



City Council Meeting 2020-07

Tuesday, February 4, 2020 6:00 pm
in the Council Chamber at City Hall.

Council will resolve into the Committee of the Whole
“Closed Meeting” and will reconvene
as regular Council at 7:00 pm.

Contents

Call Meeting to Order	2
Roll Call	2
The Committee of the Whole “Closed Meeting”	2
Approval of Addeds	2
Disclosure of Potential Pecuniary Interest	2
Presentations	2
Delegations	2
Briefings	2
Petitions	2
Motions of Congratulations, Recognition, Sympathy, Condolences and Speedy Recovery	3
Deferred Motions	3
Reports	4
Report Number 19: Received from the Chief Administrative Officer (Consent)	4
Report Number 20: Received from the Planning Committee	6
Report Number 21: Received from Municipal Accessibility Advisory Committee	8
Report Number 22: Received from Arts, Recreation and Community Policies Committee	9
Information Reports	10
Information Reports from Members of Council	10
Miscellaneous Business	10
New Motions	10
Notices of Motion	13
Minutes	13
Tabling of Documents	14
Communications	14
Other Business	17
By-Laws	17

(Council Chamber)

Call Meeting to Order

Roll Call

The Committee of the Whole “Closed Meeting”

1. **That** Council resolve itself into the Committee of the Whole “Closed Meeting” to consider the following item:
 - a) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Update on Construction Procurement Matter;
 - b) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Affordable Housing.

Approval of Addeds

Disclosure of Potential Pecuniary Interest

Presentations

Delegations

1. Mabyn Armstrong will appear before Council and speak to New Motion Number 1 with respect to turtle protection on Highway 2.

Briefings

Petitions

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

Motions of Congratulations, Recognition, Sympathy, Condolences and Speedy Recovery are presented in order of category as one group and voted on as one motion.

1. Moved by Councillor Doherty
Seconded by Councillor Hutchison

That the Condolences of Kingston City Council be extended to the family and friends of Wayne Westfall who died on Sunday, January 12, 2020. Mr. Westfall was a poet, artist, teacher, social justice advocate, writer, adventurer, conservationist and disabled, having lived for over 40 years with quadriplegia. He was a member of the Library Board, Kingston Access Bus Board and he championed tangible contributions to improve accessibility in Kingston. Our thoughts are with his family and friends during this difficult time.

2. Moved by Councillor Holland
Seconded by Councillor Neill

That the sincere condolences of Kingston City Council be extended to Leader of Ontario's Opposition, Andrea Horwath, on the loss of her mother, Diane Horwath, who passed away on January 27 in Hamilton. Our thoughts and support are with Andrea, her son Julian, and the entire Horwath family during this difficult time.

Deferred Motions

Reports

Report Number 19: Received from the Chief Administrative Officer (Consent)

Report Number 19

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

All items listed on the Consent Report shall be the subject of one motion. Any member may ask for any item(s) included in the Consent Report to be separated from that motion, whereupon the Consent Report without the separated item(s) shall be put and the separated item(s) shall be considered immediately thereafter.

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

1. Municipal Automotive Materials Amending Agreement with Automotive Materials Stewardship

That the Mayor and City Clerk be authorized to enter into an Amending Agreement for the Management of Municipal Automotive Materials with Automotive Materials Stewardship, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner, Transportation & Public Works (20-051) is attached to the agenda as schedule pages 1-6)

(File Number CSU-V00-000-2020)

2. Award of Contract – Purchase of Two Four-Wheel Drive Backhoe Loaders

That the Mayor and City Clerk enter into a contract with Brandt Tractor Ltd., in a form satisfactory to the Director of Legal Services, for the purchase of two current model year, four-wheel drive backhoe loaders (F29-TPW-CAMF-2019-27).

(The Report of the Commissioner, Transportation & Public Works (20-055) is attached to the agenda as schedule pages 7-10)

(File Number CSU-V02-000-2020)

3. Award of Contract to iLOOKABOUT

That Council approve the award of contract for the use of Real Property Tax Analytics application to iLOOKABOUT Inc. and authorize the Mayor and Clerk to execute a two (2) year contract, in a form satisfactory to the Director of Legal Services, with iLOOKABOUT Inc. for the annual fee of \$45,000 plus applicable taxes.

(The Report of the Chief Financial Officer & City Treasurer (20-052) is attached to the agenda as schedule pages 11-14)

(File Number CSU-F22-000-2020)

Report Number 20: Received from the Planning Committee

Report Number 20

To the Mayor and Members of Council:

The Planning Committee reports and recommends as follows from the Planning Committee Meeting held on January 23, 2020:

All items listed on this Committee Report shall be the subject of one motion. Any member may ask for any item(s) included in the Committee Report to be separated from that motion, whereupon the Report of the Committee without the separated item(s) shall be put and the separated item(s) shall be considered immediately thereafter.

1. Approval of an Application for Zoning By-Law Amendment – 1020 Portsmouth Avenue

That the application for a Zoning By-Law amendment (File Number D14-024-2019) submitted by Fotenn Consultants Inc., on behalf of Matthew and Tara Archibald, for the property municipally known as 1020 Portsmouth Avenue, be approved; and

That By-Law Number 8499, entitled "Restricted Area (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 8499) to Report Number PC-20-013; 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), 2020-041 attached to the agenda as schedule pages 15-17)

2. Approval of an Application for Zoning By-Law Amendment – 11 & 27 Wright Crescent (formerly known as 7 Wright Crescent)

That the application for a Zoning By-Law amendment (File Number D14-012-2019) submitted by CaraCo Development Corporation, Kingston and Frontenac Housing Corporation & Fotenn Consultants Inc., on behalf of CJM Property Management and the City of Kingston, for the properties municipally known as 11 & 27 Wright Crescent (formerly known as 7 Wright Crescent), be approved; and

That By-Law Number 8499, entitled "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston", as amended, be further amended, as per

City Council Meeting 2020-07

Agenda

Tuesday, February 4, 2020

Page 7 of 17

Exhibit A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 8499, Map 20) to Report Number PC-20-016; 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 (2), 2020-042 attached to the agenda as schedule pages 18-21)

Report Number 21: Received from Municipal Accessibility Advisory Committee

Report Number 21

To the Mayor and Members of Council:

The Municipal Accessibility Advisory Committee reports and recommends as follows:

All items listed on this Committee Report shall be the subject of one motion. Any member may ask for any item(s) included in the Committee Report to be separated from that motion, whereupon the Report of the Committee without the separated item(s) shall be put and the separated item(s) shall be considered immediately thereafter.

1. City of Kingston 2019 Accessibility Plan Status Report

That the City of Kingston 2019 Accessibility Plan Status Report, attached as Exhibit A to Report Number MAAC-20-001, be received for information and posted on the City of Kingston website.

(Exhibit A to Report Number MAAC-20-001 is attached as schedule pages 22-30)

2. Municipal Accessibility Advisory Committee – 2020 Work Plan

That the Municipal Accessibility Advisory Committee 2020 Work Plan, attached as Exhibit A to Report Number MAAC-20-002, be approved.

(Exhibit A to Report Number MAAC-20-002 is attached as schedule pages 31-32)

3. Appointments to the Awareness and Education Working Group

That Caitlin Bruce, Aimee Burtch, Kate Deacon, Chloée Godin-Jacques, Susan Mockler, Leah Riddell and Nancy Watters be appointed to the Awareness & Education Working Group for a term ending November 30, 2020.

4. Appointments to the Built Environment Working Group

That Andrew Ashby, Glenn Griffiths, Donald Mitchell, Emily Su and David Williams be appointed to the Built Environment Working Group for a term ending November 30, 2020.

Report Number 22: Received from Arts, Recreation and Community Policies Committee

Report Number 22

To the Mayor and Members of Council:

Arts, Recreation and Community Policies Committee reports and recommends as follows from their January 15, 2020 meeting:

All items listed on this Committee Report shall be the subject of one motion. Any member may ask for any item(s) included in the Committee Report to be separated from that motion, whereupon the Report of the Committee without the separated item(s) shall be put and the separated item(s) shall be considered immediately thereafter.

1. Approval of the Kingston Arts Council Plan for Administration of Arts Funding for The Corporation of the City of Kingston 2020

That the revised 'Plan for Administration of Arts Funding, for The Corporation of the City of Kingston Arts Fund in 2020', attached to Report Number ARCP-20-001 as Exhibit A, be approved as presented.

(See Exhibit A to Report Number ARCP-20-001 attached as schedule pages 33-66)

Committee of the Whole

Information Reports

1. Quarterly Report: Tourism Kingston – Q4 2019

The purpose of this report is to provide Council with detailed reporting on Q4 2019 with respect to Tourism Kingston.

(The Report of the Chief Administrative Officer (20-057) is attached to the agenda as schedule pages 67-120)

(File Number CSU-A01-000-2020)

2. Strategic Plan 2019 Year-End Update

The purpose of this report is to provide Council with a 2019 year-end progress update of the work outlined in the 2019-2022 Council Strategic Plan.

(The Report of the Chief Administrative Officer (20-058) is attached to the agenda as schedule pages 121-148)

(File Number CSU-G06-000-2020)

Information Reports from Members of Council

Miscellaneous Business

1. **That** the resignation of Nico Koenig from the Kingston Frontenac Library Board be received with regret.

(See Communication 07-112)

2. **That** as requested by Lee Simpson, Canadian Helen Keller Centre, Council proclaim the month of June 2020 as “Deafblind Awareness Month” in Kingston.

(See Communication 07-121)

New Motions

1. Moved by Councillor Osanic
Seconded by Deputy Mayor Chapelle

Whereas one of the Priorities under Kingston’s Strategic Plan 2019-2022 calls for the protection of Kingston’s wetlands; and

Whereas Highway 2 in Westbrook bisects Collins Creek which is a designated Provincially Significant Wetland; and

Whereas the volume of traffic along Highway 2 through the Collins Creek wetland is extremely high and road mortality is listed as one of the major reasons for the decline in the turtle populations, second only to habitat loss; and

Whereas the impact that the turtle populations have on maintaining the healthy status of the freshwater sources found in the wetlands is known and 5 species of turtles found in the Kingston area are all classified as 'Endangered Species' (Species at Risk), every effort must be made to protect their survivability by the implementation of mitigation measures in the form of exclusion fencing, eco passages and alternate nesting sites; and

Whereas McIntosh Perry presented a report October 21, 2013, commissioned by the City of Kingston, Engineering Department for 'Turtle Crossing Mitigation Measures' which identified 'Highway 2, Westbrook over Collins Creek' as a priority for the installation of mitigation measures consisting of exclusion fencing, eco passages and alternate nesting sites; and

Whereas the report presented by McIntosh Perry to Council October 21, 2013 states that 'Blandings Turtles' are one of the species found in the Collins Creek waterways and they are classified as a 'Threatened Species, meaning that their habitats are to be protected; and

Whereas Blandings turtles were reported as recently as 2018 and again in 2019 in the waters that feed the Collins Creek wetland and these turtles have a mobility range of 25km; and

Whereas the report presented by McIntosh Perry to Council October 21, 2013 documented at least 33 nests along Highway 2 and Turtles Kingston documented 73 nesting turtles along Highway 2 from June 19 to June 26th, 2019; and

Whereas Turtles Kingston documented 40 turtles attempting to nest on the road-side on one night alone on June 20, 2019 and 87 turtles through the 2019 season; and

Whereas the culvert at the intersection of Highway 2 and the new road, "Creekside Valley Drive" is an essential component with fencing, in the mitigation initiative for Highway 2 because of the direct impact the exclusion fencing and an enlarged culvert/eco passage would have to ensure the survivability of the turtle populations in regard to preventing the fragmentation of the wetlands to the west and east of the new road and road mortality; and

Whereas providing turtle mitigation measures for the Collins Creek wetland complex in Westbrook would fulfill the City's priority to protect wetlands in its 2019-2022 Strategic Plan; and

Therefore Be It Resolved That Kingston City Council direct staff to provide the costing and funding options for turtle protection for Highway 2, extending into

Creekside Valley Drive, in Westbrook, taking into consideration the pre-assessment by Eco-Kare International dated November 11, 2019 and the McIntosh Perry report presented to Council October 21, 2013 and report back to the Environment Infrastructure & Transportation Policies Committee in time for the 2021 budget.

2. Moved by Councillor Doherty
Seconded by Councillor Hutchison

Whereas the City of Kingston's guiding principles in decision making, policy development and resource allocation includes fiscal responsibility and accountability to create efficiencies and synergies, balance tax and non-tax revenue, and manage debt effectively; and

Whereas successive Councils have supported open and transparent government; and

Whereas public interest is best served by a process that embraces transparency, accountability and openness; and

Whereas these guiding principles should ensure better public engagement to collect diverse perspectives and to act fairly, sustainably, responsibly and equitably on behalf of our citizens; and

Whereas members in our community have asked for opportunities to engage in the budget planning process; and

Whereas Cities such as Toronto, Ottawa, Hamilton and Guelph have embraced participatory budgeting;

Therefore Be It Resolved That staff research and recommend an open budget process that can be implemented in the budget process for the 2021 budget which takes place in November 2020; and

That the recommended processes include:

- public meetings, web and social media postings to inform citizens about municipal financial sources, choices and services, and where possible in an interactive format; and
- a consultation process to gather suggestions on how to use the municipal budget to further improve services and performance; and
- feedback to citizens regarding suggestions received and the rationale for decisions made.

3. Moved by Councillor Holland
Seconded by Councillor Stroud

Whereas as of 2020, the provincial government will be cancelling two special funds for long-term care: the High Wage Transition Fund and the Structural Compliance Fund and funding for daily care in long-term care homes is set to increase by only 1 percent, below the inflation rate; and

Whereas long-term care patients include psychogeriatric patients, chronic care patients and patients with mental health and behavioural needs that require specialized staff yet, according to provincial government data, the resources required for such care are lacking; and

Whereas Ontario's Chief Coroner has highlighted the increasing violence in long-term care homes, including resident on resident homicide and assault of staff members; and

Whereas the City of Kingston operates one long-term care facility, Rideaucrest, that will be directly impacted by the reduction in funding; and

Whereas Rideaucrest is a member of the Ontario Long-Term Care Association which has recently requested a per diem funding model to allow nursing homes more flexibility to meet the needs of residents;

Therefore Be It Resolved That the City of Kingston joins the 43 municipalities of Ontario in asking the Ontario government to reverse planned cuts to funding long-term care facilities; and

That the City of Kingston supports the Ontario Long-Term Care Association's request for a per diem funding model be considered as part of the province's 2020-2021 budget deliberations.

Notices of Motion

Minutes

That the Minutes of City Council Meeting Number 2020-05, held Tuesday January 21, 2020 and Special Council Meeting Number 2020-06, held Tuesday, January 28, 2020 be confirmed.

(Distributed to all Members of Council on January 31, 2020)

Tabling of Documents

- 2020-12 KFL&A Public Health Board of Health Agenda. The meeting is scheduled for January 22, 2020 at 1:00 pm in the Boardroom at KFL&A.
(Distributed to all members of Council on January 17, 2020)
(File Number CSU-S08-000-2020)
- 2020-13 Kingston & Frontenac Housing Corporation Agenda 01-2020. Meeting is being held January 27, 2020 at 12:30 pm in the Boardroom at 119 Van Order Drive.
(Distributed to all members of Council on January 23, 2020)
(File Number CSU-S13-000-2020)
- 2020-14 Cataraqui Conservation Full Authority Board Meeting Agenda. Board Meeting is scheduled for January 29, 2020 at 6:30 pm in the Cataraqui Conservation Administration Office Boardroom.
(Distributed to all members of Council on January 24, 2020)
(File Number CSU-D03-000-2020)

Communications

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

Filed

- 07-115 Notice of a Complete Application and Public Meeting with respect to a Proposed Zoning By-Law Amendment at 235 Gore Road. The Public Meeting is scheduled for February 20, 2020 at 6:30 pm in Council Chamber.
(Distributed to all members of Council on January 17, 2020)
(File Number CSU-D14-000-2020)
- 07-119 Notice of a Complete Application, Open House and Public Meeting with respect to Proposed Zoning By-Law Amendment at 223 Princess Street. The Open House is scheduled for February 6, 2020 at 6:00 pm in Memorial Hall. The Public Meeting is scheduled for February 20, 2020 at 6:30 pm in Council Chamber.
(Distributed to all members of Council on January 27, 2020)
(File Number CSU-D14-000-2020)

Referred to All Members of Council

- 07-106 Resolution received from City of Quinte West with respect to Conservation Authorities, dated January 15, 2020.
(Distributed to all members of Council on January 16, 2020)
(File Number CSU-D03-000-2020)
- 07-107 Resolution received from the Municipality of Dutton Dunwich with respect to Conservation Authorities, dated January 15, 2020.
(Distributed to all members of Council on January 16, 2020)
(File Number CSU-D03-000-2020)
- 07-018 Correspondence received from Cataraqui Region Conservation Authority with respect to Cataraqui Conservation Municipal Levies – 2020, dated January 13, 2020.
(Distributed to all members of Council on January 17, 2020)
(File Number CSU-D03-000-2020)
- 07-109 Correspondence received from Association of Municipalities Ontario with respect to Infrastructure and Court Security Funding News, dated January 17, 2020.
(Distributed to all members of Council on January 17, 2020)
(File Number CSU-D11-000-2020)
- 07-110 Notice of Passing – Zoning By-Law Amendment – Township of Leeds and the Thousand Islands. Appeals must be received by February 3, 2020.
(Distributed to all members of Council on January 17, 2020)
(File Number CSU-D14-000-2020)
- 07-112 Correspondence received from Nico Koenig submitting resignation from Kingston Frontenac Library Board, dated January 20, 2020.
(Distributed to all members of Council on January 22, 2020)
(File Number CSU-G03-000-2020)
- 07-113 Notice of Design and Construction Report Submission – Detailed Design Study – Kingston Dock – Wolfe Island Ferry and Docking Improvements – City of Kingston, G.W.P. 4061-14-00.
(Distributed to all members of Council on January 22, 2020)
(File Number CSU-T10-000-2020)
- 07-114 Greater Kingston Chamber of Commerce business update with respect to upcoming events, dated January 22, 2020.
(Distributed to all members of Council on January 22, 2020)
(File Number CSU-A01-000-2020)

City Council Meeting 2020-07

Agenda

Tuesday, February 4, 2020

Page 16 of 17

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- 07-116 Correspondence received from Ontario Good Roads Association with respect to 2020 OGRA Conference: Housing Update and Student Forum, dated January 23, 2020.
(Distributed to all members of Council on January 24, 2020)
(File Number CSU-A01-000-2020)
- 07-117 Correspondence received from Association of Municipalities Ontario with respect to AMO's 2020 Pre-Budget Submission, dated January 24, 2020.
(Distributed to all members of Council on January 24, 2020)
(File Number CSU-F05-000-2020)
- 07-118 Resolution received from the Municipality of Strathroy-Caradoc with respect to support for the Lower Thames Conservation Authority.
(Distributed to all members of Council on January 24, 2020)
(File Number CSU-D03-000-2020)
- 07-120 Resolution received from Town of Collingwood with respect to Conservation Authorities, dated January 21, 2020.
(Distributed to all members of Council on January 28, 2020)
(File Number CSU-D03-000-2020)
- 07-121 Proclamation Request received from Lee Simpson, Canadian Helen Keller Centre, requesting Council proclaim the month of June 2020 as "Deafblind Awareness Month" in Kingston.
(Distributed to all members of Council on January 28, 2020)
(File Number CSU-M10-000-2020)
- 07-122 Resolution received from the Town of Orangeville with respect to Environmental Awareness and Action, dated January 27, 2020.
(Distributed to all members of Council on January 28, 2020)
(File Number CSU-D03-000-2020)
- 07-123 Resolution received from The Corporation of the Township of Madoc with respect to Joint and Several Liability Consultation – Town of Amherstburg Support, dated January 27, 2020.
(Distributed to all members of Council on January 29, 2020)
(File Number CSU-D03-000-2020)
- 07-124 News Release from Cataraqui Region Conservation Authority with respect to Watershed Conditions Statement – Water Safety Extended for Lake Ontario & St. Lawrence River, dated January 29, 2020.
(Distributed to all members of Council on January 29, 2020)
(File Number CSU-D03-000-2020)

Other Business

By-Laws

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

b) **That** By-Laws (1) through (3) be given their third reading.

- (1) 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 and Two Family Dwelling 'A5' Zone and Environmental Protection Area "EPA" Zone to Special Three to Six Family Dwelling 'B.583' Zone and Environmental Protection Area 'EPA' Zone, 1020 Portsmouth Avenue)

Three Readings

Proposed Number 2020-041

(Clause 1, Report Number 20)

- (2) 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 Multiple Family Dwelling 'B1' Zone to Site-Specific Multiple Family Dwelling 'B1.579' Zone and Site-Specific Multiple Family Dwelling 'B1.580' Zone, 11 and 27 Wright Crescent)

Three Readings

Proposed Number 2020-042

(Clause 2, Report Number 20)

- (3) A By-Law to confirm the proceedings of Council at its meeting held on Tuesday February 4, 2020

Three Readings

Proposed Number 2020-043

(City Council Meeting Number 2020-07)

Adjournment