



City Council Meeting 26-2023

Tuesday, October 3, 2023 at 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.

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City Council Meeting 26-2023

Agenda

Tuesday, October 3, 2023

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(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 items:
 - a. Labour relations or employee negotiations – Ontario Nurses’ Association Mandate;
 - b. Labour relations or employee negotiations – Canadian Union of Public Employees (CUPE), Local 109 – Collective Bargaining; and
 - c. A proposed or pending acquisition or disposition of land by the municipality or local board - Proposed Property Acquisition for Municipal Facility – 2685 Creekford Road.

Approval of Addeds

Disclosure of Potential Pecuniary Interest

Presentations

Delegations

Briefings

Petitions

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

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

Deferred Motions

Reports

Report Number 80: Received from Kingston Heritage Properties Committee

Report Number 80

To the Mayor and Members of Council:

Kingston Heritage Properties 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. Notice of Intention to Designate under the Ontario Heritage Act as amended by the Kingston Heritage Properties Committee on September 20, 2023

That Council direct staff to serve a Notice of Intention to Designate the property located at 160 Belmont Avenue, known as the Everitt-Miller House, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-23-030; and

That should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 160 Belmont Avenue, known as the Everitt-Miller House, attached as Exhibit B (**as amended in Schedule A, by the Kingston Heritage Properties Committee, to delete the references to interior features**) to Report Number HP-23-030, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 2518 Highway 38, known as the Robert Gibson Jr. Farm Complex, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-23-030; and

That should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 2518 Highway 38, known as the Robert Gibson Jr. Farm Complex, attached as Exhibit C (**as amended in**

Schedule A, by the Kingston Heritage Properties Committee, to delete the references to interior features) to Report Number HP-23-030, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 2643 Bur Brook Road, known as the Jackson Mills Schoolhouse, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-23-030; and

That should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 2643 Bur Brook Road, known as the Jackson Mills Schoolhouse, attached as Exhibit D (**as amended in Schedule A, by the Kingston Heritage Properties Committee, to delete the references to interior features**) to Report Number HP-23-030, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 344-350 Bagot Street, known as the Artillery Park Barracks, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-23-030; and

That should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 344-350 Bagot Street, known as the Artillery Park Barracks, attached as Exhibit E (**as amended in Schedule A, by the Kingston Heritage Properties Committee, to delete the references to interior features**) to Report Number HP-23-030, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 35 Johnson Street, known as the Lynch House, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-23-030; and

That should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of

Intention to Designate, the Designation By-Law for 35 Johnson Street, known as the Lynch House, attached as Exhibit F (**as amended in Schedule A, by the Kingston Heritage Properties Committee, to delete the references to interior features**) to Report Number HP-23-030, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 53 Princess Street and 365-369 King Street East, known as the Millan Building, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-23-030; and

That should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 53 Princess Street and 365-369 King Street East, known as the Millan Building, attached as Exhibit G (**as amended in Schedule A, by the Kingston Heritage Properties Committee, to delete the references to interior features**) to Report Number HP-23-030, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 771 Kingston Mills Road, known as the Burrowes House, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-23-030; and

That should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 771 Kingston Mills Road, known as the Burrowes House, attached as Exhibit H (**as amended in Schedule A, by the Kingston Heritage Properties Committee, to delete the references to interior features**) to Report Number HP-23-030, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 78-86 Princess Street, known as the Orange Hall building, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-23-030; and

That should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 78-86 Princess Street, known as the Orange Hall building, attached as Exhibit I (**as amended in Schedule A, by the Kingston Heritage Properties Committee, to delete the references to interior features**) to Report Number HP-23-030, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 85 Princess Street as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-23-030; and

That should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 85 Princess Street, attached as Exhibit J (**as amended in Schedule A, by the Kingston Heritage Properties Committee, to delete the references to interior features**) to Report Number HP-23-030, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 67 Kensington Avenue, known as the Burr House, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-23-030; and

That should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 67 Kensington Avenue, known as the Burr House, attached as Exhibit K (**as amended in Schedule A, by the Kingston Heritage Properties Committee, to delete the references to interior features**) to Report Number HP-23-030, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act.

(Exhibits A – K to Report Number HP-23-030 are attached to the agenda as schedule pages 1 – 49)

Committee of the Whole

Information Reports

1. Top Five Staff Recommended Provincial Housing Affordability Task Force Recommendations

The purpose of this report is to provide staff's feedback on the top five recommended Housing Affordability Task Force recommendations for Mayor Paterson's consideration when providing a response to The Honourable Paul Calandra, Minister of Municipal Affairs and Housing.

(The Report of the Commissioner, Growth & Development Services (23-245) is attached to the agenda as schedule pages 50 – 60)

Information Reports from Members of Council

Miscellaneous Business

Miscellaneous Business Items are voted on as one motion.

1. Moved by Councillor Stephen

Seconded by Councillor Cinanni

That as requested by Sylvia Harnarain, Canadian Premature Babies Foundation, City Council proclaim November 17, 2023 to be "World Prematurity Day" in the City of Kingston.

(See Communication 26-898)

2. Moved by Councillor Ridge

Seconded by Councillor Glenn

That the resignation of Peter O'Hare from the Committee of Adjustment be received with regret; and

That in accordance with Section 3.3.2 d. of the Public Appointment Policy, Douglas Perkins be appointed from the reserve pool to the Committee of Adjustment for a term ending November 15, 2026.

(See Communication 26-912)

3. Moved by Councillor Osanic

Seconded by Councillor Chaves

That the resignation of Aniz Kheraj from the Committee of Adjustment be received with regret; and

That in accordance with Section 3.3.2 d. of the Public Appointment Policy, Jeff Scott be appointed from the reserve pool to the Committee of Adjustment for a term ending November 15, 2026.

(See Communication 26-915)

4. Moved by Councillor Cinanni

Seconded by Councillor Tozzo

That the resignation of David Morton from the Committee of Adjustment be received with regret; and

That in accordance with Section 3.3.2 d. of the Public Appointment Policy, Gaurav Rehan be appointed from the reserve pool to the Committee of Adjustment for a term ending November 15, 2026.

(See Communication 26-917)

5. Moved by Councillor Oosterhof

Seconded by Councillor Hassan

That as requested by Maya Sharma, Canadian Lung Cancer Screening Initiative, City Council proclaim November 2023 to be “Lung Cancer Awareness Month” in the City of Kingston.

(See Communication 26-918)

New Motions

1. Moved by Council Glenn

Seconded by Councillor Ridge

Whereas Fotenn Consultants Inc., on behalf of Amber Peak Developments, has submitted an application for Minor Variance (D13-050-2023) and Site Plan Control

(D11-019-2023) for the properties municipally known as 390 and 386 Johnson Street and 40 Aberdeen Street to construct a 6 storey 45-unit building; and

Whereas By-Law Number 2006-75 allows for a member of Council to make a notice of motion through Council that an application for site plan control approval be referred to planning committee for review;

Therefore Be It Resolved That the Application for Site Plan Control approval from Fotenn Consultants Inc., on behalf of Amber Peak Developments, for the properties municipally known as 390 and 386 Johnson Street and 40 Aberdeen Street, outlined in File Number D11-019-2023, be "bumped-up" to the Planning Committee.

2. Moved by Councillor Glenn

Seconded by Councillor Stephen

Whereas the City of Kingston wishes to augment the harm reduction strategies being put into place by the Queen's University Alma Mater Society (AMS) during various Fall 2023 events;

Therefore Be It Resolved That Council waive Section 8 of Schedule R-1 to By-Law Number 2006-213, A By-law to License, Regulate and Govern Certain Businesses, with respect to licensed refreshment vehicles participating in AMS events at locations approved by the City to extend the business hours for such refreshment vehicles to 2 a.m. during the designated periods of the University District Safety Initiative between October 14 to November 1, 2023; and

That Council authorize the Director of Licensing & Enforcement, or their delegate, to revoke any exemption granted and/or impose any terms or conditions on an exemption, where deemed necessary, in their reasonable opinion.

Notices of Motion

Minutes

That the Minutes of City Council Meeting Number 24-2023, held Tuesday, September 19, 2023 be confirmed.

(Distributed to all Members of Council on September 29, 2023)

Tabling of Documents

2023-48 Kingston Police Services Board Meeting Number 23-11 Agenda. The meeting is scheduled for Thursday, September 21, 2023 at 12:00 pm at the Kingston Police Headquarters.

(Distributed to all members of Council on September 15, 2023)

2023-49 Kingston Police Services Board Meeting Minutes. The meeting was held Thursday, July 20, 2023 at 12:00 pm, hosted at Kingston Police Headquarters.

(Distributed to all members of Council on September 15, 2023)

2023-50 Kingston Police Services Board Meeting Addendum. The meeting is scheduled for September 21, 2023.

(Distributed to all members of Council on September 19, 2023)

2023-51 Kingston & Frontenac Housing Corporation Agenda 06-2023. The meeting is scheduled for September 25, 2023 at 12:30 pm in the KFHC Board Room.

(Distributed to all members of Council on September 21, 2023)

2023-52 Cataraqui Conservation Full Authority Board Meeting Agenda. The meeting is scheduled for September 27, 2023 at 6:45 pm in a hybrid format.

(Distributed to all members of Council on September 21, 2023)

Communications

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

Filed

26-903 County of Frontenac Notice of Public Meeting with respect to Official Plan Amendment. The meeting is scheduled for October 4, 2023 at 10:00 am at the Township of South Frontenac Council Chambers, dated September 14, 2023.

(Distributed to all members of Council on September 15, 2023)

26-913 Notice of a Public Meeting with respect to Proposed Zoning By-Law Amendment at 1300, 1310, 1330 & 1350 Bath Road. The meeting is scheduled for October 11, 2023 at 6:00 pm in a hybrid format.

(Distributed to all members of Council on September 20, 2023)

26-917 Notice of a Public Meeting with respect to Proposed Zoning By-Law Amendment at 170-174 Earl Street. The meeting is scheduled for October 11, 2023 at 6:00 pm in a hybrid format.

(Distributed to all members of Council on September 21, 2023)

Referred to All Members of Council

26-898 Proclamation Request Application received from Sylvia Harnarain, Canadian Premature Babies Foundation, requesting Council proclaim November 17, 2023 as “World Prematurity Day” in Kingston, dated September 12, 2023.

(Distributed to all members of Council on September 13, 2023)

26-899 Resolution received from the City of Hamilton with respect to Request to Abandon Greenbelt Development, dated September 11, 2023.

(Distributed to all members of Council on September 13, 2023)

26-900 Correspondence received from Association of Municipalities Ontario with respect to AMO WatchFile, dated September 14, 2023.

(Distributed to all members of Council on September 14, 2023)

26-901 Correspondence received from Peter and Tatiana Toledo De Clarke with respect to "RGI Unit upon death of a spouse residing in a market unit building that combine both market rent and RGI rental units", dated September 14, 2023.

(Distributed to all members of Council on September 14, 2023)

26-902 Resolution received from the Town of Bracebridge with respect to “Time for Change – Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)”, dated September 15, 2023.

(Distributed to all members of Council on September 15, 2023)

26-906 Correspondence received from Association of Municipalities Ontario with respect to AMO Policy Update – Toronto New Deal and Housing Affordability Task Force Responses, dated September 19, 2023.

(Distributed to all members of Council on September 19, 2023)

26-907 Correspondence received from Rural Ontario Municipal Association with respect to ROMA Board – August Highlights, dated September 19, 2023.

(Distributed to all members of Council on September 19, 2023)

26-908 Correspondence received from Federation of Canadian Municipalities with respect to FCM Voice: Historic HAF Investment, Board meeting update, Gender Equality Week, and more, dated September 18, 2023.

(Distributed to all members of Council on September 19, 2023)

26-911 Proclamation Request Application received from Andrea Howard, Canadian Centre for Women’s Empowerment, requesting November 26, 2023 be proclaimed “Economic Abuse Awareness Day” in the City of Kingston, dated September 16, 2023.

(Distributed to all members of Council on September 20, 2023)

26-912 Correspondence received from Peter O’Hare with respect to resignation from Committee of Adjustment, dated September 19, 2023.

(Distributed to all members of Council on September 20, 2023)

26-914 Resolution received from the City of Cambridge with respect to Declaring Intimate Partner Violence (IPV) an Epidemic, dated September 20, 2023.

(Distributed to all members of Council on September 20, 2023)

26-915 Correspondence received from Aniz Kheraj with respect to resignation from Committee of Adjustment, dated September 19, 2023.

(Distributed to all members of Council on September 20, 2023)

26-916 Correspondence received from Association of Municipalities Ontario with respect to AMO WatchFile, dated September 21, 2023.

(Distributed to all members of Council on September 21, 2023)

26-917 Correspondence received from David Morton with respect to resignation from Committee of Adjustment, dated September 23, 2023.

(Distributed to all members of Council on September 25, 2023)

26-918 Proclamation Request Application received from Maya Sharma, Canadian Lung Cancer Screening Initiative, requesting November 2023 be proclaimed “Lung Cancer Awareness Month” in the City of Kingston, dated September 24, 2023.

(Distribute to all members of Council on September 25, 2023)

26-919 Resolution received from the Town of Midland with respect to Catch and Release Justice in Ontario, dated September 8, 2023.

(Distributed to all members of Council on September 26, 2023)

26-920 Correspondence received from Association of Municipalities Ontario with respect to AMO Policy Update, New Ministers and Transit Legislation, dated September 25, 2023.

(Distributed to all members of Council on September 26, 2023)

26-921 Correspondence received from Federation of Canadian Municipalities with respect to FCM Voice: FMC President at PTA conferences, new energy efficiency e-course, asset management policy development, dated September 25, 2023.

(Distributed to all members of Council on September 26, 2023)

26-922 Correspondence received from Rural Ontario Municipal Association with respect to ROMA 2024 Annual Conference: Closer to Home, dated September 25, 2023.

(Distributed to all members of Council on September 26, 2023)

Other Business

By-Laws

- a) **That** By-Laws (1) and (2) be given their first and second reading.
- b) **That** By-Laws (1) and (2) be given their third reading.

- 1) A By-Law to Amend By-Law Number 2022-62, "Kingston Zoning By-Law Number 2022-62" (Removal of Holding Overlay, 2952 6th Concession Road)

Three Readings
(Delegated Authority)

Proposed Number 2023-193

(See schedule pages 61 – 63)

- 2) A By-Law to confirm the proceedings of Council at its meeting held on Tuesday, October 3, 2023

Three Readings
(City Council Meeting Number 26-2023)

Proposed Number 2023-194

Adjournment