



## **City Council Meeting 30-2023**

Tuesday, November 21, 2023 at 5:00 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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(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. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – Update on Ontario Land Tribunal Appeal;
  - b. A proposed or pending acquisition or disposition of land by the municipality or local board – Employment Lands;
  - c. A proposed or pending acquisition or disposition of land by the municipality or local board – Federal Divestiture; and
  - d. A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board – Utilities Kingston Legal Agreements.

## **Approval of Addeds**

## **Disclosure of Potential Pecuniary Interest**

## **Presentations**

## **Delegations**

1. Peter Kingston, SPEAKingston, will appear before Council to speak to Clause 1 of Report Number 94: Received from Administrative Policies Committee with respect to Proposed Community Standards By-Law, as amended by the Administrative Policies Committee on November 9, 2023.

**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 91: Received from the Chief Administrative Officer (Consent)

Report Number 91

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. **2024 Schedule of Meetings for Council and Standing Committees**

**That** Council approve the 2024 schedule of meetings for City Council and Standing Committees, attached as Exhibit A to Report Number 23-274.

(The Report of the Director, Legal Services & City Solicitor (23-274) is attached to the agenda as schedule pages 1-9)

#### 2. **Kingston & District Sports Hall of Fame Licence Agreement**

**That** Council endorse the extension of a licence agreement with the Kingston & District Sports Hall of Fame Inc. from January 1, 2023 until December 31, 2028 for the purpose of displaying exhibits and artifacts within the Large Venue Entertainment Centre; and

**That** the Mayor and City Clerk be authorized to execute the licence agreement with the Kingston & District Sports Hall of Fame Inc. in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner, Community Services (23-254) is attached to the agenda as schedule pages 10-14)

**Report Number 92: Received from the Chief Administrative Officer (Recommend)**

Report Number 92

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

**1. Drinking Water Quality Management System – Management Review Report and Endorsement of Operational Plan 2022**

**That** Council receive the Kingston and Cana Drinking Water System Management Review Summary Report 2022 and Accreditation Audit Report; and

**That** Council re-endorse the Operational Plan for the Kingston and Cana Drinking Water System and authorize the Mayor and Clerk to sign the Owner and Top Management Endorsement of the Operational Plan for Kingston's Drinking Water Supply Systems document showing Council's endorsement of the plan.

(The Report of the President & CEO, Utilities Kingston (23-253) is attached to the agenda as schedule pages 15-42)

**Report Number 93: Received from the Planning Committee**

Report Number 93

To the Mayor and Members of Council:

The Planning 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. Zoning By-Law Amendment – 947 Division Street**

**That** the application for a zoning By-Law amendment (File Number D14-008-2022) submitted by Fotenn Consultants Inc., on behalf of HJK1 Holdings Ltd., for the property municipally known as 947 Division Street, be approved; and

**That** Kingston Zoning By-Law Number 2022-62, as amended, be further amended, as per Exhibit A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 2022-62) to Report Number PC-23-042; 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), 2023-213 attached to the agenda as schedule pages 43-45)**

(Exhibit A to Report Number PC-23-042 is attached to the agenda as schedule pages 43-45)

**Report Number 94: Received from Administrative Policies Committee**

Report Number 94

To the Mayor and Members of Council:

Administrative Policies 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. Proposed Community Standards By-Law, as Amended by the Administrative Policies Committee on November 9, 2023**

**That** the By-Law attached as Exhibit A to Report Number AP-23-017, “Community Standards By-Law”, be presented to Council; and

**That** By-Law Number 2020-69, entitled “A By-Law to Establish a Process for Administrative Penalties”, as amended, be further amended in accordance with Exhibit B to Report Number AP-23-017; and

**That** By-Law Number 2009-76, entitled “A By-Law to Provide for the Regulation Use of Parks and Recreation Facilities of The Corporation of the City of Kingston”, as amended, be further amended in accordance with Exhibit C to Report Number AP-23-017; and

**That** By-Law Number 2004-190, entitled “A By-Law to Regulate the Use of City Streets”, as amended, be further amended in accordance with Exhibit D to Report Number AP-23-017; and

**That** staff be directed to apply to the Ministry of the Attorney General for approval of a Set Fine Schedule to reflect the By-Law attached to Report Number AP-23-017 as Exhibit A, entitled “Community Standards By-Law”; and

**That** staff be directed to prepare a by-law enforcement policy by Q2 2024 that formalizes the City’s guidelines with respect to municipal by-law enforcement; and

**That** staff be directed to prepare educational and awareness materials for residents and visitors related to the proposed community standards by-law, including updating “The Good Neighbour Guide”; and



**That staff be directed to report back to Council one year after enactment of the Community Standards By-Law with key findings related to implementation and enforcement of the By-Law, including aggregated data related to the number and type of penalty notices issued and/or *Provincial Offences Act* proceedings commenced under the By-Law.**

**(See By-Law Number (2), 2023-214 attached to the agenda as schedule pages 46-65)**

**(See By-Law Number (3), 2023-215 attached to the agenda as schedule pages 66-68)**

**(See By-Law Number (4), 2023-216 attached to the agenda as schedule page 69)**

**(See By-Law Number (5), 2023-217 attached to the agenda as schedule page 70)**

**(Exhibits A – D to Report Number AP-23-017 are attached as schedule pages 46-70)**

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**Committee of the Whole**

**Information Reports**

**1. September 2023 Tender and Contract Awards Subject to Delegation of Authority**

The purpose of this report is to provide Council with details of contracts greater than \$100,000 awarded for the month of September 2023 that meet the established criteria of delegated authority for both standard and non-standard procurements.

(The Report of the Chief Financial Officer & City Treasurer (23-263) is attached to the agenda as schedule pages 71-78)

**Information Reports from Members of Council**

**Miscellaneous Business**

Miscellaneous Business Items are voted on as one motion.

**1. Moved by Councillor Osanic**

Seconded by Councillor Amos

**Whereas** Members of Council have indicated their choices to serve on the under noted Committees/Commission/Boards for the terms shown below; and

**Whereas** there are sufficient vacancies to accommodate each Councillor;

**Therefore Be It Resolved That** the following Members of Council be appointed to serve on the under noted Committee/Commission/Boards for terms ending November 30, 2024:

<b>Committee/Commission/Board</b>	<b>Number of Appointments Required and Length of Term</b>	<b>Names</b>
Cataraqui Region Conservation Authority Board	Four Councillors (one year term)	Councillor Amos Councillor Oosterhof Councillor Osanic Councillor Stephen

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<b>Committee/Board</b>	<b>Number of Appointments Required and Length of Term</b>	<b>Names</b>
Equity, Diversity & Inclusion Advisory Committee	Two Councillors (one year term)	Councillor Hassan Councillor Stephen
Kingston Area Taxi Commission	One Councillor (one year term)	Councillor Chaves
Kingston Heritage Properties Committee	Two Councillors (one year term)	Councillor Glenn Councillor Oosterhof
Municipal Accessibility Advisory Committee	One Councillor (one year term)	Councillor Tozzo
Planning Committee	Six Councillors (one year term)	Councillor Chaves Councillor Cinanni Councillor Glenn Councillor McLaren Councillor Oosterhof Councillor Osanic
Rideau Corridor Landscape Strategy Steering Committee	One Councillor and one alternate (one year term)	Councillor Chaves Councillor Oosterhof
Rural Advisory Committee	Two Councillors (one year term)	Councillor Amos Councillor Oosterhof
Sustainable Kingston Board	One Councillor (one year term)	Councillor Stephen

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2. Moved by Councillor Cinanni

Seconded by Councillor Boehme

**Whereas** there are more applications from members of Council than vacancies for the following Committees/Boards;

**Therefore Be It Resolved That** Council select the members of Council to be appointed to serve on the following Committee/Board for terms ending November 30, 2024:

Committee/Board	Number of Appointments Required and Length of Term	Names
Administrative Policies Committee	Six Councillors (one year term)	Councillor Amos Councillor Boehme Councillor Chaves Councillor Glenn Councillor Hassan Councillor M <sup>c</sup> Laren Councillor Ridge
Appeals Committee	Two Councillors (one year term)	Councillor Hassan Councillor M <sup>c</sup> Laren Councillor Oosterhof
Arts, Recreation & Community Policies Committee	Six Councillors (one year term)	Councillor Amos Councillor Boehme Councillor Chaves Councillor Osanic Councillor Ridge Councillor Stephen Councillor Tozzo
Awards Committee	Two Councillors and Mayor (one year term)	Councillor Hassan Councillor Osanic Councillor Tozzo

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<b>Committee/Board</b>	<b>Number of Appointments Required and Length of Term</b>	<b>Names</b>
Court of Revision (Drainage Act)	Three Councillors (one year term)	Councillor Boehme Councillor M <sup>c</sup> Laren Councillor Oosterhof Councillor Osanic
Court of Revision (Municipal Act)	Three Councillors (one year term)	Councillor Boehme Councillor Cinanni Councillor Hassan Councillor M <sup>c</sup> Laren Councillor Osanic
Environment, Infrastructure & Transportation Policies Committee	Six Councillors (one year term)	Councillor Amos Councillor Chaves Councillor Cinanni Councillor Hassan Councillor Osanic Councillor Stephen Councillor Tozzo
Kingston & Frontenac Housing Corporation Board of Directors	Two Councillors (one year term)	Councillor Amos Councillor Chaves Councillor Ridge Councillor Tozzo
Rural Urban Liaison Committee	Two Councillors and Mayor (one year term)	Councillor Amos Councillor Chaves Councillor Glenn Councillor Oosterhof
Tourism Kingston Board	Two Councillors and Mayor (one year term)	Councillor Chaves Councillor Cinanni Councillor Ridge

3. Moved by Councillor Glenn

Seconded by Councillor Ridge

**Whereas** there are fewer applications from Members of Council than vacancies for the following Committees/Boards/Forum;

**Therefore Be It Resolved That** Council select the Members of Council to be appointed to serve on the following Committees/Boards/Forum, for terms ending November 30, 2024:

Committee/Board	Number of Appointments Required and Length of Term	Names
Kingston Access Services Board	One Councillor (one year term)	
Kingston Economic Development Corporation Board	Three Councillors and Mayor (one year term)	Councillor Glenn Councillor Oosterhof
Kingston Environmental Advisory Forum	Two Councillors (one year term)	Councillor Oosterhof
Kingston Heritage Programs Committee	Two Councillors (one year term)	Councillor Stephen
Nominations Committee	Six Councillors (one year term)	Councillor Amos Councillor Chaves Councillor Cinanni Councillor Hassan Councillor Tozzo

4. Moved by Councillor M<sup>c</sup>Laren

Seconded by Councillor Stephen

**Whereas** the power to appoint chairs and vice-chairs of standing committees were assigned to the mayor via s. 284.(8) of the *Municipal Act, 2001*; and

**Whereas** on July 12, 2023 Mayor Paterson issued Mayoral Decision 2023-01 delegating the appointment of chairs and vice-chairs of Standing Committees to Council;

**Therefore Be It Resolved That** Councillor \_\_\_\_\_ be appointed the Chair of the Administrative Policies Committee and Councillor \_\_\_\_\_ be appointed the Vice-Chair of the Administrative Policies Committee for terms ending November 30, 2024; and

**That** Councillor \_\_\_\_\_ be appointed the Chair of the Arts, Recreation & Community Policies Committee and Councillor \_\_\_\_\_ be appointed the Vice-Chair of the Arts, Recreation & Community Policies Committee for terms ending November 30, 2024; and

**That** Councillor \_\_\_\_\_ be appointed the Chair of the Environment, Infrastructure & Transportation Policies Committee and Councillor \_\_\_\_\_ be appointed the Vice-Chair of the Environment, Infrastructure & Transportation Policies Committee for terms ending November 30, 2024; and

**That** Councillor \_\_\_\_\_ be appointed the Chair of the Planning Committee and Councillor \_\_\_\_\_ be appointed the Vice-Chair of the Planning Committee for terms ending November 30, 2024; and

**That** Councillor \_\_\_\_\_ be appointed the Chair of the Nominations Committee and Councillor \_\_\_\_\_ be appointed the Vice-Chair of the Nominations Committee for terms ending November 30, 2024; and

**5.** Moved by Councillor Tozzo

Seconded by Councillor Chaves

**Whereas** the City of Kingston Emergency Response Plan requires an emergency designate for the Mayor and an emergency designate (alternate) for the Mayor; and

**Whereas** the following Councillors have indicated an interest in being an emergency designate (or alternate) for the Mayor:

Councillor Amos

Councillor Boehme

Councillor M<sup>c</sup>Laren

Councillor Glenn

Councillor Oosterhof

**Therefore Be It Resolved That** in accordance with the City of Kingston Emergency Response Plan, Councillor \_\_\_\_\_ be appointed for a term of one year or until replaced, as the emergency designate for the Mayor; and

**That** in accordance with the City of Kingston Emergency Response Plan, Councillor \_\_\_\_\_ be appointed for a term of one year or until replaced, as the emergency designate (alternate) for the Mayor.

6. Moved by Councillor Amos

Seconded by Councillor Ridge

**Whereas** the following Councillors have indicated that they are willing to serve as Deputy Mayor for two-month increments:

Councillor Amos

Councillor Boehme

Councillor Chaves

Councillor Cinanni

Councillor Glenn

Councillor Hassan

Councillor M<sup>c</sup>Laren

Councillor Oosterhof

Councillor Ridge

Councillor Stephen;

**Therefore Be It Resolved That** a draw of names will be carried out by the City Clerk and as the names are drawn, they will be assigned the dates chronologically as listed below:

February and March 2024

April and May 2024

June and July 2024



August and September 2024

October and November 2024

December 2024 and January 2025

February and March 2025

April and May 2025

June and July 2025; and

August and September 2025;

**That** as per the resolution approved, Council members will have an opportunity to “trade” two-month increment time slots and report back so that the times can be confirmed by Council at the Council meeting on December 5, 2023.

### **New Motions**

### **Notices of Motion**

### **Minutes**

**That** the Minutes of City Council Meeting Number 29-2023, held Tuesday, November 7, 2023 be confirmed.

(Distributed to all Members of Council on November 17, 2023)

### **Tabling of Documents**

2023-58 Kingston Police Services Board Meeting Number 23-13 Agenda. The meeting is scheduled for Thursday, November 16, 2023 at 12:00 pm at the Kingston Police Headquarters.

(Distributed to all Members of Council on November 9, 2023)

2023-59 Kingston Police Services Board Meeting Minutes. The meeting was held Thursday, November 19, 2023 at 12:00 pm at Kingston Police Headquarters.

(Distributed to all Members of Council on November 9, 2023)

## **Communications**

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

### **Filed**

30-1005 Notice of Technical Consent with respect to creating an Easement at 800 Innovation Drive. Written comments must be received by 4:30 pm on Tuesday, December 5, 2023.

(Distributed to all members of Council on November 9, 2023)

30-1007 Notice of a Complete Application and Public Meeting with respect to Zoning By-Law Amendment at 705 Arlington Park Place. The meeting is scheduled for January 4, 2024 at 6:00 pm in a hybrid format.

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

### **Referred to All Members of Council**

30-988 Correspondence received from Association of Municipalities Ontario with respect to AMO Policy Update – Strengthening Public Health Through Voluntary Mergers, dated October 31, 2023.

(Distributed to all members of Council on November 1, 2023)

30-989 Correspondence received from Association of Municipalities Ontario with respect to AMO Watchfile, dated November 2, 2023.

(Distributed to all members of Council on November 2, 2023)

30-992 Correspondence received from Association of Municipalities Ontario with respect to AMO Policy Update – 2023 Fall Economic Statement, dated November 2, 2023.

(Distributed to all members of Council on November 2, 2023)

30-994 Correspondence received from Cataraqui Region Conservation Authority with respect to Appointment of Cataraqui Conservation Board Members, dated November 1, 2023.

(Distributed to all members of Council on November 3, 2023)

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30-998 Correspondence received from Federation of Canadian Municipalities FCM Voice: FCM response ahead of Fall Economic Statement, Municipal Trailblazers, Reducing GHG emissions webinar, and more, dated November 6, 2023.

(Distributed to all members of Council on November 7, 2023)

30-1002 Correspondence received from Marc McIntosh, Project Manager/Transportation Engineer, Safe Roads Engineering, with respect to Notice of Study Commencement, South Frontenac Road 38 – Murton Road to Kingston Road (Harrowsmith), dated November 3, 2023.

(Distributed to all members of Council on November 9, 2023)

30-1003 Correspondence received from Robin Andersen with respect to Densification in Kingston, dated November 7, 2023.

(Distributed to all members of Council on November 9, 2023)

30-1004 Correspondence received from Association of Municipalities Ontario with respect to AMO WatchFile, dated November 9, 2023.

(Distributed to all members of Council on November 9, 2023)

30-1006 Resolution received from the Corporation of the Municipality of Wawa with respect to support for Bill C-210, dated November 7, 2023.

(Distributed to all members of Council on November 9, 2023)

30-1008 Correspondence received from Sarah Griffin with respect to Homelessness and OLS, dated November 10, 2023.

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

30-1009 Correspondence received from Rhonda Lee Brady with respect to Sleeping Cabins, dated November 10, 2023.

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

30-1010 Correspondence received from Janice McAlpine with respect to closure of cabin project, dated November 12, 2023.

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

30-1011 Correspondence received from Georgette Fry with respect to “Our Support”, dated November 11, 2023.

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

30-1012 Correspondence received from Dan Irwin, Partners in Mission Food Bank (Kingston), with respect to Hunger Report Roadshow at Partners for Mission Food Bank December 5, dated November 13, 2023.

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

30-1013 Correspondence received from Mignon Morphet with respect to Malicious Display of Images by BIA – No to the Community Standards By-Law, dated November 10, 2023.

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

30-1014 Correspondence received from Robert Gibson with respect to concern regarding Downtown Business Improvement Area delegation on November 9, 2023, dated November 14, 2023.

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

## Other Business

### By-Laws

- a) **That** By-Laws (1) through (5), (9), and (10) be given their first and second reading.
- b) **That** By-Laws (1), and (6) through (10) be given their third reading.
- 1) A By-Law to Amend By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (Introduction of Exception E137, (947 Division Street))

Three Readings

Proposed Number 2023-213

**(Clause 1, Report Number 93)**

- 2) Community Standards By-Law

First and Second Reading

Proposed Number 2023-214

**(Clause 1, Report Number 94)**

- 3) A By-Law to Amend By-Law Number 2020-69, "A By-Law to Establish a Process for Administrative Penalties"  
  
First and Second Reading Proposed Number 2023-215  
**(Clause 1, Report Number 94)**
  
- 4) A By-Law to Amend By-Law Number 2009-76, "A By-Law to Provide for the Regulation Use of Parks and Recreation Facilities of The Corporation of the City of Kingston"  
  
First and Second Reading Proposed Number 2023-216  
**(Clause 1, Report Number 94)**
  
- 5) A By-Law to Amend By-Law Number 2004-190, "A By-Law to Regulate the Use of City Streets"  
  
First and Second Reading Proposed Number 2023-217  
**(Clause 1, Report Number 94)**
  
- 6) A By-Law to Amend By-Law Number 2004-107 "A By-Law to Protect the City's Highways from Unauthorized Encroachments"  
  
Third Reading Proposed Number 2023-202  
**(Clause 1, Report Number 84, November 7)**
  
- 7) A By-Law to Amend City of Kingston By-Law Number 2018-95, "A By-Law of the City of Kingston to Establish the Municipal Accommodation Tax"  
  
Third Reading Proposed Number 2023-203  
**(Clause 3, Report Number 84, November 7)**
  
- 8) Committee By-Law  
  
Third Reading Proposed Number 2023-204  
**(Clause 1, Report Number 85, November 7)**
  
- 9) A By-Law to Amend By-Law Number 2022-62, "Kingston Zoning By-Law Number 2022-62" (Removal of Holding Overlay, 2182 Unity Road)  
  
Three Readings Proposed Number 2023-218  
**(Delegated Authority)**  
  
**(See schedule pages 79-81)**

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10)A By-Law to confirm the proceedings of Council at its meeting held on Tuesday,  
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Three Readings  
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Proposed Number 2023-219

**Adjournment**



**City of Kingston  
Report to Council  
Report Number 23-274**

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**To:** Mayor and Members of Council  
**From:** Jenna Morley, Director, Legal Services & City Solicitor  
**Resource Staff:** Janet Jaynes, City Clerk  
**Date of Meeting:** November 21, 2023  
**Subject:** 2024 Schedule of Meetings for Council and Standing Committees

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**Council Strategic Plan Alignment:**

Theme: Corporate business

Goal: See above

**Executive Summary:**

This report provides the 2024 schedule of meetings for City Council and its Standing Committees. Several meeting dates require rescheduling due to public holidays, school holidays, seasonal holidays and conferences. These dates are detailed in the Options/Discussion section of this report.

The full schedule of 2024 meeting dates can be found in Exhibit A to this report.

**Recommendation:**

**That** Council approve the 2024 schedule of meetings for City Council and Standing Committees, attached as Exhibit A to Report Number 23-274.

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**Authorizing Signatures:**

ORIGINAL SIGNED BY DIRECTOR,  
LEGAL SERVICES & CITY SOLICITOR

\_\_\_\_\_  
**Jenna Morley, Director, Legal  
Services & City Solicitor**

ORIGINAL SIGNED BY CHIEF  
ADMINISTRATIVE OFFICER

\_\_\_\_\_  
**Lanie Hurdle, Chief  
Administrative Officer**

**Consultation with the following Members of the Corporate Management Team:**

Paige Agnew, Commissioner, Growth & Development Services

Jennifer Campbell, Commissioner, Community Services Not required

Neil Carbone, Commissioner, Corporate Services

David Fell, President & CEO, Utilities Kingston Not required

Peter Huigenbos, Commissioner, Major Projects & Strategic Initiatives Not required

Brad Joyce, Commissioner, Infrastructure, Transportation  
& Emergency Services Not required

Desirée Kennedy, Chief Financial Officer & City Treasurer Not required



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**Options/Discussion:****Background**

As required by Section 6.4 of By-Law Number 2021-41, the Council Procedural By-Law, this report provides Council with the 2024 schedule of meetings for Council and Standing Committees.

**Analysis**

A number of meetings require rescheduling to accommodate public holidays, school holidays such as March Break (March 11 to March 15) and winter holidays (December 23 to January 3), conferences such as the Federation of Canadian Municipalities (June 6 to June 9) and the Association of Municipalities of Ontario (August 18 to August 21), and a summer schedule where meetings are scheduled, generally, within the first two weeks of July and August.

In keeping with the City's commitment to continuous education, training and development, four special Council meetings have been identified in the 2024 schedule of meetings. These meetings will serve as an opportunity for Council to receive training/awareness regarding key areas of governance and City initiatives.

If required, further special meetings may be called in accordance with the Council Procedural By-Law.

A special meeting is requested for the Administrative Policies Committee to consider a staff report on Residential Rental Licensing. Staff are anticipating significant public interest and comment on the report and are requesting a special meeting for the topic exclusively.

Exceptions to the regular schedule are as follows:

**Summer Schedule**

- Council meetings to be held on July 9 and August 13;
- August 8 Administrative Policies Committee rescheduled to July 11;
- August 13 Environment, Infrastructure & Community Policies Committee rescheduled to August 6; and
- August 22 Arts, Recreation & Community Policies Committee rescheduled to August 8.

**Other Exceptions & Additions**

- January 24 Special Meeting of Administrative Policies Committee;

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- June 6 Planning Committee rescheduled to May 30;
- December 26 Arts, Recreation & Community Policies Committee rescheduled to December 12; and
- Special City Council Meetings – Education & Training Sessions to be held on February 27, April 30, September 24 and November 27.

The schedule of meetings also identifies public and municipal holidays where City Hall is closed.

Calendar invitations for the following meetings will be sent to Members of Council once the dates have been confirmed:

- Special Shareholder Meeting and Annual General Meeting of the Shareholder of 1425447 Ontario Limited (Utilities Kingston) and the Shareholder of Kingston Hydro Corporation;
- Kingston & Frontenac Housing Corporation Annual General Meeting; and
- Tett Centre for Learning & Creativity Annual General Meeting.

Following Council approval of the 2024 schedule of meetings, the meetings will be posted on the City's website for public awareness.

### **Indigenization, Inclusion, Diversity, Equity and Accessibility Considerations**

In preparing this report, staff reviewed the anticipated dates for observances for a variety of communities. Below are the exceptions provided for in the 2024 meeting schedule:

- April 25 Arts, Recreation & Community Policies Committee meeting rescheduled to April 17 in recognition of Passover (April 22 – 30); and
- October 3 and October 17 Planning Committee meetings rescheduled to October 10 and October 24, and October 24 Arts, Recreation & Community Policies Committee meeting rescheduled to October 23 in recognition of Rosh Hashanah (October 2 – 4).

### **Existing Policy/By-Law:**

By-Law Number 2021-41, A By-Law to Provide Rules for Governing the Order and Procedures of the Council of The Corporation of the City of Kingston

### **Notice Provisions:**

Following Council approval the schedule of meetings will be posted on the City website.

November 21, 2023

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**Financial Considerations:**

None

**Contacts:**

Janet Jaynes, City Clerk, 613-546-4291 extension 1262

**Other City of Kingston Staff Consulted:**

Derek Ochej, Deputy City Clerk

Tim Park, Director, Planning Services

James Bar, Manager, Development Approvals

Robert Hosier, Organization Change Management Coordinator

**Exhibits Attached:**

Exhibit A – 2024 Schedule of Meetings

## **2024 Schedule of Meetings**

### **Public Holiday Dates**

- Monday January 1 – New Year’s Day
- Monday February 19 – Family Day
- Friday March 29 – Good Friday
- Monday April 1 – Easter Monday
- Monday May 20 – Victoria Day
- Monday July 1 – Canada Day
- Monday August 5 – Civic Holiday
- Monday September 2 – Labour Day
- Monday September 30 – National Day for Truth and Reconciliation
- Monday October 7 – Thanksgiving Day
- Monday November 11 – Remembrance Day
- Wednesday December 25 – Christmas Day
- Thursday December 26 – Boxing Day

### **Special Dates**

- Monday January 15 to Wednesday January 17 – 2024 Budget Meetings
- Thursday June 6 to Sunday June 9 – Federation of Canadian Municipalities Conference, Calgary
- Sunday August 18 to Wednesday August 21 – Association of Municipalities of Ontario Conference, Ottawa
- Tuesday February 27, Tuesday April 30, Tuesday September 24, and Tuesday November 26 – Special City Council Meetings – Education & Training Sessions
- Wednesday, January 24 – Special Administrative Policies Committee Meeting – Residential Rental Licensing

**City Council Meeting Dates**

- Tuesday January 9
- Tuesday January 23
- Tuesday February 6
- Tuesday February 20
- Tuesday March 5
- Tuesday March 19
- Tuesday April 2
- Tuesday April 16
- Tuesday May 7
- Tuesday May 21
- Tuesday June 4
- Tuesday June 18
- Tuesday July 9
- Tuesday August 13
- Tuesday September 3
- Tuesday September 17
- Tuesday October 1
- Tuesday October 15
- Tuesday November 5
- Thursday November 19
- Tuesday December 3
- Tuesday December 17

**Planning Committee**

- Thursday January 4
- Thursday January 18
- Thursday February 1
- Thursday February 15
- Thursday March 7
- Thursday March 21
- Thursday April 4
- Thursday April 18
- Thursday May 2
- Thursday May 16
- Thursday May 30
- Thursday June 20
- Thursday July 4
- Thursday July 18
- Thursday August 1
- Thursday August 15
- Thursday September 5
- Thursday September 19
- Thursday October 10
- Thursday October 24
- Thursday November 7
- Thursday November 21
- Thursday December 5
- Thursday December 19

**Administrative Policies Committee**

- Thursday April 11
- Thursday June 13
- Thursday July 11
- Thursday September 12
- Thursday November 14

**Arts, Recreation and Community Policies Committee**

- Thursday February 22
- Wednesday April 17
- Thursday June 27
- Thursday August 8
- Wednesday October 23
- Thursday December 12

**Environment, Infrastructure and Transportation Policies Committee**

- Tuesday February 13
- Tuesday April 9
- Tuesday June 11
- Tuesday August 6
- Tuesday October 8
- Tuesday December 10



**City of Kingston  
Report to Council  
Report Number 23-254**

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**To:** Mayor and Members of Council  
**From:** Jennifer Campbell, Commissioner, Community Services  
**Resource Staff:** Same  
**Date of Meeting:** November 21, 2023  
**Subject:** Kingston & District Sports Hall of Fame License Agreement

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**Council Strategic Plan Alignment:**

Theme: Corporate business

Goal: See above

**Executive Summary:**

On February 5, 2013, Council endorsed [Report Number 13-011](#) authorizing the Mayor & Clerk to enter into a license agreement with the Kingston & District Sports Hall of Fame Inc. (KDSHOF) for the shared use of designated public spaces within the Large Venue Entertainment Centre (LVEC), currently known as the Leon's Centre, for the purposes of displaying exhibits and artefacts. The original agreement was for a period of 5 years and ended December 31, 2017.

On June 6, 2017, Council endorsed [Report Number 17-176](#) authorizing the Mayor & Clerk to enter into an extension agreement with the KDSHOF for an additional 5-year term that would end on December 31, 2022, subject to renewal for further five year terms upon approval from Council.

Staff are seeking Council's approval to extend the license agreement with KDSHOF for an additional 5 years from January 1, 2023 to December 31, 2028, for space at the Leon's Centre.



November 21, 2023

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**Recommendation:**

**That** Council endorse the extension of a licence agreement with the Kingston & District Sports Hall of Fame Inc. from January 1, 2023 until December 31, 2028 for the purpose of displaying exhibits and artifacts within the Large Venue Entertainment Centre; and

**That** the Mayor and City Clerk be authorized to execute the license agreement with the Kingston & District Sports Hall of Fame Inc. in a form satisfactory to the Director of Legal Services.



November 21, 2023

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**Options/Discussion:****Background:**

In February 2008, the City of Kingston entered into a Memorandum of Agreement with the KDSHOF to relocate from the Kingston Memorial Centre to the LVEC, now known as the Leon's Centre. Under the terms of that agreement, either party had the right to request a review of the terms every three years. In 2010, KDSHOF executive and representatives met with City staff and the general manager of the LVEC to discuss operational matters such as the design specifications and location of additional artefact display cabinets, storage and office space as well as general community access within the existing building security measures. Many of these issues were logistical in nature and had been dealt with and resolved. One of the major concerns that had been identified at that time was that the KDSHOF was quickly running out of wall exhibit space to place Hall inductee plaques. It was identified that based on the number of annual inductees into the Hall and the dimensions of the current plaques, the KDSHOF would exhaust all of the hanging wall space in the designated area in the main concourse within less than 3 years.

In 2011, SMG (known now as ASM Global Inc), City staff and the KDSHOF met and identified additional potential wall space on the third floor at the Leon's Centre which might be used as expansion space for the inductee plaques, exhibits and artefacts. To ensure its continued existence at the Leon's Centre, the KDSHOF was asked to consider reducing the size of the inductee wall plaques with a view for optimization of the space. The KDSHOF executive redesigned the size of the plaques to accommodate the new space. They also reviewed the number of inductees that they take in on an annual basis to be mindful of the available finite wall space on the third floor. They adjusted their practice to ensure that at the annual rate of six inductees into the Hall, the third-floor space would be able to accommodate the KDSHOF needs for approximately 30 years.

To accommodate the expansion of the KDSHOF to the third floor, the City proposed that the elements of the then current Memorandum of Agreement and the details regarding the expansion be incorporated in a new 5-year license agreement, which would be subject to renewal for further five-year terms upon approval of Council. The licensed areas are shared use public spaces within a multi-use public facility and include:

- The existing first floor display space
- Additional third floor display space
- Existing office/storage space

The annual consideration for this license agreement remains at \$1.00 as per the initial Memorandum of Agreement.

The KDSHOF is annually able to submit written proposals for changes, improvements and reconfigurations of uses of the licensed areas, installations, signage, display cases and lighting which may or may not include future capital funding requests. All improvements added to the facility are the property of the City of Kingston whereas all exhibit material and display cases are the property of the KDSHOF.

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Since implementing these changes in 2013, the KDSHOF have been satisfied with their space at the Leon's Centre and have not requested any additional modifications. In 2017, the City extended the license agreement for an additional 5 years from January 1, 2018 to December 31, 2022.

The current license agreement ended in December of 2022 and the renewal was delayed while the new operations contract for the facility was confirmed. Through this report, staff are now seeking approval from Council to extend this agreement under the same terms for an additional 5 years from January 1, 2023 to December 31, 2028.

**Existing Policy/By-Law:**

Revenue Leasing & Licensing Policy

**Notice Provisions:**

None

**Accessibility Considerations:**

None

**Financial Considerations:**

None

**Contacts:**

Jennifer Campbell, Commissioner, Community Services, 613-546-4291 extension 1377

**Other City of Kingston Staff Consulted:**

Tony Gargaro, Manager, Recreation Services, Recreation & Leisure Services

**Exhibits Attached:**

None



**Utilities Kingston  
Report to Council  
Report Number 23-253**

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**To:** Mayor and Members of Council  
**From:** David Fell, President & CEO, Utilities Kingston  
**Resource Staff:** Heather Roberts, Director, Water & Wastewater  
**Date of Meeting:** November 21, 2023  
**Subject:** Drinking Water Quality Management System - Management Review Report and Endorsement of Operational Plan 2022

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**Executive Summary:**

The City of Kingston, as the Owner of the Kingston and Cana Drinking Water Systems, is required by the [Safe Drinking Water Act](#) to ensure that these systems are operated by an Accredited Operating Authority, Utilities Kingston.

In accordance with the [Drinking Water Quality Management Standard](#) (DWQMS), one component is the annual Management Review. This addresses the continuing suitability, adequacy, and effectiveness of the Quality Management System. The Management Review was recently completed by the Operating Authority's identified Top Management. The report and meeting minutes are required to be provided to the Owner, and as a best management practice it is recommended that the Owner (Council) re-endorse the Operational Plan and their commitment to the Quality Management System (QMS).

**Recommendation:**

**That** Council receive the Kingston and Cana Drinking Water System Management Review Summary Report 2022 and Accreditation Audit Report; and

**That** Council re-endorse the Operational Plan for the Kingston and Cana Drinking Water System and authorize the Mayor and Clerk to sign the Owner and Top Management Endorsement of the Operational Plan for Kingston's Drinking Water Supply Systems document showing Council's endorsement of the plan.

November 21, 2023

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**Authorizing Signatures:**

ORIGINAL SIGNED BY PRESIDENT

& CEO, UTILITIES KINGSTON

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**David Fell, President & CEO,  
Utilities Kingston**

ORIGINAL SIGNED BY CHIEF

ADMINISTRATIVE OFFICER

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**Lanie Hurdle, Chief  
Administrative Officer**

**Consultation with the following Members of the Corporate Management Team:**

Paige Agnew, Commissioner, Growth & Development Services	Not required
Jennifer Campbell, Commissioner, Community Services	Not required
Neil Carbone, Commissioner, Corporate Services	Not required
Peter Huigenbos, Commissioner, Major Projects & Strategic Initiatives	Not required
Brad Joyce, Commissioner, Infrastructure, Transportation & Emergency Services	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required

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**Options/Discussion:****Background on Drinking Water Quality Management Standard**

The [Drinking Water Quality Management Standard](#) (DWQMS) approved under section 21 of the [Safe Drinking Water Act](#) was developed in partnership between the Ministry of the Environment, Conservation and Parks (MECP) and Ontario's water sector, after Justice Dennis O'Connor's, Report of the Walkerton Inquiry 2002 recommended the adoption of quality management for municipal drinking water systems.

The DWQMS complements the legislative and regulatory framework by endorsing a proactive and preventive approach to assuring drinking water quality. This approach includes consideration of elements that are fundamental to ensuring the long-term sustainability of a Drinking Water System including Management processes employed within the system; the maintenance of infrastructure used to supply drinking water, and identification of potential risks and risk mitigation strategies for items such as system security, water treatment, and the impacts of climate change.

The DWQMS is based on a "plan, do, check and improve" methodology which is similar to that found in some international standards. "Plan" requirements of the standard typically specify policies and procedures that must be documented in the operational plans for the drinking water system. "Do" requirements specify the policies and procedures that must be implemented. "Check" and "Improve" requirements of the standard are reflected in requirements to conduct internal audits and management reviews.

The MECP has developed a [pocket guide](#) that examines the requirements of the DWQMS, providing high level overview of what each of the requirements means in the context of a municipal residential drinking water system.

Most applicable to the recommendations in this report, the SDWA requires Owners and Operating Authorities of Municipal Residential Drinking Water Systems to have an accredited Operating Authority (Utilities Kingston). In order to become accredited, an Operating Authority must establish and maintain a Quality Management System (QMS). Minimum requirements for the QMS are specified in the Standard, the DWQMS.

Utilities Kingston has appointed a Quality Management Representative and Alternate Representative to administer the QMS by ensuring that processes and procedures needed for the system are established and maintained. Additionally, the QMS Representative reports to Top Management and the Owner on the performance of the QMS including any need for improvement, ensures that personnel are aware of all applicable legislative and regulatory requirements that pertain to their duties for the operation of the system, and promotes awareness of the QMS throughout the Operating Authority.

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The Owner must in writing endorse the Operational Plan and receive relevant aspects of the QMS including the adequacy of infrastructure necessary to operate and maintain the system, summary of maintenance, rehabilitation, renewal programs, and sampling results. These are all included in the Management Report, provided as Exhibit A to this report.

### **Management Review Report and Endorsement of Operational Plan**

Utilities Kingston, as the Operating Authority for the Kingston and Cana Drinking Water Systems, is responsible for the implementation and ongoing maintenance of a Quality Management System (QMS) which meets the requirements of the [Drinking Water Quality Management Standard](#) (DWQMS). The accreditation of operating authorities is based on the successful implementation of a QMS.

In accordance with the DWQMS, one component is the annual Management Review, which addresses the continuing suitability, adequacy, and effectiveness of the QMS, including the results of the annual accreditation audit. This Management Review was recently completed by the Operating Authority's identified Top Management. The Top Management Summary report, meeting minutes and the annual accreditation report are contained in Exhibits A, B and C, respectively, to this report, and are required to be provided to the Owner.

There were no incidents of regulatory non-compliances, non-conformances or deficiencies were identified in the Management Review Summary report for the Kingston or Cana Drinking Water Systems. Based on the details provided to Top Management during this review process, including the details summarized in a report form, Top Management is confirming that the drinking water systems are being adequately managed, operated and maintained by the Operating Authority. Improvements and action items are being adequately addressed and completed with the resources allocated to the water utility.

The DWQMS requires that an Operational Plan be maintained by the Operating Authority, endorsed by the Owner, and accepted by the Ministry of Environment, Conservation and Parks. The Operational Plan for the Kingston and Cana Drinking Water Systems was last approved by Top Management and Endorsed by the System Owner in 2022. There were no changes made to the Operational Plan in 2023.

The [Operational Plan](#) is available on Utilities Kingston's website and attached as Exhibit F to this report. It is recommended that the Owner re-endorse the Operational Plan and their commitment to the QMS.

### **Existing Policy/By-Law:**

None

### **Notice Provisions:**

None



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**Accessibility Considerations:**

None

**Financial Considerations:**

None

**Contacts:**

Heather Roberts, Director, Water & Wastewater Services, Utilities Kingston 613-546-1181 extension 2400

**Other City of Kingston Staff Consulted:**

James Patenaude, Supervisor, Water & Wastewater Treatment Operations, Water & Wastewater Services, Utilities Kingston

Alan Smith, Quality Management System Coordinator, Water & Wastewater Services, Utilities Kingston

Adam Long, Quality Management System Coordinator, Water & Wastewater Services, Utilities Kingston

**Exhibits Attached:**

Exhibit A – Kingston and Cana Management Review Summary Report 2022

Exhibit B – Kingston and Cana DWQMS Management Review Meeting Minutes

Exhibit C – Kingston and Cana DWS Systems Audit Report

Exhibit D – W-P-01 Kingston QMS Policy

Exhibit E – W-P-02 Kingston QMS Owner and Top Management Commitment and Endorsement (intentionally left blank for re-endorsement)

Exhibit F – W-OP-01 Kingston and Cana Operational Plan v.8.0

# Kingston and Cana Management Review Summary Report 2022

## INTRODUCTION

This report has been prepared for the system owner to provide a summary of information reviewed by Top Management to evaluate the continuing suitability, adequacy, and effectiveness of the Quality Management System (QMS) for the Kingston and Cana Drinking Water Systems as required by the drinking water quality management standard.

### INCIDENTS OF REGULATORY NON-COMPLIANCE

#### Kingston Drinking Water System

There were no incidents of regulatory non-compliance for the Kingston Drinking Water System.

#### Cana Drinking Water System

There were no incidents of regulatory non-compliance for the Cana Drinking Water System (DWS).

### INCIDENTS OF ADVERSE DRINKING WATER TESTS

#### Kingston Drinking Water System Sampling

In total, 4,677 treated water and distribution system samples were collected for testing by an accredited laboratory. Three samples collected resulted in a notification of an indicator of adverse water quality. Notifications of Adverse Water Quality represent 0.0006% of the total samples collected.

#### Cana Drinking Water System Sampling

In total, 329 treated water and distribution system samples were collected for testing by an accredited laboratory. There was one incident which required a notification of an indicator of adverse water quality.

### DEVIATIONS FROM CRITICAL CONTROL POINT LIMITS AND RESPONSE ACTIONS

#### Kingston Drinking Water System

Two incidents of free chlorine residuals below the Secondary Disinfection Critical Control Limit were reported. The response for these incidents was completed through flushing to restore the free chlorine residual to above 0.20mg/l.

#### Cana Drinking Water System

There were no deviations from Critical Control Limits.

### THE EFFECTIVENESS OF THE RISK ASSESSMENT PROCESS

The risk assessments outcomes for the Kingston and Cana Drinking Water Systems were reviewed in Q4 and included potential hazardous events and associated hazards listed by the Ministry of the Environment, Conservation and Parks (MECP). These risk assessments and associated outcomes have been identified as effective due to their ability to reduce risk, and consistently provide safe and reliable water services to our customers and community. The risk assessment outcomes are available on SharePoint. There were no new risks identified in this reporting period.

## **INTERNAL AND THIRD-PARTY AUDIT RESULTS**

### **Internal Audit**

#### **Accreditation Audits**

QMS documents and records were provided to SAI Global for the External System Audit. The external audit resulted in no non-conformances.

A copy of the audit report has been attached to this report as Appendix B.

#### **Internal Audits**

Internal Audits were completed and covered all 21 elements of the DWQMS. No major or minor-nonconformance were identified. A copy of the audit report has been attached to this report as Appendix B.

## **RESULTS OF EMERGENCY RESPONSE TESTING**

### **Emergency Response Testing**

Tabletop scenarios for each of the identified Emergency Response and Recovery Procedures were planned as part of this year's emergency response training and testing. Staff worked through scenarios with their supervisor to identify deficiencies and potential improvements to the Emergency Response and Recovery Procedure and other procedures and processes applicable to emergency situations.

### **Identified Possible Improvements**

Annual emergency response training and testing involving the evaluation of emergency scenarios and identification of appropriate response actions and necessary reporting has demonstrated to be a very valuable element of the DWQMS. Operators continue to immediately demonstrate and identify all appropriate response actions and necessary reporting requirements during the tabletop scenario. Operators also recognize the importance of sharing and communicating information between Treatment Operations, System Operations, and Engineering Services. Communication and working together as a team before and after an event further improve the assessment of potential emergency events and the response actions taken. The following action items were identified during this year's training exercise.

- Confirm Spill Kit is on truck 51.
  - Follow up - Completed.
- Confirm Spill Kits are in barrels outside of Bay.
  - Follow up - Completed.
- Inform all staff of capacity of Spill Kits
  - Follow up - Completed.
- Investigate Catch basin Spill Kit possibilities.
  - Follow up - Completed.
- Equip all trucks with appropriately sized spill kits.
  - Follow up - Completed.
- Follow-up on the following question from Sam Bowden "Would it be beneficial to redirect the dewatering pump to somewhere other than where it was originally? To a manhole possibly?"
  - Follow up - Completed.
- Communicate to staff Outstanding Adverse Water Quality Notification
  - Follow up - Completed.
- Discuss with Operations if there is a need for a checklist of people to notify in an emergency. If so, who maintains this list?
  - Follow up - Completed.

## Status Of Possible Improvements from Previous Testing

No improvements were identified from the emergency response testing. All action items have been completed.

## OPERATIONAL PERFORMANCE

The three water treatment plants operated by Utilities Kingston continued to perform well. Process inputs also remained relatively stable during the reporting year. Current and routine maintenance, rehabilitation, and renewal programs continue to be a priority. Current maintenance programs include:

- Operational capital work
- Operational Rounds
- Facility Maintenance Requests
- Routine Scheduled Maintenance
- Distribution System Unscheduled Maintenance
- Hydrant Flushing
- Hydrant Inspection
- Valve Inspection
- Valve Maintenance
- Cathodic Protection
- Leak Detection
- Capital Relining
- Capital Service Replacements

In addition to the maintenance programs stated above, the MECP has a comprehensive inspection program to ensure that municipal residential drinking water systems operate in compliance with regulatory requirements. Every municipal residential DWS is inspected at least once a year, with one in three inspections unannounced. The MECP's annual inspection ratings are designed to encourage drinking water systems to strive for continuous improvement and ultimately meet the MECP's long-term goal of 100% compliance by all systems.

The rating for drinking water quality represents a percentage of all the drinking water quality test results during the period indicated that met the Ontario Drinking Water Quality Standards. The rating includes test results for health-related standard parameters only; operational testing data (i.e. chlorine and turbidity) are not included in final water quality results.

The MECP publishes these ratings in the Chief Drinking Water Inspector's Annual Reports. The ratings are included in this report as a measure of system performance for drinking water quality and regulatory compliance. Utilities Kingston has consistently scored well on these ratings, as do most drinking water systems in the province. The Drinking Water Quality Rating Percentage is determined by the percentage of tests taken which meet the Drinking Water Quality Standards. Although some tests may not meet the standard on initial testing, this does not necessarily mean adverse water quality but does require additional sampling to verify preliminary results. Parameter results must be verified if outside the Standards for adverse conditions/results. All distribution tests are included in the King Street WTP ratings.

MECP Ratings for the Kingston DWS are as follows:

### System Inspection Rating

King Street WTP and Kingston Distribution System – 96.88%\*

Point Pleasant WTP – 100%

Cana Drinking Water System – 100%

\*Due to the System Inspection Rating Period being from April 2021 – March 2022, the Westbrook watermain break that occurred in August 2021 affects the rating in this report.

## **Percentage Of Microbiological (Total Coliform & E. Coli) Test Results Meeting Ontario's Drinking Water Quality Standards**

King Street WTP and Kingston Distribution System – 99.87%\*

Point Pleasant WTP – 100%

Canada Drinking Water System – 100%

\*Any samples taken within the rating period that results in an indicator of adverse water quality will affect the rating.

## **Percentage Of Chemical & Radiological Test Results Meeting Ontario's Drinking Water Quality Standards**

King Street WTP and Kingston Distribution System – 100%

Point Pleasant WTP – 100%

Canada Drinking Water System – 100%

## **RAW WATER SUPPLY AND DRINKING WATER QUALITY TRENDS**

### **Kingston Drinking Water System**

As is typical for surface water sources, the usual seasonal changes in raw water quality at the Kingston water treatment plants are routinely dealt with through normal process adjustments. Both the King Street and Point Pleasant treatment plants can make seasonal coagulant changes to respond to fluctuations in raw water temperature and quality.

Growths of blue green algal blooms are increasing in Ontario's lakes and rivers and are generating concern for changes in risk to the raw water supply and the potential of associated human health dangers caused by cyanobacteria that can be present in toxic blooms. These blooms most commonly occur in late summer and early fall. They thrive in areas where the water is shallow, slow moving, warm, and that have higher amounts of nutrients such as phosphorus and nitrogen, but they may be present in deeper, cooler water. Weekly testing of intake and treated water is being evaluated for Microcystin, the harmful toxin found in Blue-green algal blooms. If a blue-green algal bloom is suspected, additional Microcystin testing is performed, and treatment processes are adjusted, as necessary.

### **Water Quality, Pressure, And Volume**

In addition to the ratings issued by the MECP, a water treatment plant's performance is typically measured by its efficiency and the optimization of its processes. In most cases, the results of optimization are normally measured using water quality indicators, and as such are captured within the annual MECP inspections.

Scheduled flushing to ensure drinking water quality and disinfectant residual maintenance continues to be utilized in problem areas; typically, at dead end water mains and large mains currently serving a small customer base.

### **Canada Drinking Water System**

Ground water sources are typically less susceptible to seasonal or other fluctuations in raw water quality. Although the Canada DWS' source water quality is stable, it does contain an elevated amount of dissolved iron. While this has caused some aesthetic issues with iron precipitates such as color and staining, it does not pose any health concerns.

## **FOLLOW-UP ON ACTION ITEMS FROM PREVIOUS MANAGEMENT REVIEWS**

The following two action items were identified during the previous management review:

- Provide the Management Review Report and the approved minutes of the review to the City of Kingston.
  - Completed
- Discuss the frequency and type of data engineering we would like to receive from the facility maintenance lists for asset maintenance and to ensure ability to continue to maintain assets.
  - Asset Management work is being undertaken in 2023-2024
- Develop an annual in-house training session on identifying and reporting adverse observations in the drinking water distribution system, with a focus on critical areas in the system.
  - Completed
- Formalize maintenance activities for valve inspections.
  - WIP
- Gather documentation on a maintenance and asset management program for Treatment and determine what resources are necessary to drive it.
  - Completed
- Introduce flushing data sheet training for new operators.
  - Completed

## **THE STATUS OF MANAGEMENT ACTION ITEMS IDENTIFIED BETWEEN REVIEWS**

There have been no action items identified since the last Management Review.

## **CHANGES THAT COULD AFFECT THE QUALITY MANAGEMENT SYSTEM**

### **Changes To the Standard**

There have been no changes to the MECP DWQMS 2.0.

Our strong documentation and reporting system allow us to evaluate the effectiveness and operational performance of the DWS as required by the standard. Our QMS also incorporates proactive and reactive approaches to ensure continual improvement of the system, ensuring that the QMS is not limited to fixing things as they fail. Although the Standard does not continually change, it does require continuous ongoing changes and monitoring of the system that include but not limited to documents, work process, organizational changes, initiatives, strategies, and information.

### **Ongoing System Improvements**

Ongoing system improvements based on the current Water Master Plan, Infrastructure Renewal Program, Revised Drinking Water License, and continual improvement of current processes will require changes to the QMS documentation to ensure that required documents continue to be current and relevant.

## **CONSUMER FEEDBACK**

11 water quality complaints/concerns were responded to by Water Quality Assurance personnel. In all instances, there were no drinking water safety concerns identified by Utilities Kingston. Most complaints and concerns were related to aesthetic parameters such as taste and odor, dirty/cloudy water, sediments, and staining. Most of these instances a site visit was completed, and all customer concerns were satisfied. For those concerns that were dealt with by telephone, the customers were either satisfied or did not make any further contact as requested by Utilities Kingston.

## **THE RESOURCES NEEDED TO MAINTAIN THE QUALITY MANAGEMENT SYSTEM**

The DWQMS requires that Top Management must determine, obtain, or provide the resources needed to maintain and continually improve the QMS.

Top Management has made the necessary resources available to maintain and continually improve the QMS. To ensure the requirement continues to be met, it is recommended that Top Management continues to make additional personnel available as requested for QMS activities such as risk assessments, maintenance and infrastructure reviews, document development, revision and review, training, and other activities identified as necessary to maintain and improve the QMS.

## **THE RESULTS OF THE INFRASTRUCTURE REVIEW**

No Additional recommendations from the review were identified. The review confirmed that the following items were reviewed where applicable:

- Current capital plan
- Break history
- Age of infrastructure
- Flow Data
- Water Modeling Assessments/Scenarios
- Condition Assessments, Studies, and Reports
- Staff Observations and Recommendations
- Issues Identified by Ministry of Environment Compliance Inspection Reports
- Risk Outcomes - Infrastructure Adequacy Related
- Recommendations from previous reviews

## **RECOMMENDATIONS FROM THE REVIEW OF MAINTENANCE ACTIVITIES**

Water and Wastewater Treatment Operation Supervisors and the Water and Wastewater System Operations Supervisors reviewed maintenance activities completed including current infrastructure maintenance, rehabilitation, and renewal activities. These reviews also included evaluating the effectiveness of each of the current identified programs. It was recommended the current programs continue. There were no additional Maintenance or Potential Hazards identified.

## **MULTI-YEAR INFRASTRUCTURE PROGRAM**

The 2007 Water Master Plan identified infrastructure requirements to satisfy the considered short-term (2011), mid-term (2016), and long-term (2026) drinking water requirements for the urban area of the City of Kingston. An update to the Water Master Plan was completed in 2017. The new Master Plan identifies infrastructure recommendations for 2021, 2026, 2036, and long-term potential growth (2036+).

## **LINEAR ASSET RENEWAL**

Existing water distribution infrastructure is reviewed based on criteria such as age, material, available condition assessments, and main break history.

From this review, a priority list was compiled for replacement and structural lining. Then, with consideration for each element's needs, level of priority, and the available budget, a master list of road/utility reconstruction projects was developed, defining the 4-year (2023-2026) renewal plan.

## **OPERATIONAL PLAN CURRENCY, CONTENT AND UPDATES**

The Operational Plan for the Kingston and Cana Drinking Water Systems was last approved by Top Management and Endorsed by the System Owner in 2021. There were no changes made to the Operational Plan.

## **STAFF SUGGESTIONS**

Suggestions received from personnel concerning the QMS focused on improving the processes and forms used to record operational information and improving the way information is accessed through SharePoint. Staff have made considerable suggestions to continue to further improve ease of use to SharePoint from mobile devices. Staff also provide suggestions for improvements through their participation in annual QMS Review Training and Emergency Response and Recovery Training and Testing. The majority of staff suggestions are made verbally to either Supervisors or Quality Management Coordinators. Staff suggestions that require a change to a document or form are recorded using the Document Change Request form with OFI, BMP, Corrective Action Request, and Preventative Action Request forms available as a formalized processes to capture other staff suggestions. Additionally, a Water Staff Suggestions List is available to encourage suggestions and feedback related to the day-to-day operations. The Water Staff Suggestions list received no entries this reporting year but continues to be made available to staff as a formal way to make suggestions.

## **PREVENTATIVE AND CORRECTIVE ACTION REQUESTS PREVENTATIVE ACTION REQUESTS**

Preventative and Corrective Action Requests Preventative Action Requests (PAR) are actions to prevent the occurrence of nonconformity of the QMS with the requirements of the DWQMS or other undesirable situations. Corrective Action Requests (CAR) are actions to eliminate the cause of a detected nonconformity of the QMS with the requirements of the DWQMS or other undesirable situations. Items are documented using the PAR & CAR List on SharePoint. Only one Preventative Action item was identified. The following PAR and follow up details are provided below:

- PAR - Communications contacts should be listed.
  - Follow up - Updated W-E-03 Boil Water Advisory Section 3.3 Notification to Customers, added mention of the person responsible for Utilities Kingston communications, and added updated communication methods.

## **IDENTIFIED DEFICIENCIES, DECISIONS, AND ACTION ITEMS**

There were no identified deficiencies during the management review. There were 6 Best Management Practices and 3 Opportunity for Improvement items identified that are summarized in the next section.

It was decided that all other programs and resources are continued.

## **BEST MANAGEMENT PRACTICES AND OPPORTUNITIES FOR IMPROVEMENT**

Best Management Practices (BMP) and Opportunities for Improvement (OFI). BMP & OFI items are documented using the DWQMS Best Management Practices List on SharePoint. Implemented BMPs and OFIs are identified for items that assist the owner and operating authority of the DWS in the delivery of safe, high quality drinking water and in providing mechanisms to optimize efficiencies within the DWS and/or QMS and provide information to assist in future planning for the systems.

The following Best Management Practices and follow up details are provided below:

- Gather documentation on a maintenance and asset management program for Systems and determine what resources are necessary to drive it.
  - Completed.
- Attended OWWA Water Conference where we attended breakout sessions, networked with peer and industry experts.
  - Completed.



- Created a "Planned Work Assessment and Contingency Plan" form. This form is available to staff on SharePoint as a tool to document and communicate planned work. This is not a required form but is provided as an additional tool to assist in organizing and communicating planned work that potentially could affect other groups.
  - Completed.
- Hire a Subforeperson for better daily operational coverage of the treatment facilities.
  - Completed.
- Participated in the OMWA webinar - The Great Resignation and the Challenge of Hiring and Retaining Staff
  - Completed.
- Completed Best Management Participated in Applied Learning from Operations during COVID-19 put on by Ontario Municipal Water Association.
  - Completed.

Opportunity for Improvement and follow up details are provided below:

- Update the Competencies, Certification, and Training table in W-L-13 Kingston and Cana Organizational Structure, Roles, Responsibilities, Authorities and Competency to require the Sub-Foreperson – System Operations to have a Class IV Water Distribution Certificate.
  - Updated the job titles to match the new position titles.
- Add clarification to the table in W-L-05 Operator Training Table that Operator Responsibility Training is defined in W-L-13 / W- L-13s Kingston and Cana Organizational Structure, Roles, Responsibilities, Authorities and Competency.
  - Completed.
- Update W-E-03 Boil Water Advisory Notification to add the person responsible for Utilities Kingston communications with additional communication methods updated to reflect modern technology.
  - Completed.

October 30, 2023

Start Time: 1230hrs

In Attendance: David Fell, Remi Adedapo, Heather Roberts, Julie Runions, Chris Leeman, Kurt Clark, Carl Doohar, Philip Emon, James Patenaude, Adam Long

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### **Review Introduction**

JP provided an introduction and purpose of the Management Review Meeting.

### **Incidents of Regulatory Non-Compliance**

AL detailed that there were no incidents of regulatory non-compliance.

### **Incidents of Adverse Drinking Water Tests**

AL expanded on the three test results and one observation which required a notification of an indicator of an Adverse Water Quality Incident (AWQI) for the Kingston Drinking Water System (DWS).

AL expanded on the one incident which required a notification of an indicator of an AWQI for the Cana DWS.

DF asked why there was no action taken for the lead exceedance for the Kingston DWS. PE explained that the sample in question was a residential plumbing sample. The lead regulation requires testing of the plumbing of residential and non-residential facilities therefore the operating authority is responsible to notify the property owner of any results which exceed the standard since they are the owners of the plumbing.

RA asked for more information regarding the sodium exceedance for the Cana DWS. PE explained that sodium in exceedance of 20 mg/L must be reported every 57 months with the corrective action being resampling and taking steps as directed by the Medical Officer of Health.

### **Deviations From Critical Control Point Limits and Response Actions**

AL explained the purpose of Critical Control Point Limits (CCL) and overviewed the two CCL deviations for the Kingston DWS.

HR asked what the CCL for the two deviations to chlorine residual is. AL explained that the CCL for chlorine residual is 0.20 mg/L. DF asked what moves a deviation from a CCL to an adverse. PE explained that 0.05 mg/L is the ministry limit for an adverse and that the CCL of 0.20 mg/L allows us to identify that we are heading towards an adverse condition, allowing us to fix the issue before being out of compliance.

HR asked how many CCLs there are. PE explained that we have a CCL for any regulatory number, or any risk that can be measured, e.g. coagulant system, turbidity, chlorine, etc.

- There were no CCL deviations for Cana DWS

### **The Effectiveness of the Risk Assessment Process**

DF asked if it would merit showing the number of risks identified in previous years as well, asking if the goal is to be consistent. JP explained that the goal is more to show how many risks we have considered each year. DF pointed out that the report currently shows a quantum rather than a heat map of severity and that this is something to consider for the future. RA suggested to look at risk opportunities instead of just threats. DF suggested looking into a new way to display Risk Assessment data.

### **Internal and Third-Party Audit Results**

AL expanded on the three OFI's discovered during the internal audit (on-site) for Kingston and Cana.

### **Results of Emergency Response Testing**

AL gave a summary of all the Emergency Response Testing performed in 2022.

HR asked if we are only doing these exercises in treatment, or if exercises are also done in System Operations, Engineering, etc. JP explained that we have historically performed multi department emergency but since Covid have split into individual situations. JP then expanded on the upcoming 2023 scenario of full manual operation of a water plant. DF asked if this scenario would need to report to public health. PE explained that public health might be called if regulatory relief is needed, e.g. continuous monitoring. DF suggested that it would be beneficial for upper management to be included in an upcoming emergency response testing scenario.

### **Operational Performance**

AL explained the scoring system and results posted by the chief water inspector.

AL explained the performance indicators and reviewed all maintenance activities.

DF asked why King Street Water Treatment Plant and Kingston Distribution System received 96.88%, which is below the provincial average. JP explained that the results posted by the chief water inspector are from April 2021 to March 2022, which includes the Westbrook water main break that occurred in August of 2021.

RA asked what caused the increase in maintenance requests across the last few years. PE explained that the increase of maintenance requests is due to the transition to an in-house maintenance tracking system that is now being fully utilized by staff.

DF asked what caused the increase in SCADA Water Treatment Plant (WTP) service requests across the last few years. Just like the increase in maintenance requests, an in-house SCADA WTP service request tracking system is now being fully utilized by staff. HR pointed out that the tracking system identifies requests but does not show if they are closed. PE answered that we just started doing that in 2023.

HR asked if there is a reasons why the average raw turbidity for Point Pleasant WTP went from 0.79 Nephelometric Turbidity Units (NTU) in 2021 to 1.22 NTU in 2022. PE explained that there are many variables that can influence a facilities turbidity.

### **Distribution System Performance and Maintenance**

HR asked, in relation to the Backflow Prevention Program, if we should be worried that the number of registered certified testers is trending downward. JP answered that is not currently a concern, but if the trend was to go significantly down, we would be more concerned.

### **Resources Needed to Maintain the Quality Management System**

RA asked if there are adequate resources to continually improve and maintain the Quality Management System (QMS). JP answered yes, the amount of work is trending down because of all the programs we are putting in place within our very mature QMS.

### **Identified Deficiencies, Decisions, and Action Items from this Management Review**

<b>Identified Action Items from This Management Review</b>		
<b>Action Item</b>	<b>Responsible Person</b>	<b>Follow Up</b>
Develop a new way to display Risk Assessment data by moving from a quantitative to graphical representation of data to allow for a better understanding of the severity of each risk.	Patenaude, James	TBD
Perform an Emergency Response Testing scenario that is multi-departmental, including Senior Management.	Patenaude, James	TBD
Engineering to review the SCADA request tracking list with QMS Coordinators and identify improvements required to support Asset Management activities.	Adedapo, Remi	TBD
Review the data feeding the Leak Report Tracking List and ensure accuracy and completeness.	Leeman, Chris	TBD

**End Time: 1330hrs**

# Audit Report

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12 Month Surveillance Audit for

Operated 1425445 Ontario Limited

1632317-04

Audited Address: 85 Lappans Lane, Kingston, Ontario, CAN, K7L  
4X7

Start Date: Jul 28, 2022 End Date: Jul 28, 2022

Type of audit - Surveillance System Audit (S1)

Issue Date: August 3, 2022

Revision Level: Final

### BACKGROUND INFORMATION

SAI Global conducted an audit of Operated 1425445 Ontario Limited beginning on Jul 28, 2022 and ending on Jul 28, 2022 to DRINKING WATER QUALITY MANAGEMENT STANDARD VERSION 2 - 2017.

The purpose of this audit report is to summarise the degree of compliance with relevant criteria, as defined on the cover page of this report, based on the evidence obtained during the audit of your organization. This audit report considers your organization's policies, objectives, and continual improvement processes. Comments may include how suitable the objectives selected by your organization appear to be in regard to maintaining customer satisfaction levels and providing other benefits with respect to policy and other external and internal needs. We may also comment regarding the measurable progress you have made in reaching these targets for improvement.

SAI Global audits are carried out within the requirements of SAI Global procedures that also reflect the requirements and guidance provided in the international standards relating to audit practice such as ISO/IEC 17021-1, ISO 19011 and other normative criteria. SAI Global Auditors are assigned to audits according to industry, standard or technical competencies appropriate to the organization being audited. Details of such experience and competency are maintained in our records.

In addition to the information contained in this audit report, SAI Global maintains files for each client. These files contain details of organization size and personnel as well as evidence collected during preliminary and subsequent audit activities (Documentation Review and Scope) relevant to the application for initial and continuing certification of your organization.

Please take care to advise us of any change that may affect the application/certification or may assist us to keep your contact information up to date, as required by SAI Global Terms and Conditions.

This report has been prepared by SAI Global Limited (SAI Global) in respect of a Client's application for assessment by SAI Global. The purpose of the report is to comment upon evidence of the Client's compliance with the standards or other criteria specified. The content of this report applies only to matters, which were evident to SAI Global at the time of the audit, based on sampling of evidence provided and within the audit scope. SAI Global does not warrant or otherwise comment upon the suitability of the contents of the report or the certificate for any particular purpose or use. SAI Global accepts no liability whatsoever for consequences to, or actions taken by, third parties as a result of or in reliance upon information contained in this report or certificate.

Please note that this report is subject to independent review and approval. Should changes to the outcomes of this report be necessary as a result of the review, a revised report will be issued and will supersede this report.

<b>Standard:</b>	DRINKING WATER QUALITY MANAGEMENT STANDARD VERSION 2 - 2017
<b>Scope of Certification:</b>	Drinking Water
<b>Drinking Water System Owner:</b>	City of Kingston
<b>Operating Authority:</b>	Utilities Kingston (Ontario Business Corporation 1425445 Ontario Limited)
<b>Owner:</b>	City of Kingston
<b>Population Services:</b>	118000
<b>Activities:</b>	<b>Treatment Distribution</b>
<b>Drinking Water Systems</b>	<b>Kingston Drinking Water System</b>
	<b>Cana Drinking Water System</b>

<b>Total audit duration:</b>	<b>Person(s):</b> 1	<b>Day(s):</b> 0.88
<b>Audit Team Member(s):</b>	Team Leader	Janet McKenzie

**Other Participants:** na

## Audit Report

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### Definitions and action required with respect to audit findings

#### Major Non-conformance:

Based on objective evidence, the absence of, or a significant failure to implement and/or maintain conformance to requirements of the applicable standard. Such issues may raise significant doubt as to the capability of the management system to achieve its intended outputs (i.e. the absence of or failure to implement a complete Management System clause of the standard); or

A situation which would on the basis of available objective evidence, raise significant doubt as to the capability of the Management System to achieve the stated policy and objectives of the customer.

NOTE: The "applicable Standard" is the Standard which SAI Global are issuing certification against, and may be a Product Standard, a management system Standard, a food safety Standard or another set of documented criteria.

Action required: This category of findings requires SAI Global to issue a formal NCR; to receive and approve client's proposed correction and corrective action plans; and formally verify the effective implementation of planned activities. Correction and corrective action plan should be submitted to SAI Global prior to commencement of follow-up activities as required. Follow-up action by SAI Global must 'close out' the NCR or reduce it to a lesser category **within 90 days for initial certification and within 60 days for surveillance or re-certification audits, from the last day of the audit.**

If significant risk issues (e.g. safety, environmental, food safety, product legality/quality, etc.) are detected during an audit these shall be reported immediately to the Client and more immediate or instant correction shall be requested. If this is not agreed and cannot be resolved to the satisfaction of SAI Global, immediate suspension shall be recommended.

In the case of initial certification, failure to close out NCR within the time limits means that the Certification Audit may be repeated.

If significant risk issues (e.g. safety, environmental, food safety, product legality/quality, etc.) are detected during an audit these shall be reported immediately to the Client and more immediate or instant correction shall be requested. If this is not agreed and cannot be resolved to the satisfaction of SAI Global, immediate suspension shall be recommended.

In the case of an already certified client, failure to close out NCR within the time limits means that suspension proceedings may be instituted by SAI Global.

Follow-up activities incur additional charges.

#### Minor Non-conformance:

Represents either a management system weakness or minor issue that could lead to a major nonconformance if not addressed. Each minor NC should be considered for potential improvement and to further investigate any system weaknesses for possible inclusion in the corrective action program

Action required: This category of findings requires SAI Global to issue a formal NCR; to receive and approve client's proposed correction and corrective action plans; and formally verify the effective implementation of planned activities at the next scheduled audit.

#### Opportunity for Improvement:

A documented statement, which may identify areas for improvement however shall not make specific recommendation(s).

Action required: Client may develop and implement solutions in order to add value to operations and management systems. SAI Global is not required to follow-up on this category of audit finding.

### Audit Type and Purpose

#### Surveillance Audit:

A systems desktop audit in accordance with the systems audit procedure as it applies to Full Scope accreditation. The audit also included consideration of the results of the most recent audit undertaken in accordance with this Accreditation Protocol and any of the following that have occurred subsequent to that audit including but limited to;

- (a) the results of any audits undertaken in accordance with element 19 of the DWQMS V2;
- (b) historical responses taken to address corrective action requests made by an Accreditation Body;
- (c) the results of any management reviews undertaken in accordance with element 20 of the DWQMS V2; and,
- (d) any changes to the documentation and implementation of the QMS.

#### Audit Objectives

The objective of the audit was to determine whether the drinking water Quality Management System (QMS) of the subject system conforms to the requirements of the Ontario Ministry of the Environment & Climate Change (MOECC) Drinking Water Quality Management Standard (DWQMS V2).

The audit was also intended to gather the information necessary for SAI Global to assess whether accreditation can continue or be offered or to the operating authority.

#### Audit Scope

The facilities and processes associated with the operating authority's QMS were objectively evaluated to obtain audit evidence and to determine a) whether the quality management activities and related results conform with DWQMS V2 requirements, and b) if they have been effectively implemented and/or maintained.

#### Audit Criteria:

- The Drinking Water Quality Management Standard Version 2
- Current QMS manuals, procedures and records implemented by the Operating Authority
- SAI Global Accreditation Program Handbook

#### Confidentiality and Documentation Requirements

The SAI Global stores their records and reports to ensure their preservation and confidentiality. Unless required by law, the SAI Global will not disclose audit records to a third party without prior written consent of the applicant. The only exception will be that the SAI Global will provide audit and corrective action reports to the Ontario Ministry of the Environment. For more information, please refer to the SAI Global Accreditation Program Handbook.

As part of the SAI Global Terms, it is necessary for you to notify SAI Global of any changes to your Quality Management System that you believe are significant enough to risk non-conformity with DWQMS V2: For more information, please refer to the SAI Global Accreditation Program



## **Audit Report**

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Handbook.

### **Review of any changes**

Changes to the Operating Authority since last audit include:n/a

## **EXECUTIVE OVERVIEW**

Based on the results of this surveillance system audit the management system remains effectively implemented and meets the requirements of the standard relative to the scope of certification; therefore, a recommendation for continued certification will be submitted.

### **Recommendation**

Based on the results of this audit it has been determined that the management system is effectively implemented and maintained and meets the requirements of the standard relative to the scope of certification identified in this report; therefore, a recommendation for (continued) certification will be submitted to SAI Global review team.

### **Opportunities for Improvement:**

There were no opportunities for improvement identified as part of this surveillance audit.

### **Management System Documentation**

The management systems operational plan(s) was reviewed and found to be in conformance with the requirements of the standard.

### **Management Review**

Records of the most recent management review meetings were verified and found to meet the requirements of the standard. All inputs were reflected in the records, and appear suitably managed as reflected by resulting actions and decisions.

### **Internal Audits**

Internal audits are being conducted at planned intervals to ensure conformance to planned arrangements, the requirements of the standard and the established management system.

### **Corrective, Preventive Action & Continual Improvement Processes**

The Operating Authority is implementing an effective process for the continual improvement of the management system through the use of the quality policy, quality objectives, audit results, data analysis, the appropriate management of corrective and preventive actions and management review.

**Summary of Findings**

1. Quality Management System	Conforms
2. Quality Management System Policy	Conforms
3. Commitment and Endorsement	Conforms
4. Quality Management System Representative	Conforms
5. Document and Records Control	NANC
6. Drinking-Water System	NANC
7. Risk Assessment	Conforms
8. Risk Assessment Outcomes	Conforms
9. Organizational Structure, Roles, Responsibilities and Authorities	Conforms
10. Competencies	Conforms*
11. Personnel Coverage	Conforms
12. Communications	NANC
13. Essential Supplies and Services	NANC
14. Review and Provision of Infrastructure	NANC
15. Infrastructure Maintenance, Rehabilitation & Renewal	NANC
16. Sampling, Testing and Monitoring	NANC
17. Measurement & Recording Equipment Calibration and Maintenance	NANC
18. Emergency Management	Conforms
19. Internal Audits	Conforms
20. Management Review	Conforms
21. Continual Improvement	Conforms
<b>Major NCR #</b>	Major non-conformity. The auditor has determined one of the following: (a) a required element of the DWQMS has not been incorporated into a QMS; (b) a systemic problem with a QMS is evidenced by two or more minor non-conformities; or (c) a minor non-conformity identified with a corrective action request has not been remedied.
<b>Minor NCR #</b>	Minor non-conformity. In the opinion of the auditor, part of a required element of the DWQMS has not been incorporated satisfactorily into a QMS.
<b>OFI</b>	Opportunity for improvement. Conforms to requirement, but there is an opportunity for improvement.
<b>Conforms</b>	Conforms to requirement.
<b>NANC</b>	Not applicable/Not Covered during this audit.
<b>****</b>	Additional comment added by auditor in the body of the report.

**PART D. Audit Observations, Findings and Comments**

DWQMS Reference:	1 Quality Management System
Client Reference:	<b>Operational Plan For the Kingston and Cana Drinking Water Systems, W-OP-01, ver8, Sept 2021</b> Associated procedures and records
Details: Conforms.	

DWQMS Reference:	2 Quality Management System Policy
Client Reference:	Section 2 of Operational Plan, Quality Management System Policy Utilities Kingston website/Water/Water Quality
Details: Conforms. The policy is currently posted on the website for Utilities Kingston.	

DWQMS Reference:	3 Commitment and Endorsement
Client Reference:	W-P-02 Owner and Top Management Endorsement of Op.Plan
Details: Conforms. Endorsement last finalized on <i>Feb 16/22</i> .	

DWQMS Reference:	4 Quality Management System Representative
Client Reference:	W-P-03 QMS Rep Acknowledgement of Responsibilities
Details: Conforms.	

DWQMS Reference	7 Risk Assessment
Client Reference:	W-G-03 Risk Assessment Procedure
Details: Conforms. Detailed classification system, including event classification and CCP classification. Risk assessment is conducted by Director of Water and Wastewater Operations and the Quality Management System Representative, Operators and other personnel that possess a thorough knowledge and understanding of the system, facilities, and processes to be assessed.	

DWQMS Reference:	8 Risk Assessment Outcomes
Client Reference:	W-L-11 Kingston Risk Assessment outcomes, annual review dec 16/21 W-L-11c Cana Risk Assessment outcomes, annual review dec 16/21
Details: Conforms. Kingston DWS has addressed the coagulation process, filter effluent turbidity, Primary Disinfection and Secondary Disinfection as CCPs, with specific CCL procedure to respond to applicable alarm situations. Cana DWS addresses Primary Disinfection and Secondary Disinfection for CCPs, with applicable CCL procedures to respond to CCL alarm situations.	

DWQMS Reference:	9 Organizational Structure, Roles, Responsibility and Authorities
Client Reference:	W-L-13 – Kingston And Cana Organizational Structure, Roles, Responsibilities, Authorities, and Competencies
Details: Conforms. Very detailed descriptions of responsibilities by position for DW, including identification of Top Management reps. States 4 overarching responsibilities for those involved	

## Audit Report

with a DWS:

- The provision of a safe and secure supply of drinking water
- The identification, obtainment and provision of sufficient resources to ensure the continued safe and secure supply of drinking water
- Ensuring regulatory compliance with regard to drinking water system operations
- Supporting the development, implementation, and continual improvement of a Quality Management System for the drinking water system

DWQMS Reference:	10 Competencies
Client Reference:	W-L-13 – Kingston And Cana Organizational Structure, Roles, Responsibilities, Authorities, and Competencies Competencies, Certification and Training Matrix/Table Operator DWQMS training records, Sept 2021 & Feb 2022
Details: Comment: Excellent certification/training matrix by position.	

DWQMS Reference:	18 Emergency Management
Client Reference:	W-E-01 Emergency Response and Recovery, May 1/20 W-E-06 Emergency Water Conservation and Supply, Dec 8/21 W-E-02 Adverse Water Quality Notification W-E-03 Boil Water Advisory Notification W-E-04 Drinking Water Contamination Investigation and Response W-E-05 Spill Response Procedure W-E-06 Emergency Water Conservation and Supply
Details: Conforms.	

DWQMS Reference:	19 Internal Audits
Client Reference:	2021 Internal Audit Summary Follow up Report Internal Audit, W-G-11, May2020
Details: Conforms. Internal audit conducted Nov 8-11, 2021 with one minor non-conformance under Element 12. This was addressed under NCR#211115-211129-12-1 through creation of QMS Orientation /on the job training form. Audit included document review, interviews.	

DWQMS Reference:	20 Management Review
Client Reference:	Management Review W-G-12, May 1, 2019 DWQMS Minutes of 2021 Management Review Meeting for Kingston-Cana DWS, July 23, 2021 <i>Exhibit A – Drinking Water Quality Management System (DWQMS) – Management Review Summary Report Kingston and Cana Management Review Summary Report, 2020</i>
Details: Conforms. Minutes detail good discussion beyond scheduled agenda, with action items	

## Audit Report

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being documented. Good attendance

DWQMS Reference:	21 Continual Improvement
Client Reference:	Section 21 of Operational Plan NCR#211115-211129-12-1, November 15/21
Details: Conforms. Follow up to NCR#211115-211129-12-1 was conducted, noting that 2 new employees completed DWQMS training on May 25/2022.	

Details regarding the personnel interviewed and objective evidence reviewed are maintained on file at SAI Global.

This report was prepared by:



Janet McKenzie  
SAI Global Management Systems Auditor

The audit report is distributed as follows:

- SAI Global
- Operating Authority
- Owner
- MOECC

## Notes

Copies of this report distributed outside the organization must include all pages.

<p><b>DOCUMENT:</b> <b>QUALITY MANAGEMENT SYSTEM POLICY FOR THE CITY OF KINGSTON'S DRINKING WATER SUPPLY SYSTEMS</b></p>	<p><b>DOCUMENT NO:</b> <b>W-P-01</b></p>
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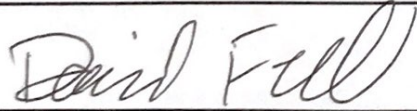
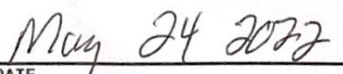
Utilities Kingston is a community based corporation dedicated to the responsible management of safe and reliable integrated services. Our mission is to manage, operate and maintain community infrastructure to deliver safe, reliable services and a personal customer experience, guided by our values of safety, integrity, innovation and reliability. Our vision is to advance the unique multi-utility model to benefit our customers and build better communities.

Utilities Kingston, acting as the Operating Authority for the water treatment and distribution facilities owned by the City of Kingston, is committed to providing a safe and reliable supply of drinking water to our customers.

Through the development, implementation, maintenance, and continual improvement of a Quality Management System, the management and staff of Utilities Kingston will ensure the continued safety and security of our community's drinking water by meeting or exceeding the requirements of all relevant legislation and regulations, and the Drinking Water Quality Management Standard.

Uncontrolled Copy

**APPROVAL**

 <hr/> <small>DAVID FELL, PRESIDENT AND CEO, UTILITIES KINGSTON</small>	 <hr/> <small>DATE</small>
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<b>Document:</b> <b>Owner and Top Management Endorsement of the Operational Plan for Kingston's Drinking Water Supply Systems</b>	<b>Document No:</b> <b>W-P-02</b>
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The City of Kingston and Utilities Kingston support the implementation, maintenance, and continual improvement of a Quality Management System for the drinking water systems owned by the City of Kingston and operated by Utilities Kingston as documented in the Kingston and Cana Drinking Water Systems Operational Plan.

This endorsement of the Operational Plan by the Owner's representatives and by the Operating Authority's top management acknowledges their commitment to fulfill the responsibilities, duties, and authorities as defined in the Operational Plans, the Drinking Water Quality Management Standard, and the Safe Drinking Water Act.

**Endorsement**

_____ Bryan Paterson Mayor, City of Kingston	_____ Date
_____ John Bolognone City Clerk, City of Kingston	_____ Date
_____ David Fell President and CEO, Utilities Kingston	_____ Date
_____ Heather Roberts Director of Water & Wastewater Services, Utilities Kingston	_____ Date
_____ Remi Adedapo Director of Utilities Engineering, Utilities Kingston	_____ Date
_____ Julie Runions Manager of Water & Wastewater Treatment, Utilities Kingston	_____ Date
_____ Chris Leeman Manager of Water & Wastewater System Operations, Utilities Kingston	_____ Date



**By-Law Number 2023-XX**

**A By-Law to Amend By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (Introduction of Exception E137, (947 Division Street))**

**Passed:**

**Whereas** the Council of The Corporation of the City of Kingston enacted By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (the “Kingston Zoning By-Law”); and

**Whereas** the Council of The Corporation of the City of Kingston deems it advisable to amend the Kingston Zoning By-Law;

**Therefore be it resolved that** the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. By-Law Number 2022-62 of The Corporation of the City of Kingston, entitled “Kingston Zoning By-Law Number 2022-62”, is amended as follows:
  - 1.1. Schedule E – Exception Overlay is amended by adding Exception ‘E137’, as shown on Schedule “A” attached to and forming part of this By-Law;
  - 1.2. By adding the following Exception Number E137 in Section 21 – Exceptions, as follows:

“**E137.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

    - (a) The maximum number of **principal buildings** per **lot** is 2;
    - (b) The maximum **density** is 67 **dwelling units** per net hectare;
    - (c) An **apartment building** with a maximum of 4 **dwelling units** is a permitted use;
    - (d) **Apartment buildings** must comply with the provisions for a **single detached house** as set out in Table 11.11.1. except that the minimum **interior setback** is 0.50 metres;
    - (e) The **building depth** of a **duplex** is to be measured as the horizontal distance between the **main wall** closest to the **front lot line** and the **rear wall** of the **building**;

- (f) An aggregate **setback** is to be measured between the **interior lot line** and the nearest part of a **building** on the **lot** at a given horizontal cross section measured parallel to the **front lot line**;
- (g) The minimum **rear setback** for a gazebo is 0.6 metres;
- (h) The minimum width of a **drive aisle** is 3 metres;
- (i) The minimum length of a **parking space** is 5.2 metres;
- (j) A **parking lot** is permitted in the required **front yard** provided no **parking space** is less than 7.5 metres from the **front lot line**; and
- (k) A **walkway** may be **used** to aid in the execution of **vehicle** turning movements provided there is a clear visual distinction which delineates the **driveway** from the **walkway**.”

2. This By-Law shall come into force in accordance with the provisions of the *Planning Act*.

Given all Three Readings and Passed: [Meeting Date]

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**Janet Jaynes**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**



# Schedule 'A' to By-Law Number \_\_\_\_

Address: 947 Division Street  
File Number: D14-008-2022

# Kingston Zoning By-Law 2022-62 Schedule E - Exception Overlay

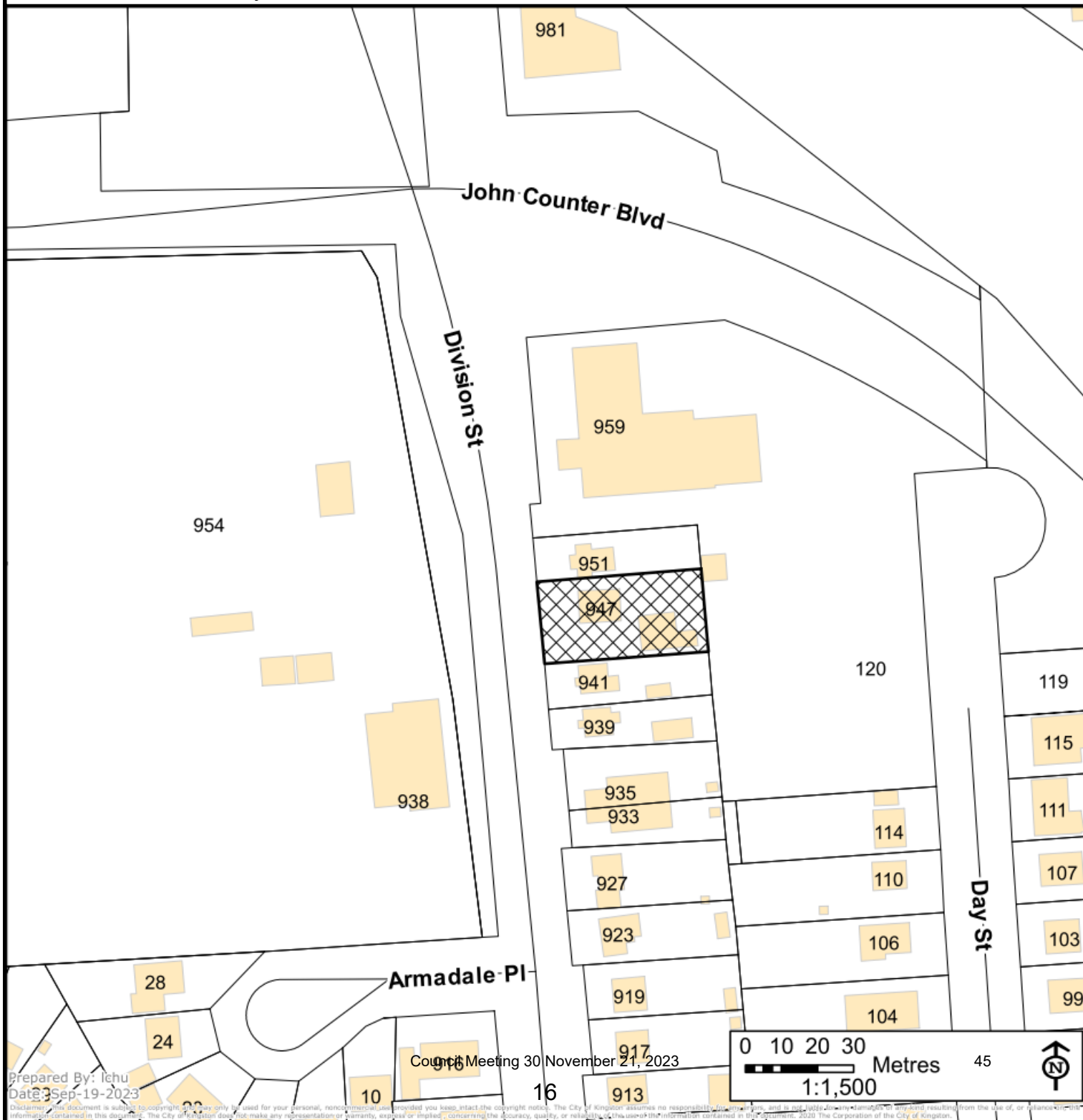
Lands to be added as E137

## Certificate of Authentication

This is Schedule 'A' to By-Law Number \_\_\_\_, passed this \_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



# City of Kingston By-Law Number 2023–XX

## *Community Standards By-Law*

1<sup>st</sup> Reading                      date

2<sup>nd</sup> Reading                      date

3<sup>rd</sup> Reading                      date

Passed                              date

# City of Kingston By-Law Number 2023–XX

## *Community Standards By-Law*

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# City of Kingston By-Law Number 2023–XX

## ***Community Standards By-Law***

### **Whereas:**

The *City* is a single-tier municipality incorporated pursuant to an order made under section 25.2 of the *Municipal Act, 2001*;

The powers of a municipality must be exercised by its council (*Municipal Act, 2001*, s. 5 (1));

A municipal power must be exercised by by-law unless the municipality is specifically authorized to do otherwise (*Municipal Act, 2001*, s. 5 (3));

A single tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public (*Municipal Act, 2001*, s. 10 (1));

A single-tier municipality may pass by-laws respecting:

- (a) economic, social and environmental well-being of the municipality, including respecting climate change;
- (b) health, safety and well-being of persons;
- (c) protection of persons and property, including consumer protection;
- (d) structures, including fences and signs; and
- (e) business licensing,

(*Municipal Act, 2001*, s. 10 (2));

A municipality may delegate its powers and duties under the *Municipal Act, 2001* to a person or body subject to the restrictions set out in Part II of the *Municipal Act, 2001* (*Municipal Act, 2001*, s. 23.1);

A municipality may require the owner or occupant of land to clean and clear the land, or to clear refuse or debris from the land, and may regulate when and how those matters shall be done (*Municipal Act, 2001*, s. 127);

A municipality may prohibit and regulate with respect to public nuisances, including

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matters that, in the opinion of council, are or could become or cause public nuisances (*Municipal Act, 2001*, s. 128 (1)); and

A municipality may prohibit and regulate with respect to noise, vibration, odour, dust and outdoor illumination, including indoor lighting that can be seen outdoors (*Municipal Act, 2001*, s. 129).

Therefore, *Council* enacts:

### 1 Interpretation

1.1 This by-law may be cited as the *Community Standards By-Law*.

1.2 In this by-law:

“**administrative penalty**” means an administrative penalty that a *person* is required to pay pursuant to the *Administrative Penalty By-Law*;

“**Administrative Penalty By-Law**” means *City of Kingston By-Law Number 2020-69, “A By-Law to Establish a Process for Administrative Penalties”*;

“**agricultural equipment**” means equipment that is operated on an *agricultural property*;

“**agricultural property**” means a property that is zoned for agricultural use in the *zoning by-law*;

“**boat**” means a ship or any other description of vessel or floating craft designed, used or capable of being used for navigation and that is not propelled by oars, and includes a *boat* used exclusively for towing purposes, a water taxi and a *boat* used on water for living purposes;

“**bridge**” means a bridge forming part of a *highway* or on, over or across which a *highway* passes;

“**building materials**” means all material or debris associated with *construction activities*, and includes expanded/extruded polystyrene (EPS) foam, wood, gypsum board, roofing materials, pipes, wiring, siding, metal, and packaging materials, but does not include *dust*;

“**bus**” means a school bus, tour bus, or motor coach, but does not include a *Kingston Transit vehicle*;

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“**City**” means The Corporation of the City of Kingston;

“**City property**” means any *premises* that is owned, occupied or managed by the *City*, and includes a *highway* and a *Kingston Transit vehicle*;

“**construction activities**” means anything done in the construction, erection, installation, extension, or material alteration or repair of a *premises*, including decorative stonework, landscaping, retaining walls, and walkways;

“**Council**” means the council of the *City*;

“**Director**” means the Director of the *Licensing and Enforcement Department*, the *Director’s* designate, or, in the event of organizational changes, the director of the successor division or department responsible for the administration of this by-law;

“**domestic animal**” means an animal that is kept as a household pet, including a hen kept pursuant to a hen coop permit and a pigeon kept pursuant to a pigeon loft permit, all in accordance with City of Kingston By-law Number 2021-166, *Animal Control By-law*;

“**drive-thru**” means the use of a *premises*, or a part of a *premises*, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to *persons* remaining in *vehicles* that are in a lane dedicated by signs for that purpose;

“**drug paraphernalia**” means equipment, products or accessories intended or modified for using a controlled substance, as defined or described in Schedules I, II or III of the *Controlled Drugs and Substances Act, 1996 chapter 19*;

“**dust**” means solid particles which may become or be airborne as a result of *construction activities*, including trimming, blasting, drilling, crushing, sandblasting, grinding, sawing, screening, cutting, altering or moving of clay, mortar, stone, rock, stucco, concrete, tile, and insulation;

“**Environmental Protection Act**” means the *Environmental Protection Act*, R.S.O. 1990, c. E.19;

“**fight**” means any confrontation involving violent physical contact between two or more *persons*;



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“**flyer**” means any unaddressed printed or written matter, and includes a circular, leaflet, pamphlet, paper, booklet, postcard, or any other printed or otherwise reproduced matter of literature;

“**food**” means anything that can be consumed by an animal for sustenance, but does not include composting materials kept in accordance with all applicable laws, regulations and by-laws, and landscaping materials or plants, trees or shrubs (including shrubs, berries on shrubs, trees, herbs, vegetables on vegetable plants, and fruit on trees);

“**highway**” means a common and public highway and includes any bridge, trestle, viaduct or other structure forming part of the highway and includes a sidewalk and a portion of a highway;

“**idle**” or “**idling**” means the operation of the engine of a *boat* or *vehicle* while the *vehicle* or *boat* is not in motion and not being used to operate auxiliary equipment that is essential to the basic function of the *vehicle* or *boat*;

“**Kingston Transit vehicle**” means a *vehicle* used as part of a passenger transportation system established, operated or maintained by the *City*;

“**Licensing and Enforcement Department**” means the Licensing and Enforcement Department or in the event of organizational changes, the successor division or department responsible for the administration of this by-law;

“**loiter**” means to use or occupy a space other than for its intended purpose or to occupy a space such that it is not usable by others;

“**motor vehicle**” means an automobile, truck or other vehicle propelled or driven otherwise than by muscular power, including a motorcycle;

“**Municipal Act, 2001**” means the *Municipal Act, 2001*, S.O. 2001, c.25;

“**offensive odours**” means an odour which emanates from a *premises* onto another *premises* and unreasonably disturbs the comfort of neighbours or residents;

“**owner**” includes with respect to *premises*, the registered owner, occupant, tenant, or the *person* managing or receiving the rent of the *premises*;

“**park**” means any *premises* owned, leased, or controlled by the *City* or a school

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board and designated or used as parkland or as a trail, including gardens, playgrounds, sports fields, skate parks, splash parks, pools and beach areas;

“**penalty notice**” means a notice given pursuant to subsections 2.2 and 2.4 of the *Administrative Penalty By-Law*;

“**person**” includes an individual, a corporation, a partnership, and an association;

“**premises**” means land or a structure;

“**Provincial Offences Act**” means the *Provincial Offences Act*, R.S.O. 1990, c. P.33;

“**provincial offences officer**” has the meaning given to it in the *Provincial Offences Act*;

“**public place**” means a place outdoors to which the public is ordinarily invited or permitted access, and includes *highways*, parking lots, *parks*, conservation areas, school grounds, and outdoor *City property*;

“**retail establishment**” means a business, property or *person* that owns or provides *shopping carts* to its customers for use on its business *premises*;

“**shopping cart**” means a device made available by a *retail establishment* for the purpose of allowing customers to convey goods purchased from the business while on the business *premises* or in the associated parking area;

“**textile collection site**” means an area accessible to the public, which is marked by signs identifying the name of the textile collector and identifying the area for the collection of donated goods, and which contains a receptacle or bin for the collection of donated goods;

“**tour boat**” means a *boat* that carries paying passengers on a regular route, including a cruise ship, but excluding a ferry *boat*;

“**treasurer**” means the individual appointed by the *City* as treasurer or the *treasurer’s* designate;

“**unsafe disposal**” means throwing, dropping, placing, or otherwise depositing or permitting to be deposited needles or syringes, or any part thereof, in a manner other than in needle disposal containers or in accordance with the

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process prescribed by KFL&A Public Health or any other applicable authority;

“**vehicle**” includes a *motor vehicle*, traction engine, farm tractor, road-building machine, and any vehicle drawn, propelled or driven by any kind of non-muscular power, but does not include cars of electric or diesel electric railways running only upon rails;

“**vehicle with power take-off**” means a *vehicle* containing work equipment that must be powered by the *vehicle* engine;

“**wildlife**” means an animal that belongs to a species that is wild by nature and includes coyotes, foxes, deer, wild rabbits, raccoons, opossums, squirrels, skunks and pests, but does not include *domestic animals*; and

“**zoning by-law**” means *City of Kingston Zoning By-Law Number 2022–62* or the applicable zoning by-law that is in effect in respect of the subject *premises*.

1.3 For the purposes of interpreting this by-law:

- (a) a reference to any legislation, regulation, or by-law or to a provision thereof includes a reference to any legislation, regulation or by-law enacted, made or passed in substitution thereof or amendment thereof;
- (b) any reference to legislation or by-laws includes all of the regulations made thereunder; and
- (c) “include”, “includes” and “including” indicate that the subsequent list is not exhaustive.

1.4 This by-law will not be interpreted as exempting any *person* from the requirement to comply with any other *City* by-law or federal or provincial legislation. In the event of conflict between the provisions of this by-law and any other *City* by-law, the provision that establishes the higher standard of health, safety and well-being of *persons* and protection of *persons* will apply.

## 2 Administration

2.1 The *Director* is responsible for the administration of this by-law.

2.2 Where this by-law provides that the *Director* may do an act, the *Director* may, when doing the act, seek and consider information or documents from any *person*, and may consult with other *City* employees, legal counsel, or other

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advisors, all as the *Director* considers necessary.

- 2.3 Where this by-law provides that the *Director* may do an act, it may be done by an individual authorized by the *Director* to do the act.

### 3 Purpose & Intent

- 3.1 The purpose of this by-law is to promote a healthy, safe and vibrant community for all residents and visitors in the City of Kingston by regulating and prohibiting activities or conditions that interfere with the public's right to use and enjoy public spaces or that negatively impact the safety, comfort or wellbeing of the community.
- 3.2 This by-law conveys to the *Director* all necessary and proper powers to abate the activities and conditions described in subsection 3.1, while recognizing that enforcement action may be undertaken through various means.

### 4 Odours

- 4.1 No *person* will keep on any *premises*:
- (a) refuse, garbage receptacles, animal excrement or compost in a manner that becomes a nuisance by creating *offensive odours* or attracting *wildlife* or pests, including vermin, rodents or termites; or
  - (b) any substance or materials stored in a manner that becomes a nuisance by emitting *offensive odours*.
- 4.2 Subsection 4.1 does not apply to:
- (a) *agricultural properties* or to any normal farm practice, as determined pursuant to the *Farming and Food Production Protection Act, 1998, S.O. 1998, c. 1*; and
  - (b) activities that are prescribed by section 2 of Ontario Regulation 1/17 filed under the *Environmental Protection Act*.

### 5 Building Materials and Construction Dust

- 5.1 An *owner* of *premises* engaged in *construction activities* will ensure that building materials on the *premises* are removed or contained and secured in such a manner that prevents such *building materials* from being blown off or scattered

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from the *premises*.

- 5.2 No *person* will cause or permit *dust* that occurs as a result of *construction activities* to escape a *premises* onto another *premises*.
- 5.3 Subsection 5.2 does not apply if reasonable preventative measures were taken to prevent *dust* from escaping a *premises*. Reasonable preventative measures must include one or a combination of the following dust control measures, to the satisfaction of the *Director*:
- (a) wetting the *building materials*;
  - (b) using a wet saw;
  - (c) tarping or otherwise containing the source of the *dust*;
  - (d) installing wind fencing or a fence filter at the height of and surrounding the work area;
  - (e) using a vacuum attachment when cutting, grinding, sanding or scraping;  
or
  - (f) any other preventative measure deemed by the *Director* to be adequate in the mitigation of *dust* escaping a *premises* based on the nature of the activity.
- 5.4 Subsection 5.2 does not apply to:
- (a) construction, rehabilitation, or maintenance processes using construction equipment conducted by, or on behalf of the Province of Ontario, the Government of Canada, a company operating as a utilities provider, or any of their respective agencies or agents;
  - (b) emergency measures undertaken for the immediate health, safety or welfare of inhabitants;
  - (c) any normal farm practice, as determined pursuant to the *Farming and Food Production Protection Act, 1998, S.O. 1998, c. 1*;
  - (d) *construction activities* that are governed by the *Aggregate Resources Act, R.S.O. 1990, c. A.8*; or
  - (e) activities that are prescribed by section 2 of Ontario Regulation 1/17

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filed under the *Environmental Protection Act*.

5.5 If a corporation:

- (a) is convicted of an offence under this section 5; or
- (b) receives two or more *penalty notices* in any consecutive 24-month period under this section 5 that are not cancelled pursuant to the *Administrative Penalty By-Law*,

the *Director* may publish, cause to be published, or otherwise make available to the general public the name of the corporation, a description of the offence or *penalty notice*, the date of the conviction or *penalty notice* and the corporation's sentence or the amount of the *administrative penalty*. The authority to publish under this subsection 5.5 includes authority to publish on the Internet, including on a website or in a report to *Council*.

## 6 Idling

6.1 No *person* will cause or permit a *vehicle* or *boat* to *idle* for more than one minute in a 60-minute period.

6.2 Subsection 6.1 does not apply to the following:

- (a) police, fire, ambulance or *provincial offences officer vehicles* or police or fire *boats* engaged in their ordinary duties, but not where idling is substantially for the convenience of one or more of the operator or a passenger in the *vehicle* or *boat*;
- (b) *Kingston Transit vehicles*;
- (c) *vehicles* or *boats* assisting in an emergency activity;
- (d) a *vehicle with power take-off* while it is in the course of being performed for its basic function;
- (e) ferry *boats* operated by the Province of Ontario or the County of Frontenac;
- (f) armoured *vehicles* where a *person* remains inside the *vehicle* while guarding the contents of the *vehicle* or while the *vehicle* is being loaded or unloaded;

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- (g) *vehicles* or *boats* engaged in the course of a parade or race or any other event authorized by the *City*;
- (h) *vehicles* that are operating on the travelled portion of a *drive-thru* lane;
- (i) *vehicles* or *boats* that remain motionless because of an emergency over which the driver has no control, or because of mechanical difficulties over which the driver has no control;
- (j) *vehicles* or *boats* where idling is required to repair or prepare the *vehicle* or *boat* for service; or
- (k) *agricultural equipment* while being operated on *agricultural property*;
- (l) *buses*, but only when passengers are embarking or disembarking; or
- (m) occupied *vehicles* where the ambient outside temperature is more than 27 degrees Celsius or less than five degrees Celsius, as measured by Environment Canada readings.

6.3 Despite subsection 6.1, no *person* will cause or permit a *tour boat* to idle for more than five minutes in a 60-minute period.

6.4 Where a *vehicle* has been left stopped in contravention of this by-law, the owner of the *vehicle*, even though the owner was not the driver of the *vehicle* at the time of the contravention of the by-law, is guilty of an offence and liable to a fine in accordance with the provisions of the *Provincial Offences Act*, unless at the time of the offence the *vehicle* was in the possession of some *person* other than the owner without the owner's consent.

## 7 Feeding of Wildlife

7.1 No *person* will feed or permit the feeding of *wildlife*, or leave *food* that is accessible by *wildlife*.

7.2 Subsection 7.1 does not apply to the following:

- (a) *agricultural property*;
- (b) a *person* leaving *food* for a feral cat colony for the purposes of a trap, neuter or spay and release program;
- (c) a *person* leaving *food* as bait to trap vermin or rodents;

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- (d) an officer, licensed trapper, authorized *wildlife* rehabilitator or employee of a licensed pest management operator or exterminator leaving *food* as bait to catch *wildlife* as part of their professional duties;
- (e) a *person* feeding *wildlife* as part of a research program undertaken by a university, college, government research body or *wildlife* research institution;
- (f) a *person* fishing or hunting in accordance with a valid provincial licence and in compliance with any prescribed regulations;
- (g) a *person* participating in a cultural or spiritual practice outdoors, provided the *person* cleans all *food* from the outdoor location at the conclusion of the practice;
- (h) a *person* feeding birds by hand at a designated feeding area provided by the *City*, the Province of Ontario, the Government of Canada, or any conservation authority; or
- (i) a *person* feeding birds as follows:
  - (i) the *food* intended for the birds is placed in a bird feeding device that is sufficiently above grade so as to not attract or be accessible to *wildlife*;
  - (ii) the bird feeding device is located on private property, and the *owner* has given permission for the installation and use of the bird feeding device; and
  - (iii) the bird feeding device is kept in sanitary condition and in good working order to prevent spillage of the *food*.

For purposes of subsection (h) and (i), a bird does not include waterfowl that are *wildlife*.

## 8 Textile Collection Sites & Flyers

- 8.1 No *person* will disturb any goods located at a *textile collection site*.
- 8.2 No *person* will leave donated goods at a *textile collection site* except within a designated receptacle or bin.



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- 8.3 No *person* will deposit a *flyer* at or on a *premises* where a sign or notice has been posted, and which is visible at the entrance of the *premises*, indicating that *flyers* are not wanted, provided that this subsection does not apply to:
- (a) any elections advertising material which is permitted to be transmitted or delivered pursuant to any applicable federal, provincial or municipal legislation;
  - (b) newspapers containing news, occurrences, pictures or illustrations, which are printed and published periodically;
  - (c) community association newsletters or newspapers; or
  - (d) information circulars produced by a federal, provincial or municipal government or an agency of such government.

## 9 Safe Use of Public Places

- 9.1 No *person* will engage in or permit conduct in a *public place* that is likely to disturb or interfere with the reasonable enjoyment of another *person* in a *public place* by:
- (a) causing a public disturbance, including by using abusive or threatening language or being intoxicated by alcohol or other substance; or
  - (b) communicating with a *person* in a manner that could reasonably cause offence or intimidation including any conduct, comment, or action that refers to the *person's* race, religious beliefs, colour, disability, age, ancestry, place of origin, marital status, source of income, family status, gender, gender identity, gender expression, or sexual orientation.
- 9.2 No *person* will urinate or defecate in a *public place*, except in a facility designed and intended for such use.
- 9.3 No *person* will participate in a *fight* or similar physical confrontation in any *public place*, provided that this subsection 9.3 does not apply to participants in a sanctioned organized sporting event who are governed by the rules of conduct of that sporting event.
- 9.4 No *person* will *loiter* on a *highway*, including a sidewalk, after having been requested by a *provincial offences officer* to move on.

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- 9.5 No *person* will *loiter* in any *public place* washroom or change-room.
- 9.6 No *person* will engage in lewd sexual activity, including masturbation, in a *public place*.
- 9.7 No *person* will use or display *drug paraphernalia* in a *park* or in any *public place* that is within 15 metres of a *park*.
- 9.8 No *person* will engage in or permit the *unsafe disposal* of needles or syringes in a *public place*.
- 9.9 No *person* who is transporting earth, sand, stone or other material in a *vehicle* will load or drive the *vehicle* in a manner that causes or permits the material to be deposited on a *highway*.
- 9.10 No *person* will drive a *vehicle* on a *highway* unless the *person* has removed, as completely as is reasonably possible, all mud, clay, oil, sand, stone or other material from the wheels of the *vehicle* that is likely to:
- (a) cause an obstruction or dangerous condition on the *highway*; or
  - (b) damage the surface of the *highway*.
- 9.11 No *person* will move a *vehicle* that is equipped with metal cleats, including cleats with rubber inserts or pads, flanges or tracks on its wheels or roller onto or along the *highway* unless:
- (a) the *vehicle* is being carried on a float or trailer; or
  - (b) a preventative pad is laid across the portion of the *highway* to be crossed; or
  - (c) the *City's* Director of Engineering Services, or their designate, has otherwise approved the movement of the *vehicle*.
- 9.12 No *person* will jump, dive or otherwise propel themselves from any *bridge*.

## 10 Retail Establishment Shopping Cart Standards

- 10.1 Every *retail establishment* will take reasonable measures to prevent *shopping carts* from being removed from the business *premises*. Reasonable measures might include cart corrals with built in coin chains, signage, security gates, or any other services or measures designed to deter theft.

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- 10.2 Every *retail establishment* will have a written *shopping cart* retrieval program in place to retrieve abandoned *shopping carts* and respond to complaints from the public in a reasonable timeframe, subject to safety considerations.
- 10.3 Every *retail establishment* will ensure that its *shopping carts* are locked or otherwise secured when the *retail establishment* is not open for business.
- 10.4 Every *retail establishment* will post removal warning signage at all entrances to the *retail establishment* containing a statement to the effect that the unauthorized removal of a *shopping cart* from a *retail establishment* is a criminal offence.

### 11 Damage to City Property

- 11.1 No *person* will vandalize *City property* by removing, destroying, damaging, tampering with, mutilating, or altering the appearance of any *City property*, including any characteristic or feature thereof.

### 12 Enforcement

- 12.1 This by-law may be enforced by a *provincial offences officer* or other authorized employee or agent of the *City*.
- 12.2 No *person* will obstruct or hinder or attempt to obstruct or hinder the *Director*, a *provincial offences officer* or other authorized employee or agent of the *City* in the exercise of a power or the performance of a duty under this by-law.
- 12.3 The *Director* and every *provincial offences officer* may, subject to and in accordance with the provisions of the *Municipal Act, 2001*, enter on land to conduct an inspection to determine whether the provisions of this by-law are being complied with.
- 12.4 For the purposes of conducting an inspection of land pursuant to subsection 12.3, the *Director* or a *provincial offences officer* may:
- (a) require the production for inspection of documents or things relevant to the inspection;
  - (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
  - (c) require information from any *person* concerning a matter related to the

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inspection; and

- (d) alone or in conjunction with an individual possessing special or expert knowledge, make examinations or take tests or photographs necessary for the purposes of the inspection.

12.5 For clarity, a *person* exercising a power of entry on behalf of the *City* pursuant to subsection 12.4 shall not enter or remain in any room or place actually being used as a dwelling, except as otherwise permitted under the *Municipal Act, 2001*.

### 13 Offences & Administrative Penalties

13.1 Every *person* is guilty of an offence as provided for in the *Provincial Offences Act* if the *person*:

- (a) contravenes any provision of this by-law;
- (b) hinders, obstructs or interferes with the *Director* or a *provincial offences officer* in the exercise of the *Director's* or the *provincial offences officer's* powers and duties; or
- (c) hinders, obstructs or interferes with a *person* authorized by the *Director* to do an act in the exercise of that *person's* authority to do the act.

13.2 Every officer or director of a corporation who knowingly concurs in the contravention of any provision of this by-law is guilty of an offence as provided for in the *Provincial Offences Act*.

13.3 Every *person* who fails to comply with any provision of this by-law will, upon issuance of a *penalty notice*, be required to pay an *administrative penalty*, and the *Administrative Penalty By-Law* applies to each *administrative penalty* imposed pursuant to this by-law.

13.4 If a *person* is required to pay an *administrative penalty* under subsection 13.3 in respect of a contravention of this by-law, the *person* will not be charged with an offence in respect of the same contravention.

13.5 Every *person* who is convicted of an offence under this by-law is liable to a minimum fine of \$500 and to a maximum fine of \$100,000 pursuant to subsections 429 (1) and (3) of the *Municipal Act, 2001*.

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- 13.6 A *person* who is convicted of an offence under this by-law is liable, for each day or part of a day that the offence continues, to a minimum fine of \$500 and a maximum fine of \$10,000, and the total of all daily fines for the offence is not limited to \$100,000 as provided for in section 429 of the *Municipal Act, 2001*.
- 13.7 When a *person* has been convicted of an offence under this by-law, the Ontario Court of Justice or any court of competent jurisdiction may, in addition to any other penalty imposed on the *person* convicted, make an order:
- (a) prohibiting the continuation or repetition of the offence by the *person* convicted; and
  - (b) requiring the *person* convicted to correct the contravention in the manner and within the period that the court considers appropriate.
- 13.8 The *City* may collect unpaid fines for a contravention of this by-law in accordance with the following:
- (a) the *treasurer* may give notice that if any part of a fine for a contravention of this by-law remains unpaid after the fine becomes due and payable under section 66 of the *Provincial Offences Act*, including any extension of time for payment under section 66 or 66.0.1 of the *Provincial Offences Act*, the *treasurer* may give the *person* against whom the fine was imposed a written notice specifying the amount of the fine payable and the final date on which it is payable, which must be not less than 21 days after the date of the notice;
  - (b) if the fine remains unpaid after the final date specified in the notice, the fine is deemed to be unpaid taxes for the purposes of section 351 of the *Municipal Act, 2001*.

## 14 Work Orders & Remedial Action

- 14.1 If the *Director* is satisfied that a contravention of this by-law has occurred, the *Director* may make an order requiring the *person* who contravened this by-law, or who caused or permitted the contravention, or the *owner* of the land on which the contravention occurred, to do work to correct the contravention.
- 14.2 An order under subsection 14.1 will set out:
- (a) reasonable particulars of the contravention adequate to identify the contravention and the location of the land on which the contravention

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occurred; and

(b) the work to be done and the date by which the work must be done.

- 14.3 Any *person* who contravenes an order under subsection 14.1 is guilty of an offence.
- 14.4 Where a *person* is in default of the requirement to do any matter or thing under this by-law, the *City* may do the matter or thing at the *person's* expense.
- 14.5 For the purposes of subsection 14.4, the *City* may enter upon land at any reasonable time.
- 14.6 The *City* may recover the costs of doing a matter or thing under subsection 14.4 from the *person* directed or required to do it by action or by adding the costs to the tax roll, together with interest calculated at a rate of 15%, calculated for the period commencing on the day the *City* incurs the costs and ending on the day the costs, including the interest, are paid in full.

## 15 General

- 15.1 If a court of competent jurisdiction declares any provision, or any part of a provision, of this by-law to be invalid, or to be of no force and effect, it is the intention of *Council* in enacting this by-law that each and every provision of this by-law authorized by law be applied and enforced in accordance with its terms to the extent possible according to law.
- 15.2 By-Law 2008-95, "A By-Law of The Corporation of the City of Kingston to Control the Idling of Vehicles and Boats", is repealed in its entirety as of the date that this by-law comes into force.
- 15.3 This by-law will come into force and take effect on May 1, 2024.

*Community Standards By-Law*

1<sup>st</sup> Reading            date

2<sup>nd</sup> Reading            date

3<sup>rd</sup> Reading            date

Passed                 date

Janet Jaynes  
City Clerk

Bryan Paterson  
Mayor

**By-Law Number 2023-XX**  
**A By-Law to Amend By-Law Number 2020-69, “A By-Law to Establish a Process for Administrative Penalties”**

**Passed: Date**

**Whereas** a formal designation from Council is required to Designate the Community Standards By-Law as a By-Law for which Administrative Penalties can be issued; and

**Whereas** the Council of The Corporation of the City of Kingston considers it necessary and desirable to amend the Administrative Penalties By-Law;

**Therefore be it resolved that** the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. By-Law Number 2020-69 of The Corporation of the City of Kingston, entitled “A By-Law to Establish a Process for Administrative Penalties”, as amended, is hereby further amended as follows:
  - 1.1 Schedule A, Designated By-Laws, is amended to include the following:
    10. City of Kingston By-Law Number 2023-XX, being “Community Standards By-Law”
  - 1.2 Schedule B, Administrative Monetary Penalties, is amended to include the following:

<b>By-Law Number 2023-XX, “Community Standards By-Law”</b>		
<b>By-Law Section</b>	<b>Short Form Wording</b>	<b>Penalty Amount</b>
4.1	Cause or permit offensive odours on premises	\$100
5.1	Fail to remove or contain and secure building materials	\$200
5.2	Cause or permit dust to escape a premises	\$100
6.1	Cause or permit vehicle or boat to idle	\$100
7.1	Feed or permit the feeding of wildlife	\$100



7.1	Leave food accessible to wildlife	\$100
8.1	Disturb goods at a textile collection site	\$200
8.2	Dumping of donated goods at a textile collection site	\$200
8.3	Depositing of flyer where sign or notice posted	\$100
9.1	Engage in or permit conduct in public likely to disturb and interfere by causing public disturbance	\$200
9.1	Engage in or permit conduct in public likely to disturb and interfere in manner could reasonably cause offence or intimidation	\$200
9.2	Urinate or defecate in public place	\$200
9.3	Participate in fight or similar physical confrontation in public place	\$200
9.4	Loiter on highway or sidewalk after request to move on by provincial offences officer	\$200
9.5	Loiter in any public place, washroom or change-room	\$200
9.6	Engage in lewd sexual activity	\$200
9.7	Use or display drug paraphernalia in a park or a public place within 15 metres of a park	\$200
9.8	Engage in or permit unsafe disposal of needles or syringes in public place	\$150
9.9	Cause or permit material to be deposited on highway	\$200
9.12	Jump, dive or otherwise propel from bridge	\$200
10.2	Fail to establish shopping cart retrieval program	\$200
10.3	Fail to lock or secure shopping carts	\$100
11.1	Vandalize City property	\$200

2. This By-Law will come into force and take effect on May 1, 2024.

Given First and Second Readings: [Meeting Date]

Given Third Reading and Passed: [Meeting Date]

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**Janet Jaynes**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**

**By-Law Number 2023-XX**

**A By-Law to Amend By-Law Number 2009-76,  
“A By-Law to Provide for the Regulation Use of Parks and Recreation Facilities of  
The Corporation of the City of Kingston”**

**Passed: Date**

**Whereas** the Council of The Corporation of the City of Kingston deems it advisable to amend By-Law Number 2009-76, “A By-Law to Provide for the Regulation Use of Parks and Recreation Facilities of The Corporation of the City of Kingston”, as amended;

**Therefore Be It Resolved That** the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. By-Law Number 2009-76, “A By-Law to Provide for the Regulation Use of Parks and Recreation Facilities of The Corporation of the City of Kingston”, as amended, is hereby further amended as follows:
  - 1.1. Section 5, paragraph g is deleted in its entirety and all subsequent paragraphs are renumbered accordingly.
2. This By-Law shall come into force and take effect on May 1, 2024.

Given First and Second Readings: [Meeting Date]

Given Third Reading and Passed: [Meeting Date]

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**Janet Jaynes**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**

**By-Law Number 2023-XX**

**A By-Law to Amend By-Law Number 2004-190,  
“A By-Law to Regulate the Use of City Streets”**

**Passed: Date**

**Whereas** the Council of The Corporation of the City of Kingston deems it advisable to amend By-Law Number 2004-190, “A By-Law to Regulate the Use of City Streets”, as amended;

**Therefore Be It Resolved That** the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. By-Law Number 2004-190, “A By-Law to Regulate the Use of City Streets”, as amended, is hereby further amended as follows:
  - 1.1. Subsection 4.12 is deleted in its entirety.
  - 1.2. Subsection 4.13 is deleted in its entirety.
  - 1.3. Subsection 4.14 is deleted in its entirety.
  - 1.4. Subsection 4.15 is deleted in its entirety.
  - 1.5. Subsection 4.16 is deleted in its entirety.
2. This By-Law shall come into force and take effect on May 1, 2024.

Given First and Second Readings: [Meeting Date]

Given Third Reading and Passed: [Meeting Date]

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**Janet Jaynes**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**



**City of Kingston  
Report to Council  
Report Number 23-263**

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**To:** Mayor and Members of Council  
**From:** Desirée Kennedy, Chief Financial Officer & City Treasurer  
**Resource Staff:** Lana Foulds, Director, Financial Services  
Brent Funnell, Manager, Procurement  
**Date of Meeting:** November 21, 2023  
**Subject:** September 2023 Tender and Contract Awards Subject to  
Delegation of Authority

---

**Council Strategic Plan Alignment:**

Theme: Corporate business

Goal: See above

**Executive Summary:**

Section 21.1 of By-Law Number 2022-154, A By-Law to Establish a Procurement Policy for the City of Kingston, requires a monthly information report be provided to Council summarizing all procurement contracts with a value exceeding \$100,000 that were awarded by delegated authority. Accordingly, this information report provides Council with details of contracts greater than \$100,000 awarded for the month of September 2023 that meet the established criteria of delegated authority for both standard and non-standard procurements.

**Recommendation:**

This report is for information only.



November 21, 2023

Page 3 of 4

**Options/Discussion:**

[By-Law Number 2022-154](#), a By-Law to Establish a Procurement Policy for the City of Kingston, provides for the delegation of authority to award contracts under both standard and non-standard procurement methods. Schedule C to By-Law Number 2022-154 delegates the approval authority to senior staff and Procurement Services for both procurement methods.

**Standard Procurement**

Standard procurement is defined as the acquisition of goods, services, or construction, or a combination thereof, in accordance with the standard procurement method for the type and value of the deliverables as determined in By-Law Number 2022-154. Utilizing the standard procurement method, Schedule C to By-Law Number 2022-154 provides for the delegated authority to award contracts greater than \$100,000 but less than \$500,000 to City Directors and Procurement Services, and contracts greater than \$500,000 to the City Commissioners and Procurement Services.

Standard procurements greater than \$100,000 require a competitive process conducted in accordance with the procurement's solicitation document. As provided for in the solicitation document, tenders are evaluated and awarded based solely on price, whereas request for proposals (RFPs) are based on the highest ranked proponent based on pre-determined price and non-price criteria.

No award of contract may be approved unless:

- Sufficient funding is available in an approved budget;
- The selection of the standard procurement method is determined in accordance with By-Law Number 2022-154; and
- The procurement process was conducted in accordance with By-Law Number 2022-154.

All procurements that exceed an estimated value of \$121,200 (goods and services) and \$302,900 (construction) are subject to applicable trade treaty requirements.

Exhibit A to this report provides information on standard procurements over \$100,000 that met the established criteria of delegated authority under By-Law Number 2022-154 and were awarded in the month of September.

**Non-Standard Procurement**

Non-standard procurement is defined as the procurement of deliverables through a process other than the standard method required for the type and value of the deliverables as determined in By-Law Number 2022-154. Schedule C to By-Law Number 2022-154 provides for a higher level of approval authority to award contracts under a non-standard procurement method. A non-standard procurement cannot be approved, and no contract can be awarded, unless sufficient funding is available in an approved budget.

November 21, 2023

Page 4 of 4

Exhibit B to this report provides information on non-standard procurements over \$100,000 that were awarded in the month of September, two awarded through single source procurement and one by means of the emergency procurement process.

September 2023 procurement activities that are not included in this report are as follows:

- value of the purchase, if less than \$100,000;
- any awards closing in this time period that were approved separately by Council.

### **Existing Policy/By-Law**

[By-Law Number 2022-154](#), "A By-Law to Establish a Procurement Policy for the City of Kingston"

### **Notice Provisions**

None

### **Accessibility Considerations:**

The [Accessibility for Ontarians with Disabilities Act, 2005](#) is a consideration and may form part of the evaluation criteria for any Request for Proposal administered by the City of Kingston.

### **Financial Considerations**

All procurements, as reported, have sufficient funding available in an approved budget.

### **Contacts:**

Lana Foulds, Director, Financial Service, 613-546-4291 extension 2209

Brent Funnell, Manager, Procurement, 613-546-4291 extension 2452

### **Other City of Kingston Staff Consulted:**

Applicable City Departments

### **Exhibits Attached:**

Exhibit A – Summary of Standard Procurements Over \$100,000 – September 2023 Awards

Exhibit B – Summary of Non-Standard Procurements Over \$100,000 – September 2023 Awards



## Summary of Standard Procurements over \$100,000 September 2023 Awards

Proponents are listed in order of ranking based on pre-determined evaluation criteria.

The successful proponent appears first in each table unless stated otherwise.

**1. Request for Proposal: F18-TPW-CAMF-2023-02**

Light Duty Vehicles (up to 20 Cargo Vans and Trucks)

**Closing Date:** June 20, 2023

Supplier / Service Provider	Price
James Braden Ford	\$2,056,830.00
Petrie Ford	\$2,056,604.00

**2. Request for Tender: F18-TPW-ES-2023-22**

Reconstruction of Sand Hill Road, Kingston (Phase 2)

**Closing Date:** August 30, 2023

Supplier / Service Provider	Price
G. Williams Paving Ltd.	\$1,499,999.00
G. Tackaberry & Sons Construction Co Ltd.	\$1,615,506.89
GIP Paving Inc.	\$1,684,575.32
Kiley Paving Ltd.	\$1,797,000.00
R.W. Tomlinson Ltd.	\$1,825,489.59
Crains Construction Ltd.	\$1,872,316.15
K. Mulrooney Trucking Ltd.	\$2,227,524.17

**3. Request for Tender: F18-TPW-ES-2023-02**

Construction of Waterside Way Park and Trails

**Closing Date:** September 6, 2023

<b>Supplier / Service Provider</b>	<b>Price</b>
Kiley Paving Ltd.	\$1,218,882.00
Len Corcoran Excavating Ltd.	\$1,256,455.00
Al White Landscaping and Excavating	\$1,282,999.41
Gordon Barr Ltd.	\$1,366,910.00
Strong Bros. General Contracting Ltd.	\$1,944,380.00

**Summary of Non-Standard Procurements over \$100,000  
September 2023 Awards**

**Single Source Procurement**

September 8, 2023

Engineering Services

**Design and Construction Services – Hydro Line Relocation**

The City is undertaking the design and reconstruction of the Gardiners Road and Centennial Drive/Creeksford Road intersection. The intersection is being widened on the north, east and west legs to improve traffic operations and increase the capacity of the intersection, along with other improvements. It is because of this widening that relocation of the hydro line, hydro poles and associated components are necessary.

Hydro One Networks Inc. owns, operates, and maintains the assets located at this intersection and within the general project area, and therefore was necessary that they perform the relocation work.

Supplier / Service Provider	Price
Hydro One Networks Inc.	\$135,074.84

September 11, 2023

Facilities Management & Construction Services

**Interior Display Control System Upgrades**

Replacement of the existing end of life custom control system and video processing equipment at the Leon’s Centre is required. With the upcoming sporting and planned stage events scheduled, it was ~~recommended~~ determined that the City should to maintain the existing vendor, Daktronics, due to their product and configuration familiarity, timely product installation and support services. Leveraging existing software will also reduce costs and potential delays.

Supplier / Service Provider	Price
Daktronics Canada Ltd.	\$143,822.10

## Emergency Procurement

September 8, 2023

Facilities Management & Construction Services

### Fire Alarm System Replacement

An emergency non-standard procurement was required to retain a contractor for the supply and installation of the fire alarm system replacement to address critical fire alarm issues at Rideaucrest Long Term Care Home (“the Home”). Fire alarm faults and trouble codes are occurring more frequently and are clear indicators of the fire alarm system reliability.

To avoid long lead and installation times, David J. Cupido Construction Ltd. was engaged to complete the work. The quote obtained for installing the new fire alarm system underwent a thorough review by Facilities Management and Construction Services staff and the project Engineer. Upon evaluation, it was confirmed that the quote fully aligns with the project scope, meets the specified timelines, and offers good value for the project.

David J. Cupido Construction Ltd. is currently under contract at the Home and is well positioned to accomplish the identified emergency work as they are very familiar with the facility, infection control measures, and working with the staff and residents. Council previously approved budget for this work at the September 19, 2023 Council meeting.

Supplier / Service Provider	Price
David J. Cupido Construction Ltd.	\$1,879,111.25

**By-Law Number 2023-XX**

**A By-Law to Amend By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (Removal of Holding Overlay, 2182 Unity Road)**

**Passed:** [Meeting Date]

**Whereas** the Council of The Corporation of the City of Kingston enacted By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (the “Kingston Zoning By-Law”); and

**Whereas** the property owner has submitted an application requesting the removal of the Holding Overlay from the lands municipally known as 2182 Unity Road; and

**Whereas** in accordance with subsection 5.4 of the Kingston Zoning By-Law, the owner has satisfied the conditions for the removal of the “Second Residential Unit Holding Overlay – Water Supply/Water Quality” on the subject property, including;

- (a) A “Second Residential Unit Holding Overlay – Water Supply/Water Quality” application has been reviewed and approved to the satisfaction of the City’s Environment Division and Utilities Kingston; and
- (b) Clearance has been provided by Engineering Services, Building Services, and CRCA staff for the removal of the “Second Residential Unit Holding Overlay – Water Supply/Water Quality”.

**Therefore be it resolved that** the Council of The Corporation of the City of Kingston enacts as follows:

1. By-Law Number 2022-62 of The Corporation of the City of Kingston, entitled “Kingston Zoning By-Law Number 2022-62”, is amended as follows:
  - 1.1. Schedule “D1” is amended by removing the Second Residential Unit Holding Overlay – Water Supply/Water Quality from the subject lands, as shown on Schedule “A” attached to and forming part of this By-Law.
2. This By-Law will come into force in accordance with the provisions of the *Planning Act*.

Given all Three Readings and Passed: [Meeting Date]

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**Janet Jaynes**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**



# Schedule 'A' to By-Law Number

# Kingston Zoning By-Law 2022-62 Schedule D1 - Second Residential Unit Holding Overlay

Address: 2182 Unity Rd.  
File Number: D28-008-2023

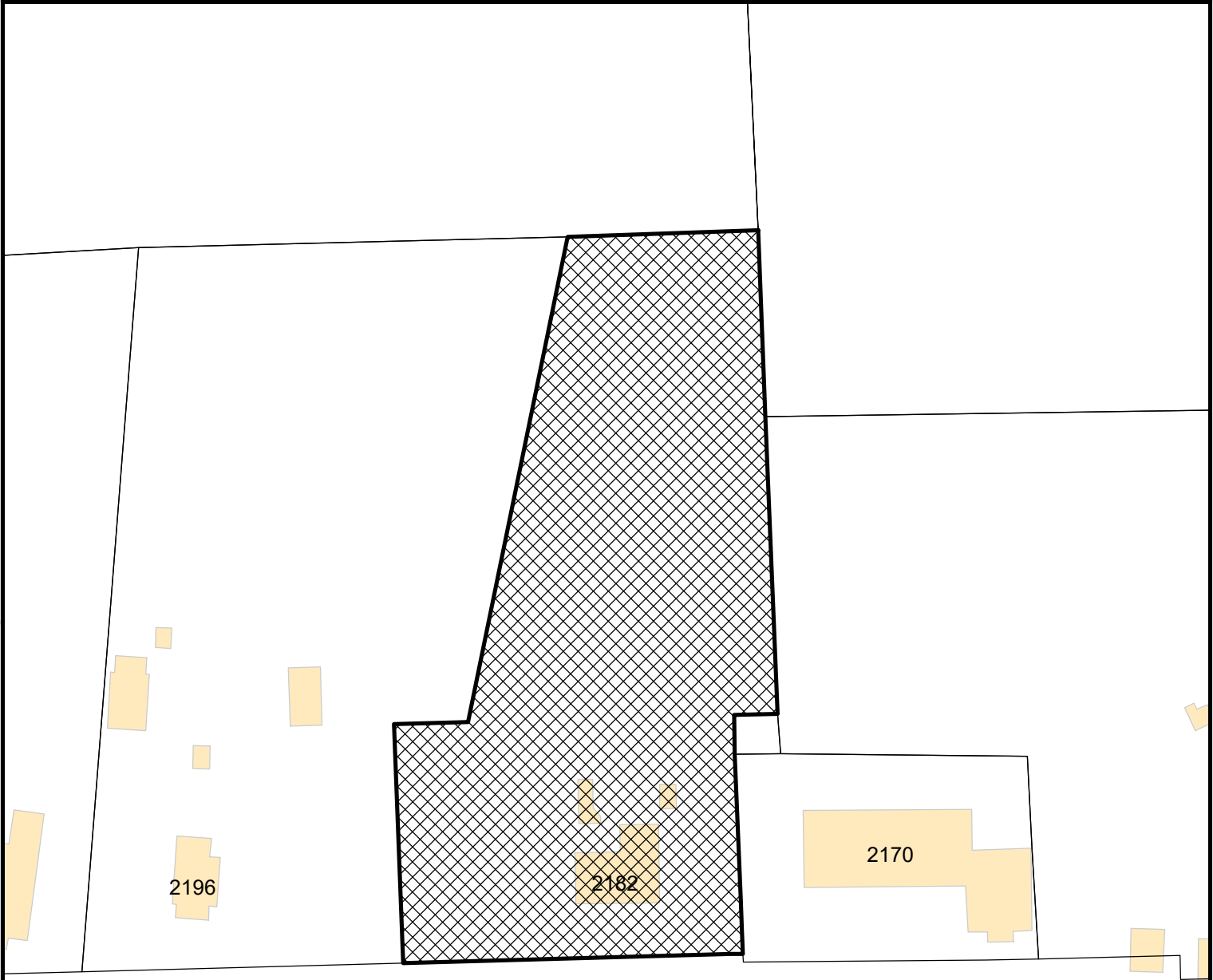
Lands to be Removed from Second Residential  
Unit Holding Overlay (Sch D1)

## Certificate of Authentication

This is Schedule 'A' to By-Law Number \_\_\_\_\_, passed this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
Mayor

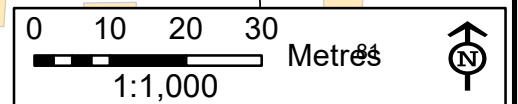
\_\_\_\_\_  
Clerk



Unity Rd

Prepared By: ncameron  
Date: Nov-07-2023

Council Meeting 30 November 21, 2023



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