in The City Of Kingston, in Accordance with Section 31(4) of The Municipal Act, Chapter 25, S.O. 2001, As Amended
Three Readings Proposed Number 2016-81
(Delegated Authority)
- (4) A By-Law to Establish Parts 46, 47 & 48 on Reference Plan 13R-20791 known as Pauline Tom Avenue as Parts of the Public Highway in The City Of Kingston, in Accordance with Section 31(4) of The Municipal Act, Chapter 25, S.O. 2001, As Amended
Three Readings Proposed Number 2016-82
(Delegated Authority)
- (5) A By-Law to Establish the 2016 Tax Ratios
Third Reading Proposed Number 2016-73
(City Council Meeting Number 2016-11)
- (6) A By-Law to Establish the 2016 Tax Capping Limits
Third Reading Proposed Number 2016-74
(City Council Meeting Number 2016-11)
- (7) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday April 5, 2016
Three Readings Proposed Number 2016-83
(City Council Meeting Number 2016-12)

City Council Meeting Number 2016-12

Minutes

Tuesday April 5, 2016

Adjournment

Moved by Councillor Boehme
Seconded by Councillor George

That Council do now adjourn.

Carried (13:0)
(See Recorded Vote)

YEAS: Councillor Allen, Councillor Boehme, Councillor Candon, Councillor George,
Councillor Holland, Councillor Hutchison, Councillor M^cLaren, Councillor
Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor
Stroud, Deputy Mayor Turner (13)

NAYS: (0)

ABSENT: (0)

Council adjourned at 10:50 pm.

(Signed)

John Bolognone
City Clerk

Bryan Paterson
Mayor