



## **City Council Meeting Number 2016-14**

The Regular Meeting of Kingston City Council was held on Tuesday May 3, 2016, and was called to order at 5:47 pm in the Council Chamber, City Hall. Regular business commenced at 7:33 pm. His Worship Mayor Bryan Paterson presided.

There was a "Closed Meeting" of the Committee of the Whole from 5:53 pm to 7:25 pm in the Councillors' Lounge.

### **(Council Chamber)**

#### **Roll Call**

Present: Mayor Paterson, Deputy Mayor Allen, Councillor Boehme, Councillor Candon (arrived at 6:05 pm), Councillor George, Councillor Holland (arrived at 5:53 pm), Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic (arrived at 5:53 pm), Councillor Schell, Councillor Stroud (12)

Absent: Councillor Turner (1)

### **(Councillors' Lounge)**

#### **Administrative Staff Present:**

Ms. C. Beach, Commissioner, Corporate & Strategic Initiatives  
Mr. J. Bolognone, City Clerk  
Mr. G. Hunt, Chief Administrative Officer  
Mr. J. Keech, President & CEO, Utilities Kingston  
Mr. A. McLeod, Senior Counsel  
Ms. S. Nicholson, Director, Legal Services and City Solicitor  
Mr. J. Thompson, Committee Clerk

### **Committee of the Whole "Closed Meeting"**

- 1) Moved by Councillor Neill  
Seconded by Councillor Boehme

**That** Council resolve itself into the Committee of the Whole "Closed Meeting" to consider the following items:

- a) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Kingston Penitentiary;

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**Committee of the Whole “Closed Meeting” (continued)**

- b) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Cultural Service Level Agreement;
- c) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose and a proposed or pending acquisition or disposition of land by the municipality or local board - Federal Divestiture;
- d) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Marine Museum.

**Carried (9:0)**  
**(See Recorded Vote)**

YEAS: Deputy Mayor Allen, Councillor Boehme, Councillor George, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Mayor Paterson, Councillor Schell, Councillor Stroud (9)

NAYS: (0)

ABSENT: Councillor Candon, Councillor Holland, Councillor Osanic, Councillor Turner (4)

**(Council Chamber)**

**Administrative Staff Present:**

Ms. P. Agnew, Director of Planning, Building & Licensing  
Mr. S. Armstrong, Fire Chief  
Ms. C. Beach, Commissioner of Corporate and Strategic Initiatives  
Mr. J. Bolognone, City Clerk  
Ms. L. Breen, Supervisory, Recreation Programs  
Mr. L. Coleman, Information Systems and Technology  
Mr. S. Dickey, Deputy Treasurer  
Mr. P. Huigenbos, Manager, Real Estate & Land Development  
Mr. G. Hunt, Chief Administrative Officer  
Ms. L. Hurdle, Commissioner of Community Services  
Mr. D. Johnson, Chief Information Officer  
Mr. J. Keech, President and CEO, Utilities Kingston  
Ms. S. Kidd, Director, Transportation Services  
Mr. S. Laidman, Director, Housing and Social Services  
Mr. D. Leger, Commissioner of Transportation, Facilities and Emergency Services  
Mr. P. MacLatchy, Director, Environment and Sustainable Initiatives  
Ms. R. Morgan, Communications Officer  
Ms. S. Nicholson, Director, Legal Services and City Solicitor  
Ms. H. Roberts, Manager, Solid Waste Operations  
Ms. S. Sheahan, Executive Director, Corporate Planning, Strategy & Results  
Mr. J. Thompson, Committee Clerk  
Ms. C. Thomson, Assistant to the Mayor

**Report of the Committee of the Whole “Closed Meeting”**

- 2) Moved by Councillor Hutchison  
Seconded by Councillor Schell

**That** Council rise from the Committee of the Whole “Closed Meeting” without reporting.

**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Deputy Mayor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor Turner (1)

**Approval of Addeds**

Moved by Councillor Neill  
Seconded by Councillor Osanic

**That** the addeds be approved.

**Carried (12:0)**  
**(A 2/3 Vote of Council was Received)**  
**(See Recorded Vote)**

YEAS: Deputy Mayor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor Turner (1)

**Disclosure of Pecuniary Interest**

- 1) Councillor George declared a possible pecuniary interest in the matter of clause d) of Report Number 52: Received from the Chief Administrative Officer (Consent) as he has been retained by the adjacent property owner to provide survey services.

**Presentations**

1. Noor Huda, Y2K Kingston Youth Strategy along with Mariah Toner, Ed Burley and Nick Rushton presented Mayor Paterson with an award recognizing Kingston as a Youth Friendly Community which was received at the Parks and Recreation Ontario Conference on April 7, 2016.

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**Delegations**

Council consented to the addition of Delegation Number 1.

1. David Knowles, resident, appeared before Council and spoke to New Motion Number 2 Received from Councillor Holland and Councillor Neill with respect to the Dental Week Project.

**Briefings**

1. Lanie Hurdle, Commissioner of Community Services, introduced Bhavana Varma, President & CEO, United Way Kingston, Frontenac Lennox and Addington, Tara Everitt, Home Base Housing and Jason Beaubiah, Kingston Youth Shelter, who provided a briefing with respect to Information Report Number 2 – United Way – City of Kingston Joint Youth Homelessness Initiatives.

**Petitions**

None

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

**Motion of Condolence**

1. Moved by Mayor Paterson  
Seconded by Deputy Mayor Allen

**That** the condolences of Kingston City Council be extended to the family of Peter Moore, longtime Bus Operator with the City of Kingston, who passed away on April 13, 2016. Our thoughts are with Peter's family during this difficult time.

**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Deputy Mayor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor Turner (1)

**Deferred Motions**

None

## Reports

### **Report Number 52: Received from the Chief Administrative Officer (Consent)**

Moved by Councillor Osanic

Seconded by Councillor Boehme

**That** Report Number 52: Received from the Chief Administrative Officer (Consent) be received and adopted.

To the Mayor and Members of Council:

Council consented to the separation of Clauses c), d) and e).

The Chief Administrative Officer reports and recommends as follows:

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

**a) Replacement of Magnetic Separator at the Material Recovery Facility**

**That** the Solid Waste Division be authorized to single source, pursuant to Purchasing By-Law 2000-134, goods and services with Walker Magnetics for the replacement of the magnetic separator which mechanically separates ferrous recyclables from the blue box processing line at the Material Recovery Facility at the Kingston Area Recycling Centre; and

**That** Council authorize the Mayor and Clerk to execute the Agreement in a form satisfactory to the Director of Legal Services.

(The Report of the President and CEO of Utilities Kingston (16-144) was attached to the agenda as schedule pages 1-5)

(File Number CSU-E07-001-2016)

**b) Fire Dispatch Service Agreements – The Corporation of the Township of North Frontenac and the Corporation of the Township of Frontenac Islands**

**That** Council authorize the Mayor and Clerk to execute separate agreements with the Corporation of the Township of Frontenac Islands and the Corporation of the Township of North Frontenac, which includes the limitation of liability to the City of Kingston, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Transportation, Facilities and Emergency Services (16-134) was attached to the agenda as schedule pages 6-9)

(File Number CSU-P16-000-2016)

**c) Kingston Transit – Secondary School Complimentary Transit Pilot Program**

**That** Council continue the complimentary Grade 9 to Grade 12 transit pilot program for a 3-year period (2016/17, 2017/18, 2018/19 academic years),

**Reports (continued)**

including students attending public, separate or private schools in the City of Kingston, or students receiving a home-based education in the City of Kingston, subject to the City of Kingston receiving a total combined financial contribution of \$60,000 in each of the academic years from the Limestone District School Board and Algonquin Lakeshore Catholic District School Board in support of the program; and

**That** Council direct staff to continue to evaluate the operational and financial impacts of the pilot program and make recommendations regarding a secondary school student transit program, with funding source considerations, as part of the transit fare review being undertaken in 2016; and

**That** Council approve providing Grade 12 graduating students that are staying in Kingston and not attending a post-secondary institution with a complimentary 4-month transit pass for the period of September 1, 2016 – December 31, 2016; and

**That** Council authorize the Mayor and City Clerk to enter into a research partnership, to the satisfaction of the Director of Legal Services, with the University of Waterloo to complete a research report whose scope is outlined in this report at a cost not to exceed \$25,000, including taxes.

(The Report of the Commissioner of Transportation, Facilities and Emergency Services (16-142) was attached to the agenda as schedule pages 10-16)

(File Number CSU-T03-000-2016)

**Carried (12:0)**

**(Clause c))**

**(See Recorded Vote)**

YEAS: Deputy Mayor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor Turner (1)

Councillor George withdrew from the meeting.

**d) Declare Surplus and Dispose of Municipal Property being Block A on Plan 642, Wartman Avenue**

**That** Council declare surplus to municipal need and dispose of Block A on Registered Plan 642, being all of PIN 36119-0037(LT), further described as Parts 1 to 5 on Reference Plan 13R-21287, in the former Township of Kingston, lying on the south side of Wartman Avenue and abutting the properties known municipally as 845 and 849 Wartman Avenue; and

**Reports (continued)**

**That** Council authorize the Mayor and Clerk to execute all necessary agreements as may be required to affect the transfer of title of Block A on Registered Plan 642 to the abutting properties, 845 and 849 Wartman Avenue, to the satisfaction of the Director, Legal Services.

(The Report of the Commissioner of Corporate & Strategic Initiatives (16-145) was attached to the agenda as schedule pages 17-21)

(File Number CSU-T09-000-2016)

**Carried (11:0)**  
**(Clause d))**  
**(See Recorded Vote)**

YEAS: Deputy Mayor Allen, Councillor Boehme, Councillor Candon, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud (11)

NAYS: (0)

ABSENT: Councillor George, Councillor Turner (2)

Councillor George returned to the meeting.

**e) Radiocommunication Facilities – Proposal for Third Party Reviewer and Amendment to By-Law Numbers 2005-10 and 2006-75**

**That** the City of Kingston become a member of the Canadian Radiocommunications Information and Notification Service / Service d'Information et de notification en radiocommunications canadienne (CRINS-SINRC), and

**That** Council authorize CRINS-SINRC staff to act as the authorized representative of the City of Kingston for the purposes of reviewing and processing radiocommunication facility applications within the City's jurisdiction, working with the Director of Planning, Building & Licensing Services or designate; and

**That** the CRINS-SINRC Reference Protocol, Issue 3 (Exhibit A), and subsequent amendments as may be approved from time to time, be used as the municipality's protocol for the review of radiocommunication facility applications; and

**That** the proposed 'Guidelines for Establishing Radiocommunication Facilities in the City of Kingston' (Exhibit B) be accepted and forwarded to CRINS-SINRC as additional guidelines for the review of requests for radiocommunication facilities in Kingston; and

**That** Council authorize the Director of Planning, Building & Licensing Services to execute any documentation required to enter into a relationship with CRINS-SINRC; and

**Reports (continued)**

**That** the Director of Planning, Building & Licensing Services be the designated staff member to sit on the CRINS-SINRC Advisory Board; 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 (Draft By-Law to amend By-Law Number 2005-10) of Report Number 16-136; and

**That** By-Law Number 2006-75, "A By-law to Delegate Various Planning Approvals to Staff and to Adopt Certain Procedures for the Processing of Planning Applications Subject to Delegated Authority", as amended be further amended as per Exhibit D (Draft By-Law to amend By-Law Number 2006-75) of Report Number 16-136.

(The Report of the Commissioner of Community Services (16-136) was attached to the agenda as schedule pages 22-71)

(File Number CSU-A12-000-2016)

**(See By-Law Number (1), 2016-94)**

**(See By-Law Number (2), 2016-95)**

**f) Proposed Cell Tower Land Lease – Bell Mobility Inc. – 1303 John Marks Avenue**

**That** Council grant approval for Bell Mobility Inc. to submit a formal application to Planning, Building & Licencing to initiate a public consultation for a proposed cell tower on City owned property at 1303 John Marks Avenue; and

**That** the Manager of Real Estate & Land Development be delegated authority to provide land owner's written consent for the purposes of the application; and

**That** subject to the application receiving no objections from the Planning Committee in accordance with the requirements of Innovation, Science and Economic Development Canada and the City's public consultation process, Council direct staff to negotiate a lease with Bell Mobility Inc. at fair market value for a period of five (5) years with three (3) successive five (5) year options to renew, in a form satisfactory to the Director, Legal Services; and

**That** Council authorize the Mayor and Clerk to execute all necessary agreements as may be required to finalize a lease with Bell Mobility Inc.

(The Report of the Commissioner of Corporate & Strategic Initiatives (16-146) was attached to the agenda as schedule pages 72-80)

(File Number CSU-A12-000-2016)



**Reports (continued)**

**g) Community Engagement Process and Consultants for Community Visioning Exercise – Federal Properties and Portsmouth Olympic Harbour**

**That** Council approve an additional \$50,000, for a total of \$100,000, from the Working Fund Reserve to the Kingston Penitentiary and Portsmouth Olympic Harbour joint community visioning exercise.

(The Report of the Commissioner of Community Services (16-159) was attached to the agenda as schedule pages 81-86)

(File Number CSU-D18-000-2016)

**h) Step-Down Funding and End of Operating Agreement Strategy**

**That** Council endorse the Federal Funding Step-Down and End of Operating Agreement Strategy prepared by SHS Consulting/Refact Consulting; and

**That** Council direct staff to develop an implementation plan based on the recommendations outlined in the Strategy; and

**That** Council pursue senior level governmental funding and legislative changes by participating in ongoing and future lobbying efforts, as well as undertaking locally generated efforts, in recognition that the continuation of the federal government funding and legislated flexibility is required to sustain these social housing programs and Service Manager obligations.

(The Report of the Commissioner of Community Services (16-077) was attached to the agenda as schedule pages 87-112)

(File Number CSU-S18-000-2016)

**i) Amendment of Teranet General Municipal License Agreement - Ontario Ownership Mapping Data Products**

**That** Council authorize the Mayor and Clerk to execute amendments to the existing General Municipal Licence Agreement with Teranet Enterprises Inc. for the provision of additional property and ownership mapping, based on a revised annual fee not to exceed \$14,496, plus applicable taxes, in a form satisfactory to the the Director of Legal Services; and

**That** Council delegate authority to the Chief Information Officer to further renew or amend the General Municipal Licence Agreement with Teranet, subject to the renewal/amending agreements being reviewed by and in a form satisfactory to the Director of Legal Services.

(The Report of the Chief Financial Officer and City Treasurer (16-139) was attached to the agenda as schedule pages 113-116)

(File Number CSU-A23-000-2016)

**Reports (continued)**

**Carried (12:0)**  
**(Clauses a), b), f), g), h) and i))**  
**(See Recorded Vote)**

YEAS: Deputy Mayor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor Turner (1)

**Report Number 53: Received from the Planning Committee**

Moved by Councillor Schell

Seconded by Councillor Neill

**That** Report Number 53: Received from the Planning Committee be received and adopted.

Report Number 53

To the Mayor and Members of Council:

The Planning Committee reports and recommends as follows:

**1) Approval of an Application for Zoning By-Law Amendment - 358 Victoria Street (HMD Drafting & Design)**

**That** the application for a zoning by-law amendment (File Number D14-073-2015) submitted by Heather Cirella (HMD Drafting & Design), on behalf of Jeevan Rajaratnam and Karthika Sarvendran, for the property municipally known as 358 Victoria Street, be approved; and

**That** it be recommended to Council that the application for zoning by-law amendment (File Number D14-073-2015) for the lands municipally known as 358 Victoria Street, be approved; and

**That** By-Law Number 8499 of The Corporation of the City of Kingston, entitled "A By-Law to Regulate the Use of Lands and the Character, Location and Use of Buildings and Structures in the Township of Kingston", as amended, be further amended, as per Exhibit A (Draft By-Law and Schedule A to amend Zoning By-Law Number 8499) to Report Number PC-16-036; 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.

(By-Law Number (4), 2016-97 was attached to the agenda as schedule pages 117-121)

**Reports (continued)**

**Carried (12:0)  
(See Recorded Vote)**

YEAS: Deputy Mayor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor Turner (1)

**Report Number 54: Received from the Environment, Infrastructure and Transportation Policies Committee**

Moved by Councillor Stroud

Seconded by Deputy Mayor Allen

**That** Report Number 54: Received from the Environment, Infrastructure and Transportation Policies Committee be received and adopted.

Report Number 54

To the Mayor and Members of Council:

The Environment, Infrastructure and Transportation Policies Committee reports and recommends as follows:

**1. Water & Natural Gas Conservation Incentive Programs**

**That** Utilities Kingston introduce a pilot conservation incentive program to commercial natural gas distribution customers.

**2. Proposed Bill 151, Waste-Free Ontario Act**

**That** this report be accepted for information on Bill 151, the Waste-Free Ontario Act and the accompanying draft Strategy for a Waste-Free Ontario: Building the Circular Economy; and

**That** Council endorse and support the comments, considerations and recommendations listed in Appendix A in regards to Bill 151, the Waste-Free Ontario Act and the accompanying draft Strategy for a Waste-Free Ontario: Building the Circular Economy to establish the City's position on Bill 151; and

**That** staff submit, upon endorsement by Council, Appendix A to the Minister of the Environment and Climate Change and the MPP of Kingston and the Islands.

(Appendix A was attached to the agenda as schedule pages 122-125)

**Reports (continued)**

**3. Removal of Coloured Expanded Polystyrene from the Blue Box Program**

**That** Council endorse the letter in Appendix A that will be sent to the major grocers and butcher retailers in Kingston to provide them with the details on the removal of coloured Styrofoam, specifically meat trays in the recycling program and request that they use white Styrofoam meat trays where possible to ensure that residents are able to recycle the packaging.

(Appendix A was attached to the agenda as schedule page 126)

**4. Integrated Waste Management Study – Alternative Technologies for Processing Residual Municipal Solid Waste**

**That** alternative residual waste processing technologies and opportunities to seek and aggregate additional waste from neighbouring municipalities and/or the local industrial, institutional and commercial (IC&I) sector not be pursued by the City at this time based on the proposed Waste-Free Ontario Act and accompanying draft Strategy for a Waste-Free Ontario: Building the Circular Economy; and

**That** the City continues with the current residual waste disposal arrangements until January 31, 2020, with an option to extend the agreement for an additional year at the sole discretion of the City; and

**That** staff identify the City's waste management hierarchy and request options for both landfill and non-landfill, alternative residual waste processing technologies in the preparation and release of the next Request for Proposal (RFP) for transfer, transportation and disposal of municipal solid waste as options exist and are available in the province, but outside of the Kingston area.

**5. Kingston Environmental Advisory Forum (KEAF) Working Group Terms of Reference**

**That** the mandate of Kingston Environmental Advisory Forum (KEAF) as described within By-Law 2010-205 (as amended) be updated as described within Exhibit A of this report in order to formalize the terms of reference by which the working groups of KEAF shall operate; and

**That** a by-law be presented to Council to amend By-Law No. 2010-205 to remove the "Working Groups" section of Schedule B-2 in its entirety, and replace it with a new section as set out in Exhibit A to this Report.

(Exhibit A was attached to the agenda as schedule pages 127-129)

(See By-Law Number (3), 2016-96)

**Reports (continued)**

**Carried (12:0)  
(See Recorded Vote)**

YEAS: Deputy Mayor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor Turner (1)

**Committee of the Whole**

None

**Information Reports**

Council consented to the addition of Information Report Number 3.

**1. Pending and Committed Residential Development Supply Update to December 2015**

This report provides Council with information on the number of potential residential dwelling units in the City's residential development inventory that are located within the Urban Boundary.

(The Report of the Commissioner of Community Services (16-140) was attached to the agenda as schedule pages 130-144)

(File Number CSU-D00-000-2016)

**2. United Way – City of Kingston Joint Youth Homelessness Initiatives**

This report provides Council with information with respect to the creative campaign being launched to raise awareness about the issue of youth homelessness.

(The Report of the Commissioner of Community Services (16-147) was attached to the agenda as schedule pages 145-150)

(File Number CSU-S16-000-2016)

**3. Selection of Consultants for Community Visioning Exercise – Federal Properties and Portsmouth Olympic Harbour**

This is a supplemental information report to Report Number 16-159 which provides Council with information on short listed consultants and additional budget for the Kingston Penitentiary and Portsmouth Olympic Harbour visioning exercise.

(The Report of the Commissioner of Community Services (16-163) was attached to the agenda as schedule pages 1-4)

(File Number CSU-D18-000-2016)

**Information Reports from Members of Council**

None

**Miscellaneous Business**

- 1) Moved by Councillor Neill  
Seconded by Councillor Boehme

**That** as requested by 58 Squadron-Royal Canadian Air Cadets, Council approve the raising of the flag on May 28<sup>th</sup>, 2016 representing the Air Cadet's 75th anniversary at Confederation Basin and from May 30-June 6 at Princess/Division Street.

**(See Communication Number 14-373)**

**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Deputy Mayor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor Turner (1)

- 2) Moved by Councillor Boehme  
Seconded by Councillor Schell

**That** as requested by the 58 Squadron-Royal Canadian Air Cadets, asking Council to proclaim May 28<sup>th</sup> to June 4<sup>th</sup>, 2016 as "58 Air Commodore A. Dwight Ross GC, CBE, CD Royal Canadian Air Cadet Squadron Week" in the City of Kingston.

**(See Communication Number 14-374)**

**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Deputy Mayor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor Turner (1)

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**New Motions**

Mayor Paterson passed the gavel to Deputy Mayor Allen who assumed the chair.

1. Moved by Mayor Paterson  
Seconded by Deputy Mayor Allen

**That** the following recommendation approved by Council on Tuesday April 19, 2016 be reconsidered:

**That** pursuant to Request for Proposals F31-CSI-ESI-2013-06 and Reports 14-112 and 16-006, Council accept the proposal by PNHD Developments Inc. to purchase, remediate and redevelop the failed tax sale properties known as the former I. Cohen & Sons Lands as described within Report 16-006, and

**That** Council authorize the Mayor and Clerk to execute an Agreement of Purchase, Sale & Redevelopment with PNHD Developments Inc. for the former I. Cohen & Sons properties that is satisfactory to the Director of Legal Services and the Commissioner of Corporate and Strategic Initiatives and is based on the terms described within Council Report Number 16-006; and

**That** upon execution of an Agreement of Purchase, Sale and Redevelopment, the City Treasurer be authorized to prepare and register a notice of vesting in the name of The Corporation of the City of Kingston pursuant to subsection 379(5) of the *Municipal Act, 2001* for the properties known municipally as (the former I. Cohen & Sons properties) comprised of the following roll numbers and civic addresses;

- 10.11.040.100.01500 - 546 Montreal Street;
- 10.11.040.100.02400 - 576 Montreal Street;
- 10.11.040.100.02900 - 594-598 Montreal Street;
- 10.11.040.100.03100 - 600 - 602 Montreal Street;
- 10.11.040.100.03500 - 0 Montreal Street;
- 10.11.040.100.03800 - 0 Railway Street; and

**That** Council approve the write-off of uncollectible taxes for the above noted properties, which failed to sell under the tax sale provisions in the *Municipal Act, 2001*, in the amount of \$2,308,196.07 of which \$1,960,037.86 is the City's portion and \$348,158.21 will be charged back to the school boards; and

**That** ownership of the failed tax sale properties vested by the City be transferred from the City of Kingston to PNHD Developments Inc. for the sale price of \$5,000 upon completion of the Agreement of Purchase, Sale & Redevelopment; and

**That** a by-law be presented to Council to permanently close a portion of Fraser Street on Registered Plan C-22 more particularly described as Parts 16 to 28 on Plan 13R-21130; and

**That** a by-law be presented to Council to permanently close a portion of Duff Street on Registered Plan C-22 more particularly described as Parts 1 to 3 on Plan 13R-21130; and

**New Motions (continued)**

**That** the closed road allowances described as portions of Fraser Street and Duff Street on Registered Plan C-22 more particularly described as Parts 1 to 3 and Parts 16 to 28 on Plan 13R-21130 be declared surplus to municipal need and sold to PNHD Developments Inc. for the sale price of \$10,000.00 to be included as part of the Agreement of Purchase, Sale & Redevelopment; and **That** each road closure by-law receive its third reading only after the developer has received planning approvals from the City.

**Carried (12:0)**  
**(A 2/3 Vote of Council was Received)**  
**(See Recorded Vote)**

YEAS: Deputy Mayor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor Turner (1)

**Motion as Approved**

**That** pursuant to Request for Proposals F31-CSI-ESI-2013-06 and Reports 14-112 and 16-006, Council accept the proposal by PNHD Developments Inc. to purchase, remediate and redevelop the failed tax sale properties known as the former I. Cohen & Sons Lands as described within Report 16-006, and

**That** Council authorize the Mayor and Clerk to execute an Agreement of Purchase, Sale & Redevelopment with PNHD Developments Inc. for the former I. Cohen & Sons properties that is satisfactory to the Director of Legal Services and the Commissioner of Corporate and Strategic Initiatives and is based on the terms described within Council Report Number 16-006; and

**That** upon execution of an Agreement of Purchase, Sale and Redevelopment, the City Treasurer be authorized to prepare and register a notice of vesting in the name of The Corporation of the City of Kingston pursuant to subsection 379(5) of the *Municipal Act, 2001* for the properties known municipally as (the former I. Cohen & Sons properties) comprised of the following roll numbers and civic addresses;

10.11.040.100.01500 - 546 Montreal Street;  
10.11.040.100.02400 - 576 Montreal Street;  
10.11.040.100.02900 - 594-598 Montreal Street;  
10.11.040.100.03100 - 600 - 602 Montreal Street;  
10.11.040.100.03500 - 0 Montreal Street;  
10.11.040.100.03800 - 0 Railway Street; and

**That** Council approve the write-off of uncollectible taxes for the above noted properties, which failed to sell under the tax sale provisions in the *Municipal Act*,



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**New Motions (continued)**

2001, in the amount of \$2,308,196.07 of which \$1,960,037.86 is the City's portion and \$348,158.21 will be charged back to the school boards; and

**That** ownership of the failed tax sale properties vested by the City be transferred from the City of Kingston to PNHD Developments Inc. for the sale price of \$5,000 upon completion of the Agreement of Purchase, Sale & Redevelopment; and

**That** a by-law be presented to Council to permanently close a portion of Fraser Street on Registered Plan C-22 more particularly described as Parts 16 to 28 on Plan 13R-21130; and

**That** a by-law be presented to Council to permanently close a portion of Duff Street on Registered Plan C-22 more particularly described as Parts 1 to 3 on Plan 13R-21130; and

**That** the closed road allowances described as portions of Fraser Street and Duff Street on Registered Plan C-22 more particularly described as Parts 1 to 3 and Parts 16 to 28 on Plan 13R-21130 be declared surplus to municipal need and sold to PNHD Developments Inc. for the sale price of \$10,000.00 to be included as part of the Agreement of Purchase, Sale & Redevelopment; and

**Carried As Amended (12:0)**  
**(See Motion to Amend Which Was Carried)**  
**(See Recorded Vote)**

YEAS: Deputy Mayor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor Turner (1)

Moved by Mayor Paterson

Seconded by Councillor Boehme

**That** the Motion above be amended by deleting the last clause which reads as follows:

**“That** each road closure by-law receive its third reading only after the developer has received planning approvals from the City.”

**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Deputy Mayor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor Turner (1)

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

**New Motions (continued)**

2. Moved by Councillor Holland  
Seconded by Councillor Neill

**Whereas** oral health has long been acknowledged as a critical component of overall health and untreated dental issues can lead to significant health problems such as heart disease, chronic inflammation, and in severe cases, sepsis; and

**Whereas** financial barriers and lack of dental benefits reduce access to dental care for Kingston residents living under the Low Income Cut Off (LICO) and untreated oral health conditions can lead to tooth loss and decay that can lower self-esteem and limit employment options; and

**Whereas** the Kingston Community Health Centre (KCHC) currently works with dentists to provide assistance when possible, but cannot meet all the needs of those who cannot afford care on an ongoing basis, resulting in an increased number of residents seeking treatment in hospital emergency rooms; and

**Whereas** the Dental Week Project is a community-based fundraising goal to "buy" a dental practice (chair, staff, and supplies) for one week at a cost of \$10,000 and businesses and organizations are being asked to match pledges to meet and expand upon the one week target;

**Therefore Be It Resolved That** the Chief Administrative Officer be requested to contribute \$10,000 for the City of Kingston to the Dental Week Project in 2016 from current budget funds, to assist with the provision of free dental care to residents without coverage who are living under the LICO.

**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Deputy Mayor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor Turner (1)

**Notices of Motion**

None

**Minutes**

Moved by Councillor Deputy Mayor Allen  
Seconded by Councillor Holland

**That** the Minutes of City Council Meeting Number 2016-13, held Tuesday April 19, 2016 be confirmed.

(Distributed to all Members of Council on April 29, 2016)

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**Minutes (continued)**

**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Deputy Mayor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor Turner (1)

**Tabling of Documents**

- 2016-43 Downtown Kingston! BIA Board  
Minutes March 9, 2016  
(File Number CSU-A01-001-000-2016)
- 2016-44 Police Services Board  
Agenda for April 21, 2016  
Minutes March 2016  
(File Number CSU-P17-000-2016)
- 2016-45 Kingston Frontenac Lennox and Addington Public Health (KFL&A) Board  
Agenda - April 27, 2016  
(File Number CSU-S08-001-2016)
- 2016-46 Kingston & Frontenac Housing Corporation  
Agenda - April 25, 2016  
(File Number CSU-S13-000-2016)

**Communications**

**Filed**

- 14-387 Notice of Complete Application and Public Meeting - Proposed Zoning By-Law Amendment - 965 Milford Drive.  
(File Number CSU-D14-000-2016)
- 14-388 Notice of Complete Application and Public Meeting - Proposed Zoning By-Law Amendment - 1471-1479 John Counter Boulevard and 16 Terry Fox Drive.  
(File Number CSU-D14-000-2016)
- 14-389 Notice Complete Application and Public Meeting - Proposed Zoning By-Law Amendment - 484 Days Road.  
(File Number CSU-D14-000-2016)
- 14-390 Notice of Complete Application and Public Meeting - Official Plan Amendment and Zoning By-Law Amendment - 556 Princess Street.  
(File Number CSU-D09-000-2016 & CSU-D14-000-2016)
- 14-391 Notice of Passing of a Zoning By-Law - 169 Union Street.  
(File Number CSU-D14-000-2016)

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**Communications (continued)**

- 14-392 Notice of Passing of a Zoning By-Law - 462 Barrie Street.  
(File Number CSU-D14-000-2016)
- 14-393 Notice of Passing of a Zoning By-Law - 2939 Creekford Road  
(File Number CSU-D14-000-2016)
- 14-394 Committee of Adjustment Applications - Public Notice - Delegated  
Authority - 4133 Florida Road.  
(File Number CSU-D19-000-2016)

**Referred to All Members of Council**

- 14-372 From Bebhinn Jennings, Executive Director, Kingston Arts Council (KAC),  
letter to Council outlining the transition of leadership at the KAC.  
(Distributed to all Members of Council on April 27, 2016)  
(File Number CSU-A01-000-2016)
- 14-373 From 58 Squadron-Royal Canadian Air Cadets, asking Council to fly their  
flag on May 28th, 2016 representing the Air Cadet's 75th anniversary at  
Confederation Basin.  
(Distributed to all Members of Council on April 27, 2016)  
(File Number CSU-M10-000-2016)
- 14-374 From 58 Squadron-Royal Canadian Air Cadets, asking Council to proclaim  
May 28<sup>th</sup>- June 4<sup>th</sup>, 2016 as 58 Air Commodore A. Dwight Ross GC, CBE,  
CD Royal Canadian Air Cadet Squadron Week.  
(Distributed to all Members of Council on April 27, 2016)  
(File Number CSU-M10-000-2016)
- 14-375 From Ginette Martin-Stephan, Deputy Clerk, Township of North Stormont  
providing notice of Resolution with respect to Ontario Energy Board.  
(Distributed to all Members of Council on April 27, 2016)  
(File Number CSU-E06-000-2016)
- 14-376 From the Association of Municipalities of Ontario (AMO) - AMO  
Communications - MEPCO Update - Government Introduces Bill 186 to  
Implement the Proposed Ontario Retirement Pension Plan Act (ORPP).  
(Distributed to all Members of Council on April 27, 2016)  
(File Number CSU-L11-000-2016)
- 14-377 From Shara Lavallee, Clerk, Township of Gillies, providing notice of  
resolution regarding "No Wake" Legislation being enforced in Ontario's  
navigable waters.  
(Distributed to all Members of Council on April 27, 2016)  
(File Number CSU-E11-000-2016)
- 14-378 From Derek Complin, resident, letter to Council regarding Highway 401  
and the proposed third crossing.  
(Distributed to all Members of Council on April 27, 2016)  
(File Number CSU-T04-000-2016)

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**Communications (continued)**

- 14-379 From Maureen Adamson, Deputy Minister, Ministry of Tourism, Culture & Sport - Update on Ontario's Culture Strategy.  
(Distributed to all Members of Council on April 27, 2016)  
(File Number CSU-R00-000-2016)
- 14-380 From Kari Stevenson, Acting Clerk-Planning Technician, Municipality of Trent Lakes, providing notice of Resolution regarding Bill 158.  
(Distributed to all Members of Council on April 27, 2016)  
(File Number CSU-L11-000-2016)
- 14-381 From Brenda M. Brunt, CMO, Director of Corporate Services-Clerk, Municipality of South Dundas, providing notice of resolution regarding the Rural Economic Development (RED) Program.  
(Distributed to all Members of Council on April 27, 2016)  
(File Number CSU-D02-000-2016)
- 14-382 From the Association of Municipalities of Ontario (AMO) - AMO Communications - AMO Policy Update - Federal Infrastructure Minister Provides Funding Details.  
(Distributed to all Members of Council on April 27, 2016)  
(File Number CSU-F11-000-2016)
- 14-383 From Collins Bay Marina, presenting updated dates of reference regarding the proposed Airport Expansion Project.  
(Distributed to all Members of Council on April 27, 2016)  
(File Number CSU-T11-000-2016)
- 14-384 From The Kingston Historical Society, newsletter regarding the Graveside Commemoration Service for Sir John A MacDonald.  
(Distributed to all Members of Council on April 27, 2016)  
(File Number CSU-M02-000-2016)
- 14-385 From Sophie Kiwala, MPP, letter announcing the launch of the Red Tape Challenge.  
(Distributed to all Members of Council on April 27, 2016)  
(File Number CSU-D22-000-2016)
- 14-386 From Wayne Orr, Chief Administrative Officer, Township of South Frontenac, providing notice of resolution regarding nominations to the Cataraqui Region Conservation Authority (CRCA).  
(Distributed to all Members of Council on April 27, 2016)  
(File Number CSU-C12-000-2016)
- 14-395 From Katherine Pybus, resident, letter to Council regarding the Red Light Program.  
(Distributed to all Members of Council on April 27, 2016)  
(File Number CSU-T08-000-2016)

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**Communications (continued)**

- 14-396 From Sasha Helmkey, Records Management Coordinator, Township of Clearview, providing notice of Resolution regarding Bill 158.  
(Distributed to all Members of Council on April 27, 2016)  
(File Number CSU-L11-000-2016)

**Referred to City Clerk**

- 14-369 From Metis Nation of Ontario, asking Council to proclaim November 16th as "Louis Riel Day" and to fly the Metis Flag at both, Confederation Basin on November 16<sup>th</sup> and at Princess Street for the week of November 14-21, 2016.  
(Distributed to all Members of Council on April 27, 2016)  
(File Number CSU-M10-000-2016)
- 14-370 From Ontario Seniors' Secretariat asking Council to proclaim the month of June, 2016 as "Senior's Month" in the City of Kingston.  
(Distributed to all Members of Council on April 27, 2016)  
(File Number CSU-M10-000-2016)
- 14-371 From Falun Dafa Kingston Group, asking Council to proclaim May 13, 2016 as "Falun Dafa Day" in the City of Kingston.  
(Distributed to all Members of Council on April 27, 2016)  
(File Number CSU-M10-000-2016)

**Other Business**

None

**By-Laws**

- a) Moved by Councillor Boehme  
Seconded by Councillor Holland

**That** By-Laws (1) through (5) and (11) be given their first and second reading.

**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Deputy Mayor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor Turner (1)

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**By-Laws (continued)**

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

**That** Clause 11.34 of By-Law Number 2010-1 be suspended for the purpose of giving By-Law (5) three readings.

**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Deputy Mayor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor Turner (1)

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

**That** By-Laws (4) through (11) be given their third reading.

**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Deputy Mayor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor Turner (1)

- (1) 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

First and Second Readings

Proposed Number 2016-94

**(See Clause (e), Report Number 52)**

- (2) A By-Law to Amend By-law Number 2006-75, "A By-law to Delegate Various Planning Approvals to Staff and to Adopt Certain Procedures for the Processing of Planning Applications Subject to Delegated Authority", as amended – Add New Provisions Respecting Radiocommunication Facilities

First and Second Readings

Proposed Number 2016-95

**(See Clause (e), Report Number 52)**

- (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" (to Describe the Terms of Reference of Working Groups of The Kingston Environmental Advisory Forum)

First and Second Readings

Proposed Number 2016-96

**(See Clause (5), Report Number 54)**

**By-Laws (continued)**

- (4) A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Zone Change from One-Family Dwelling and Two-Family Dwelling Zone 'A' to Special One-Family Dwelling and Two-Family Dwelling Zone 'A.494', 358 Victoria Street)  
Three Readings Proposed Number 2016-97  
**(See Clause (1), Report Number 53)**
- (5) A By-Law to Designate the Clark Wright House at 25 Colborne Street to be of Cultural Heritage Value and Interest pursuant to the Provisions of the *Ontario Heritage Act* (R.S.O. 1990, 0.18)  
Three Readings Proposed Number 2016-98  
**(City Council Meeting Number 2016-11)**
- (6) A By-Law to Permanently Close a Portion of the Highway Described as Fraser Street on Registered Plan C-22, City of Kingston, more particularly Described as Parts 16 to 28 on Reference Plan 13R-21130  
Third Reading Proposed Number 2016-84  
**(See Clause (a), Report Number 52)**  
**(City Council Meeting Number 2016-13)**
- (7) A By-Law to Permanently Close a Portion of the Highway Described as Duff Street on Registered Plan C-22, City of Kingston, more particularly Described as Parts 1 to 3 on Reference Plan 13R-21130  
Third Reading Proposed Number 2016-85  
**(See Clause (a), Report Number 52)**  
**(City Council Meeting Number 2016-13)**
- (8) A By-Law to Amend By-Law No. 99-166, "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board", Add: Rebecca Matchett, Bruce Gerrond, Stephen Hawryszko, Jeff Nickle, Danielle Davis, Logan Brash, Chelsey Schell, David MacDonald, Victoria Freitag, Clayton Allen; Remove: Dustin Latimer, Zach De Vries, Dan Knowlton, Brad Gearing – St. Lawrence College, Kingston Campus, 100 Portsmouth Avenue.  
Third Reading Proposed Number 2016-27  
**(See Communication Number 02-044)**
- (9) A By-Law to Amend By-Law No. 99-166, "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board", Remove: Lori Ann Brown; Add: Lori-Ann Barcier – Porto Village Non-Profit Homes Inc., 700 Division Street.



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**By-Laws (continued)**

Third Reading

Proposed Number 2016-28

**(See Communication Number 045)**

- (10) A By-Law to Amend By-Law No. 99-166, "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board", Add: Doug Cowie, Sandrena Raymond, Stephen Duncan; Remove: Carole Pensom, Paul Carol, Robert Alan Peterson, Susan Corbett-Cyr, Gwen Charles, Kim Frankland, Gillian White, Natalie Wood, Ann Blake, Ashley Brant, John Pederson, Jana Clark – Marine Museum, 51-55 Ontario Street.

Third Reading

Proposed Number 2016-29

**(See Communication Number 046)**

- (11) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday May 3, 2016

Three Readings

Proposed Number 2016-99

**(City Council Meeting Number 2016-14)**

**Adjournment**

Moved by Councillor Boehme

Seconded by Councillor Candon

**That** Council do now adjourn.

**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Deputy Mayor Allen, Councillor Boehme, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor Turner (1)

Council adjourned at 8:47 pm.

(Signed)

John Bolognone

Bryan Paterson

City Clerk

Mayor