



## **City Council Meeting Number 2019-23**

The Regular Meeting of Kingston City Council was held on Tuesday, September 17, 2019, and was called to order at 6:16 pm in the Council Chamber, City Hall. Regular business commenced at 7:07 pm. His Worship Mayor Bryan Paterson presided.

There was a "Closed Meeting" of the Committee of the Whole from 6:20 pm to 6:39 pm in the Councillors' Lounge.

### **(Council Chamber)**

#### **Roll Call**

Present: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison (arrived at 6:20 p.m.), Deputy Mayor Kiley, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (arrived at 7:08 p.m. (13)

Absent: (0)

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

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

Mr. J. Bolognone, City Clerk

Ms. L. Hurdle, Interim Chief Administrative Officer

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

- 1) Moved by Councillor Boehme  
Seconded by Councillor Chapelle

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

- a) Personal matters about an identifiable individual, including municipal or local board employees – Commissioner, Corporate Services – Recruitment.

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

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

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Deputy Mayor Kiley, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson (11)

NAYS: (0)

ABSENT: Councillor Hutchison, Councillor Stroud (2)

**(Council Chamber)**

**Administrative Staff Present:**

Ms. P. Agnew, Director, Planning, Building & Licensing  
Mr. J. Bolognone, City Clerk  
Ms. A. Bryant-Peller, Assistant to the Mayor  
Mr. L. Coleman, Technology Associate  
Mr. M. Dickson, Project Manager, Transportation & Public Works  
Mr. L. Follwell, Director, Recreation & Leisure Services  
Mr. P. Huigenbos, Acting Commissioner, Community Services  
Ms. L. Hurdle, Interim Chief Administrative Officer  
Ms. J. Jaynes, Deputy City Clerk  
Ms. D. Kennedy, Chief Financial Officer and City Treasurer  
Ms. S. Kidd, Commissioner, Transportation & Public Works  
Mr. M. Kussin, Policy & Program Coordinator  
Mr. P. MacLatchy, Environment Director  
Mr. A. McLeod, Acting Director, Legal Services and City Solicitor  
Ms. D. Miller, Manager, Communications & Public Engagement  
Ms. R. Noordegraaf, Acting Director, Housing & Social Services  
Ms. J. Pinarski, Communications Officer  
Ms. D. Roberge, Acting Commissioner, Corporate Services  
Ms. H. Roberts, Director, Solid Waste Services  
Ms. J. Salter-Keane, Community Projects Manager  
Mr. I. Semple, Director, Transportation Services  
Mr. N. Unsworth, Manager, Parks Development

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

(2) Moved by Councillor M<sup>c</sup>Laren  
Seconded by Councillor Chapelle

**That** Council rise from the Committee of the Whole “Closed Meeting”, that the rules of By-Law Number 2010-1 be waived and the Clerk report.

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

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

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

Councillor Boehme declared a potential pecuniary interest at this point in the meeting and withdrew from the meeting.

- (3) Moved by Councillor M<sup>c</sup>Laren  
Seconded by Councillor Chapelle

**That** Brad Joyce be appointed as Acting Commissioner of Corporate Services for the City of Kingston, effective October 15<sup>th</sup>, for a period of up to 6 months in accordance with the negotiated terms of employment for the position, it being understood that at the conclusion of the aforementioned period, the employment contract between the City of Kingston and the Acting Commissioner be deemed permanent upon the further written agreement of both the parties.

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

YEAS: Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor Boehme (1)

Councillor Boehme returned to the meeting.

**Approval of Addeds**

Moved by Deputy Mayor Kiley  
Seconded by Councillor Neill

**That** the addeds be approved.

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

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**Approval of Addeds (Continued)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

**Disclosure of Pecuniary Interest**

1. Councillor Boehme declared a potential pecuniary interest with respect to Clause 4 of the Committee of the Whole "Closed Meeting" Agenda, Clause 3 of the Report of the Committee of the Whole Closed Meeting, as he is an employee of Utilities Kingston.

**Presentations**

None.

**Delegations**

1. Gordon Smith, President of Kingston Velo Club, appeared before Council and spoke to Clause 1, Report Number 73: Received from the Chief Administrative Officer (Recommend) with respect to Active Transportation 5-Year Implementation Plan.
2. Doug Ritchie, Managing Director, Downtown Kingston! BIA, appeared before Council and spoke to Clause 2, Report Number 73: Received from the Chief Administrative Officer (Recommend) with respect to Strategic Plan Mid-Year Review.
3. Frank Dixon, Acting President, Friends of Belle Park, appeared before Council and spoke to Clause 1, Report Number 75: Received from the Arts, Recreations and Community Policies Committee with respect to Belle Park Master Plan.
4. Mary Louise Adams, resident, appeared before Council and spoke to Clause 1, Report Number 75: Received from the Arts, Recreations and Community Policies Committee with respect to Belle Park Master Plan.
5. Preston Schiller, resident, appeared before Council and spoke to Clause 1, Report Number 73: Received from the Chief Administrative Officer (Recommend) with respect to Active Transportation 5-Year Implementation Plan.
6. Aidan Tomkinson, resident, appeared before Council and spoke to New Motion 3 with respect to Youth Climate Action Strike.

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**Delegations (Continued)**

Moved by Deputy Mayor Kiley  
Seconded by Councillor Hutchison

**That** Clauses 11.4 and 11.5 of the City of Kingston Procedural By-Law 2010-1, as amended be waived in order to allow Mary Louise Adams to speak to Clause 1, Report Number 75: Received from the Arts, Recreations and Community Policies Committee with respect to Belle Park Master Plan.

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

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

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

**That** Clauses 11.4 and 11.5 of the City of Kingston Procedural By-Law 2010-1, as amended be waived in order to allow Preston Schiller to speak to Clause 1, Report Number 73: Received from the Chief Administrative Officer (Recommend) with respect to Active Transportation 5-Year Implementation Plan.

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

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

Moved by Councillor Neill  
Seconded by Councillor Holland

**That** Clauses 11.4 and 11.5 of the City of Kingston Procedural By-Law 2010-1, as amended be waived in order to allow Aidan Tomkinson to speak to New Motion 3 with respect to Youth Climate Action Strike.

**Carried (13:0)**

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**Delegations (Continued)**

**(A 2/3 Vote of Council was Received)  
(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

**Briefings**

1. Debbi Miller, Manager, Community and Public Engagement, appeared before Council and provided a briefing with respect to Information Report Number 1 with respect to the Public Engagement National Award.
2. Ian Semple, Director, Transportation Services, appeared before Council and provided a briefing with respect to Clause 1 of Report Number 73: Received from the Chief Administrative Officer (Recommend) with respect to Active Transportation 5-Year Implementation Plan.

**Petitions**

1. A petition bearing approximately 49 signatures was presented by Deputy Mayor Kiley to Council on September 17, 2019 which reads as follows:  
“Petition to Request an Increased Police Presence in Lions Civic Gardens, Kingston.

Current Problems:

Increasing numbers of teenagers are frequenting the park, a number using their free bus passes. This has created the following problems:

- Fighting
- Foul language
- Significant litter, including broken glass
- Drug use/open use of bong
- Damage to trees planted in the park
- In a recent incident (Sept. 3), accessing private property bordering the parkland

Action Petitioned For:

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We the undersigned are concerned citizens requesting that local authorities make regular visits after 3:30 on weekdays and afternoons and evenings on weekends checking areas around the library, the pond, the bridge and parking behind homes on Braeside Cres.”

**Referred to the Acting Commissioner of Community Services**

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

Moved by Mayor Paterson

Seconded by Deputy Mayor Kiley

1. **That** the congratulations of Kingston City Council be extended to Pat Vanini, Executive Director of the Association of Municipalities of Ontario (AMO) on the announcement of her retirement after 23 years. During her tenure at AMO, Pat has worked alongside six different Premiers to advance and influence issues of municipal significance. Consistent through it all has been her absolute dedication to municipal governments and their success. We appreciate everything you've done for municipalities large and small and wish you all the best in this next chapter.

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

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

**Deferred Motions**

The following Motion and accompanying Motion to Amend were deferred from the September 3, 2019 Council Meeting.

1. **Approval of Application for Heritage Permit under the *Ontario Heritage Act* – 72-82 Sydenham Street**

That alterations to the property at 72-82 Sydenham Street be approved in accordance with the details described in the application (File Number P18-046-2019), as amended herein, which was deemed complete on July 16, 2019, with said alterations to include the construction of two new paved areas; the installation of one new lamp post on private property; and the alteration of the hand rail to accommodate a new sign and bicycle rack; and

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

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**Deferred Motions (Continued)**

1. The applicant shall amend the proposed sign area of the new sign to be no greater than 0.18 square metres, or obtain an exemption from the Sign By-Law through clause 6.2 of By-Law Number 2009-140, as amended, as necessary;
2. The applicant shall ensure utility locates are completed before any excavation or re-grading;
3. Should any service valves be located within the paved areas, the applicant shall ensure they are brought up to grade in order to remain accessible/operable, to the satisfaction of Utilities Kingston;
4. Details of the finalized design for the lamp posts and sign shall be submitted to Heritage Planning staff to ensure that the heritage attributes of the property are conserved;
5. Any alteration that interfaces with the masonry of the building shall comply with the City's Policy on Masonry Restoration in Heritage Buildings; and

**That** Schedule C-5 (Existing Authorized Encroachments – Other) of By-Law Number 2004-107, otherwise known as the “Encroachment By-Law”, be amended to include the following – Location of Encroachment: 72 – 82 Sydenham Street frontage only; Type of Encroachment: one (1) pedestrian light fixture and one (1) bench; 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 72 – 82 Sydenham Street for one pedestrian light fixture and one bench on the City road allowance on the William Street frontage of the subject lands; and

**That** the final engineering design details for the proposed encroachments be approved by the Director of Engineering Services; and

**That** an amending by-law be presented to Council for all three readings on October 1, 2019.

(Report HK-19-040 was attached to the September 3, 2019 agenda as schedule pages 158–187)

**Carried as Amended (13:0)**  
**(See Motion to Amend which Carried)**  
**(See Motion to Amend which was Withdrawn)**  
**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)



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**Deferred Motions (Continued)**

NAYS: (0)

ABSENT: (0)

Moved by Councillor Doherty

Seconded by Councillor Neill

**That** Deferred Motion Number 1 be amended by deleting the first bullet in the second paragraph and renumbering the remaining bullets accordingly; and further by adding the following clauses at the end of the recommendation:

**That** Schedule C-5 (Existing Authorized Encroachments – Other) of By-Law Number 2004-107, otherwise known as the “Encroachment By-Law”, be amended to include the following – Location of Encroachment: 72 – 82 Sydenham Street frontage only; Type of Encroachment: one (1) pedestrian light fixture and one (1) bench; 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 72 – 82 Sydenham Street for one pedestrian light fixture and one bench on the City road allowance on the William Street frontage of the subject lands; and

**That** the final engineering design details for the proposed encroachments be approved by the Director of Engineering Services; and

**That** an amending by-law be presented to Council for all three readings on October 1, 2019.

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

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

Moved by Councillor Doherty

Seconded by Councillor Neill

**That** Report 69, Clause 2i.: Received from Heritage Kingston be amended in bullet number 1 by deleting the word “not” and the words “and the applicant shall remove these items from the plans” so that the bullet reads as follows:

“1. The proposal to install a bench and lamp post on the City’s right of way are approved.”

See also Information Report Number 4, Page 562.

**Withdrawn**

**Reports**

**Report Number 72: Received from the Chief Administrative Officer (Consent)**

Moved by Councillor Holland  
Seconded by Councillor Osanic

**That** Report Number 72: Received from the Chief Administrative Officer (Consent) be received and adopted.

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

Moved by Councillor Neill  
Seconded by Councillor Oosterhof

**That** Clauses 11.4 and 11.5 of the City of Kingston Procedural By-Law 2010-1, as amended be waived in order to allow Todd White, Canadian Radiocommunications Information and Notification Services, to speak and respond to questions on Clause 1, Report Number 72: Received from the Chief Administrative Officer (Consent) with respect to Radiocommunication Facility Proposal – 1245 Midland Avenue – Municipal Statement of Concurrence or Non-Concurrence.

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

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

**1. Radiocommunication Facility Proposal – 1245 Midland Avenue – Municipal Statement of Concurrence or Non-Concurrence**

**That** Council direct staff to sign the Notice of Completion and Land Use Authority Recommendations Report for the radiocommunication facility proposed for 1245 Midland Avenue, attached as Exhibit A to Report Number 19-232, and forward the documents to CRINS-SINRC to be provided to the proponent and Innovation, Science and Economic Development Canada.

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**Reports (Continued)**

(The Report of the Interim Chief Administrative Officer (19-232) was attached to the agenda as schedule pages 1-32)

(File Number CSU-A12-000-2019)

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

YEAS: Councillor Boehme, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor M<sup>c</sup>Laren, Councillor Neill, Mayor Paterson, Councillor Stroud (10)  
NAYS: Councillor Chapelle, Councillor Oosterhof, Councillor Osanic (3)  
ABSENT: (0)

**2. Consent to Financing Postponement – 652-670 Princess Street & 551 Victoria Street**

**That** Council approve the postponement of the City's interest in the Heritage Easement Agreement registered on title to the lands on February 5, 2019 as Instrument Number FC275949 to the proposed Bank of Montreal construction mortgage; and

**That** the Mayor and Clerk be authorized to execute all necessary agreements and documents as may be required to effect the postponement of the City's interest in the Heritage Easement Agreement to the Bank of Montreal construction mortgage, all in a form satisfactory to the Director of Legal Services.

(The Report of the Interim Chief Administrative Officer (19-256) was attached to the Addendum as schedule pages 1-16)

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

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)  
NAYS: (0)  
ABSENT: (0)

**Report Number 73: Received from the Chief Administrative Officer (Recommend)**

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

**That** Report Number 73: Received from the Chief Administrative Officer (Recommend) be received and adopted, clause by clause.

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**Reports (Continued)**

Report Number 73

To the Mayor and Members of Council:

**1. Active Transportation 5-Year Implementation Plan**

**That** Council endorse and approve the Active Transportation Implementation Plan included as Exhibit A in Report Number 19-218; and

**That** Council direct staff to incorporate the infrastructure projects and programs outlined in Exhibit A in Report Number 19-218 into the work plans of the Transportation & Public Works Group and associated 2020-2022 operating and capital budgets and forecasts.

(The Report of the Commissioner, Transportation & Public Works (19-218) was attached to the agenda as schedule pages 33-127)

(File Number CSU-T00-000-2019)

**Carried (9:4)**  
**(See Recorded Vote)**

YEAS: Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson (9)

NAYS: Councillor Boehme, Councillor Chapelle, Councillor Oosterhof, Councillor Stroud (4)

ABSENT: (0)

Councillor M<sup>c</sup>Laren withdrew from the meeting.

**2. Strategic Plan Mid-Year Update**

**That** Council approve up to \$250,000 to be funded from the Environmental Reserve Fund to complete a Climate Change Management Strategy, including climate adaptation and mitigation planning.

(The Report of the Interim Chief Administrative Officer (19-246) was attached to the agenda as schedule pages 128-173)

(File Number CSU-C08-000-2019)

**Carried (11:1)**  
**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (11)

NAYS: Councillor Chapelle (1)

**Reports (Continued)**

ABSENT: Councillor M<sup>c</sup>Laren (1)

**Report Number 74: Received from the Planning Committee**

Moved by Councillor Neill

Seconded by Deputy Mayor Kiley

**That** Report Number 74: Received from the Planning Committee be received and adopted.

Report Number 74

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 - 235 Brock Street**

**That** the application for a zoning By-Law amendment (File Number D14-007-2019) submitted by FoTenn Consultants Inc., on behalf of Emilio Holdings Inc., for the property municipally known as 235 Brock Street, be approved; and

**That** By-Law Number 96-259, entitled "Downtown and Harbour Zoning By-Law of the Corporation of the City of Kingston", as amended, be further amended, as per Exhibit A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 96-259) to Report Number PC-19-053; and

**That** Council determines that in accordance with Section 34(17) of the *Planning Act*, no further notice is required prior to the passage of the By-Law; and

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

**(See By-Law Number (1), 2019-138)**

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

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (12)

NAYS: (0)

ABSENT: Councillor M<sup>c</sup>Laren (1)

Councillor M<sup>c</sup>Laren returned to the meeting.

Councillor Stroud withdrew from the meeting.

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**Reports (Continued)**

Moved by Councillor Hill

Seconded by Councillor Osanic

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

**Carried (11:1)  
(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor Neill, Councillor M<sup>c</sup>Laren, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, (11)

NAYS: Councillor Chapelle (1)

ABSENT: Councillor Stroud (1)

**Report Number 75: Received from Arts, Recreation and Community Policies Committee**

Moved by Councillor Hutchison

Seconded by Councillor Boehme

**That** Report Number 75: Received from Arts, Recreation and Community Policies be received and adopted.

Report Number 75

To the Mayor and Members of Council:

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

**1. Belle Park Master Plan, as Amended**

**That** Council endorse the Belle Park Master Plan as shown in Exhibit A to Report Number ARCP-19-005; and

**That** staff be directed to include park improvement works, identified in the Belle Park Master Plan, as shown in Exhibit A to Report Number ARCP-19-005, in future capital budgets for consideration; and

**That** the Belle Park Working Group, having fulfilled its mandate, be, and is hereby, dissolved, and that sincere thanks from Council be extended to all current and former working group members for their valued contributions; and

**That** subject to environmental management requirements for the closed landfill site, the key principle of the Belle Park Master Plan (August 2019) guiding any proposed changes to the Park be to enhance the Park's natural features in order to secure

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**Reports (Continued)**

the Park as primarily a place of nature for the long term, especially given the ecological importance of the waterfront shoreline bordering the park; and

**That** staff be directed to achieve a minimum naturalized, passive recreation area of no less than 77% of land area as indicated in the Belle Park Master Plan (August 2019) through detailed design during the three phases of the Plan, and that the area of the park afforded to the sports and active recreation element be limited to the location and size indicated in the three phases of the 15 year plan.

**(Exhibit A to Report Number ARCP-19-005 was attached as schedule pages 178 – 479)**

**Carried as Amended (12:0)**  
**(See Motion to Amend which Carried)**  
**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson (12)

NAYS: (0)

ABSENT: Councillor Stroud (1)

Moved by Councillor Hutchison

Seconded by Councillor Osanic

**That** Report 75, Clause 1: Received from the Arts, Recreation and Community Policies Committee be amended by adding the following two clauses thereto:

**That** subject to environmental management requirements for the closed landfill site, the key principle of the Belle Park Master Plan (August 2019) guiding any proposed changes to the Park be to enhance the Park's natural features in order to secure the Park as primarily a place of nature for the long term, especially given the ecological importance of the waterfront shoreline bordering the park; and

**That** staff be directed to achieve a minimum naturalized, passive recreation area of no less than 77% of land area as indicated in the Belle Park Master Plan (August 2019) through detailed design during the three phases of the Plan, and that the area of the park afforded to the sports and active recreation element be limited to the location and size indicated in the three phases of the 15 year plan.

**Carried (11:1)**  
**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor M<sup>c</sup>Laren,

**Reports (Continued)**

Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson  
(11)

NAYS: Councillor Hill (1)

ABSENT: Councillor Stroud (1)

**2. Appointments to Mayor's Arts Awards Nominations Working Group  
(Community Members)**

**That** Mieke vanGeest, Marney McDiarmid, Erin Ball and Marc Garniss be appointed as public members to the Mayor's Arts Awards Nominations Working Group, with a term expiring on November 30, 2019.

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

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson (12)

NAYS: (0)

ABSENT: Councillor Stroud (1)

**Committee of the Whole**

None.

**Information Reports**

**1. Public Engagement National Award**

The purpose of this report is to update Council on the Communications and Public Engagement Division's acceptance of the Organization of the Year Award from the International Association for Public Participation (IAP2) Canada.

(The Report of the Interim Chief Administrative Officer (19-242) was attached to the agenda as schedule pages 480-485)

(File Number CSU-M11-000-2019)

**2. Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of July 2019**

The purpose of this report is to provide Council with details of purchases greater than \$50,000 that meets the established criteria of delegated authority as well as contracts awarded by senior staff between the \$20,000 and \$50,000 level for the month of July 2019.



**Information Reports (Continued)**

(The Report of the Chief Financial Officer and City Treasurer (19-231) was attached to the agenda as schedule pages 486-495)

(File Number CSU-F18-000-2019)

Councillor Stroud returned to the meeting.

**3. Transition of Ontario's Blue Box Program Plan to Full Producer Responsibility**

The purpose of this report is to provide Council with information with respect to the special advisor report, the recent announcement, and future matters that the City of Kingston will need to consider with respect to the Blue Box program.

(The Report of the Commissioner, Transportation & Public Works (19-243) was attached to the agenda as schedule pages 496-504)

(File Number CSU-E07-001-2019)

**4. Supplementary Report – Application for Heritage Permit under the *Ontario Heritage Act*, 72-82 Sydenham Street, P18-046-2019**

The purpose of this report is to provide Council with information regarding the Application for Heritage Permit under the *Ontario Heritage Act*, 72-82 Sydenham Street and the specific location of a proposed bench and lamp post, the financial implications of the City permitting the bench and/or lamp post to be located in the City right-of-way and any permits and/or encroachment agreements that may be required.

(The Report of the Interim Chief Administrative Officer (19-248) was attached to the agenda as schedule pages 505-514)

(File Number CSU-P18-000-2019)

See also Deferred Motion 1 on page 552 – 555.

**Information Reports from Members of Council**

None.

**Miscellaneous Business**

None.

**New Motions**

1. Moved by Mayor Paterson

Seconded by Deputy Mayor Kiley

**Whereas** Section 9.1 of By-Law Number 2010-1, "Council Procedural By-Law", as amended, states that "meetings of Council are held at City Hall in the Council

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**New Motions (Continued)**

Chambers at 216 Ontario Street unless otherwise decided by resolution of Council”, and

**Whereas** it is desirable to hold a special meeting of Council in an alternative and functional location in order to accommodate the anticipated interest in a briefing on climate change from Dianne Saxe, former Environmental Commissioner of Ontario;

**Therefore Be It Resolved That** Council waive By-Law Number 2010-1, as amended, in order to hold a special meeting of Council in a modified open house format, commencing at 6 p.m. on Tuesday, October 22, 2019 in Memorial Hall.

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

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

2. Moved by Councillor Chapelle  
Seconded by Councillor Holland

**Whereas** a core principle of Council's Strategic Plan, 2019-2022 supports addressing policies through a rural lens; and

**Whereas** the dependence on private wells and access to clean drinking water in rural Kingston is critical to their long-term sustainability as vibrant and viable communities; and

**Whereas** The Corporation of the City of Kingston implemented the Cataraqui Source Protection Plan in April 2015, and established a Regional Risk Management Office through the Cataraqui Region Conservation Authority; and

**Whereas** the Cataraqui Source Protection Plan defines a drinking water threat as an activity that has the potential to harm the quality or quantity of water that is used as a source of drinking water. A drinking water threat can be an existing activity, or an activity that could exist in the future.

**Whereas** the Cataraqui Source Protection Plan identifies regionally sensitive groundwater areas as highly vulnerable aquifers (HVAs) and significant groundwater recharge areas (SGRAs) and both Council and the Cataraqui Region Conservation Authority have recognized that HVAs and SGRAs account for more than 90 percent of the entire Cataraqui Source Protection Area which is characterized by thin soils and fractured limestone bedrock, so that any water and

**New Motions (Continued)**

pollutants on the ground surface can easily soak in and potentially affect drinking water sources placing residents reliant on private wells at risk; and

**Therefore Be It Resolved That** the Cataraqui Region Conservation Authority and KFL&A Public Health be requested to assess the impact of Council's decision to declare a Climate Emergency on private wells through the lens of the Cataraqui Source Protection Plan and pending changes to the Provincial Policy Statement and work with the City to report back in Q1, 2020 and in doing so acknowledge the concerns of our rural communities; and

**That** based on findings and or new research required that Cataraqui Region Conservation Authority and KFL&A Public Health and city staff investigate long-term strategies to mitigate the impact of climate change on our most vulnerable rural residents who do not have access to municipal water sources and jointly report back to council in Q3 2020.

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

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

3. Moved by Councillor Hutchison  
Seconded by Councillor Neill

Council consented to separate the question.

**Whereas** young people in Kingston and around the world have been leading Youth Climate Strike and Friday for Future rallies to focus attention on the urgent need for action on the global climate emergency, especially by elected officials; and

**Whereas** youth are now calling on adults, workers, and people everywhere to join them in the week of September 20 to 27, 2019, when Fridays for Future and the Youth Climate Strike movements are calling for a global general strike for climate, stating "We don't feel like we have a choice: it's been years of talking, countless negotiations, empty deals on climate change...we have learned that if we don't start acting for our future, nobody else will make the first move...we're asking adults to step up alongside us...step up and out of your comfort zone for our climate. Let's all join together, with your neighbours, co-workers, friends, family

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**New Motions (Continued)**

and go out on to the streets to make your voices heard and make this a turning point in our history...we're counting on you;"; and

**Whereas** in March 2019, Kingston City Council unanimously passed a motion declaring a Climate Emergency; and

**Whereas** Kingston youth, led by the Kingston Fridays for Future and 350 Kingston, are organizing a major Global General Strike for Climate event at Kingston City Hall, scheduled for 10 am on Friday, September 20, 2019;

**Therefore Be It Resolved That** The City of Kingston contact Fridays for Future and 350 Kingston to discuss ways in which the City can support the youth-initiated non-violent Global General Strike for Climate activity scheduled for 10 am on Friday, September 20, 2019 at Kingston City Hall.

**Carried (13:0)**  
**(Paragraphs 1, 2, 3, 4 and 5)**  
**(See Recorded Vote)**

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

**That** the City use the September 2019 Global General Strike for Climate as an opportunity to:

- i) provide information to staff about why climate action is critically important to our city; and
- ii) initiate an ongoing process of collaboratively engaging staff on ways and means to achieve bolder and more effective climate mitigation and adaptation measures.

**Lost (6:7)**  
**(Paragraph 6)**  
**(See Recorded Vote)**

YEAS: Councillor Doherty, Councillor Hutchison, Deputy Mayor Kiley, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof (6)

NAYS: Councillor Boehme, Councillor Chapelle, Councillor Hill, Councillor Holland, Councillor Osanic, Mayor Paterson, Councillor Stroud (7)

ABSENT: (0)

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**Notices of Motion**

None.

**Minutes**

Moved by Councillor Hill  
Seconded by Councillor Stroud

**That** the Minutes of City Council Meeting Number 2019-22 held Tuesday, September 3, 2019 be confirmed.

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

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

**Tabling of Documents**

2019-56 Kingston Police Services Board Meeting Number 19-8 Agenda. Meeting is scheduled for September 19, 2019 at 12:00 p.m. at Kingston Police Headquarters Boardroom, 705 Division Street.

(Distributed to all members of Council on September 16, 2019)

(File Number CSU-P17-000-2019)

2019-57 Kingston Police Services Board Minutes from Meeting held on August 7, 2019.

(Distributed to all members of Council on September 16, 2019)

(File Number CSU-P17-000-2019)

**Communications**

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

**Filed**

23-700 Notice of Public Meeting with respect to Minor Variance at 7 The Point Road. The Public Meeting is scheduled for September 16, 2019 at 5:30 p.m. at 1211 John Counter Boulevard

(Distributed to all members of Council on September 3, 2019)

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**Communications (Continued)**

(File Number CSU-D19-000-2019)

- 23-701 Notice of Public Meeting with respect to Minor Variance at 2698 Princess Street. The Public Meeting is September 16, 2019 at 5:30 p.m. at 1211 John Counter Boulevard

(Distributed to all members of Council on September 3, 2019)

(File Number CSU-D19-000-2019)

- 23-702 Notice of Public Meeting with respect to Minor Variance at 6 Scott Street. The Public Meeting is September 16, 2019 at 5:30 p.m. at 1211 John Counter Boulevard

(Distributed to all members of Council on September 3, 2019)

(File Number CSU-D19-000-2019)

**Referred to All Members of Council**

- 23-703 Correspondence received from Addiction & Mental Health Services KFL&A with respect to Transformation Update #9 – 35 Lyons Street, dated August 30, 2019

(Distributed to all members of Council on September 3, 2019)

(File Number CSU-S08-000-2019)

- 23-704 Resolution from the Town of Wasaga Beach with respect to resolution from the Township of McKellar regarding Municipal Amalgamation, dated August 28, 2019

(Distributed to all members of Council on September 3, 2019)

(File Number CSU-D00-000-2019)

- 23-705 Resolution from The Corporation of the Township of Lake of Bays with respect to support for the resolution of the Township of McKellar regarding Municipal Amalgamation, dated August 20, 2019

(Distributed to all members of Council on September 3, 2019)

(File Number CSU-D00-000-2019)

- 23-706 Correspondence from Frank Dixon regarding concerns, questions and suggestions on Kingston Transit Operations, dated August 28, 2019

(Distributed to all members of Council on September 3, 2019)

(File Number CSU-T03-000-2019)

- 23-707 Correspondence from Marcus Shaver regarding Climate Change – The Science and Global Impact course, dated August 31, 2019

(Distributed to all members of Council on September 3, 2019)

(File Number CSU-E05-000-2019)

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**Communications (Continued)**

- 23-709 Resolution from Mississippi Mills in support of Township of Warwick resolution with respect to Enforcement for Safety on Family Farms, dated August 27, 2019  
(Distributed to all members of Council on September 5, 2019)  
(File Number CSU-P00-000-2019)
- 23-710 Correspondence from County of Frontenac regarding Proposed Allocation of Supplemental Provincial Funding, dated August 23, 2019  
(Distributed to all members of Council on September 5, 2019)  
(File Number CSU-F11-000-2019)
- 23-711 Correspondence from Frank Dixon regarding Climate Change Working Group submission dated September 5, 2019  
(Distributed to all members of Council on September 6, 2019)  
(File Number CSU-E05-000-2019)
- 23-712 Correspondence from AMO Communications regarding Queen's Park Catch-Up: Recent Developments for Municipal Decision Markers, dated September 6, 2019  
(Distributed to all members of Council on September 6, 2019)  
(File Number CSU-A16-000-2019)
- 23-713 Correspondence from Cataraqui Region Conservation Authority with respect to CRCA Declare Level I Low Water Condition, dated September 6, 2019  
(Distributed to all members of Council on September 6, 2019)  
(File Number CSU-E05-000-2019)
- 23-714 Correspondence received from Cataraqui Region Conservation Authority with respect to Flood Watch Downgraded to Watershed Conditions Statement – Water Safety for Lake Ontario & St. Lawrence River, dated September 5, 2019  
(Distributed to all members of Council on September 6, 2019)  
(File Number CSU-E05-000-2019)
- 23-715 Resolution received from the City of Kitchener with respect to producer  
(Distributed to all members of Council on September 6, 2019)  
(File Number CSU-E07-000-2019)

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**Communications (Continued)**

23-716 Correspondence from Addiction & Mental Health Services KFL&A with respect to Expanding Access to Specialized Rehabilitation Care for Clients, dated September 6, 2019

(Distributed to all members of Council on September 9, 2019)

(File Number CSU-S08-000-2019)

23-726 Correspondence received from Frank Dixon regarding Belle Park presentation at the Arts, Recreation & Community Policies Committee meeting, dated September 14, 2019.

(Distributed to all members of Council on September 16, 2019)

(File Number CSU-R04-000-2019)

**Other Business**

None.

**By-Laws**

a) Moved by Councillor Stroud  
Seconded by Councillor Oosterhof

**That** By-Laws (1) through (3) and (5) be given their first and second reading.

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

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

b) Moved by Councillor Stroud  
Seconded by Councillor Oosterhof

**That** By-Laws (1) through (5) be given their third reading.

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

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill, Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor



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**By-Laws (Continued)**

M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

- (1) A By-Law to Amend By-Law Number 96-259, "Downtown and Harbour Zoning By-Law of The Corporation of the City of Kingston" (Zone Change from Special Central Business System 'C1-1' Zone to Holding Special Central Business System '(H)-C1-49' Zone, 235 Brock Street  
Three Readings Proposed Number 2019-138  
**(Clause 1, Report Number 74)**
- (2) A By-Law to Exempt Certain Lands on Registered Plan 13M-107 from the Provisions of Section 50(5) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended (Block 89, Registered Plan 13M-107)  
Three Readings Proposed Number 2019-139  
**(Delegated Authority)**  
**(See Schedule Page 515)**
- (3) A By-Law to Exempt Certain Lands on Registered Plan 13M-123 from the Provisions of Section 50(5) of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended (Lots 40, 41, 42 & 43 for the purpose of correcting a surveying oversight with respect to lot lines and easement boundaries)  
Three Readings Proposed Number 2019-141  
**(Delegated Authority)**  
**(See Schedule Page 516)**
- (4) A By-Law to Permanently Close a Portion of the Highway described as Part of the Original Road Allowance between Mile Square Lot Concession 2 and Lot 2 Concession 3 (Western Addition), designated as Part 1 on Reference Plan 13R-4969, City of Kingston  
Third Reading Proposed Number 2019-128  
**(Clause 2, Report Number 65, September 3, 2019)**
- (5) A By-Law to confirm the proceedings of Council at its meeting held on Tuesday September 17, 2019  
Three Readings Proposed Number 2019-140  
**(City Council Meeting Number 2019-23)**

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**Adjournment**

Moved by Councillor Boehme  
Seconded by Councillor Oosterhof

**That** Council do now adjourn.

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

YEAS: Councillor Boehme, Councillor Chapelle, Councillor Doherty, Councillor Hill,  
Councillor Holland, Councillor Hutchison, Deputy Mayor Kiley, Councillor  
M<sup>c</sup>Laren, Councillor Neill, Councillor Oosterhof, Councillor Osanic, Mayor  
Paterson, Councillor Stroud (13)

NAYS: (0)

ABSENT: (0)

Council adjourned at 11:49 pm.

(Signed)

John Bolognone  
City Clerk

Bryan Paterson  
Mayor