



City of Kingston
Environment, Infrastructure & Transportation Policies Committee
Minutes

07-2024
June 11, 2024
6:00 p.m.
Council Chamber

Members Present: Councillor Cinanni, Chair
 Councillor Amos
 Councillor Chaves
 Councillor Hassan
 Councillor Stephen
 Councillor Tozzo

Staff Present: Paige Agnew, Commissioner, Growth and Development Services
 Kyle Compeau, Manager, Enforcement
 Jenna Morley, Counsel for the City of Kingston
 Derek Ochej, Deputy City Clerk
 Iain Sullivan, Committee Clerk

Others Present: Councillor Osanic
 Members of the public were present.

1. Call to Order

The Chair called the meeting to order at 6:00 p.m.

2. Approval of the Agenda

Moved by: Councillor Tozzo
Seconded by: Councillor Chaves

That the agenda be amended to include the addendum, and as amended, be approved.

Carried

3. Confirmation of Minutes

Councillor Chaves noted two minor corrections to the minutes for April 8, 2024, which had been circulated to the clerk.

Moved by: Councillor Chaves
Seconded by: Councillor Amos

That the minutes of Environment, Infrastructure and Transportation Policies Committee Meeting Number 04-2024, held Tuesday, April 9, 2024 and the minutes of Special Environment, Infrastructure and Transportation Policies Committee Meeting Number 05-2024, held Tuesday, April 24, 2024, be approved.

Carried

4. Disclosure of Pecuniary Interest

There were none.

Councillor Amos joined the meeting at 5:50 pm.

Councillor Chaves joined the meeting at 5:50 pm.

5. Delegations

1. Joyce Hostyn

Ms. Hostyn conducted a PowerPoint presentation regarding the Yards By-Law Update Report. A copy of the presentation is available upon request through the City Clerk's Department.

Councillor Hassan asked what the difference between a turf lawn versus other plants was. Ms. Hostyn stated that turf lawns were composed of non-native European grasses and native lawns contained a mix of native grasses. She noted that native lawns could still be mowed as needed.

Councillor Osanic asked for confirmation on the changes Ms. Hostyn wanted in the by-law. Ms. Hostyn requested that asphalt be removed as a potential ground cover. She further requested that the noxious weed list be removed and the City use its own list.

Councillor Stephen joined the meeting at 6:03 pm.

2. Lorraine Johnson

Ms. Johnson noted that she writes books on the subject and has seen a growing want to update property standards by-laws. She thanked staff for their work on the project. She asked that the Committee consider a few changes to the proposal before them, namely removing the noxious weed list as it does not apply to urban areas. She further asked that the term

'non-native' be placed on the section regarding turf grass. She noted that municipalities like Toronto and London have done similar projects.

The Committee did not provide comment.

6. Briefings

There were none.

7. Business

1. Yards By-Law Update

Mr. Compeau introduced the report.

Councillor Tozzo asked if naturalized lawns would still be required to conform to the 8 inch maximum height. He further asked if there were progressive fines for the illegal parking of recreational vehicles. He inquired if vehicles could be towed and the owner billed for the expense. Mr. Compeau confirmed that naturalized lawns would be required to follow the same standards. He explained that the City would be pursuing an education and warning approach for enforcement. He stated that there were no set ceilings for the fines that could be issued. He noted that the City could also escalate matters to the court system if required. He confirmed that the City could tow vehicles.

Councillor Amos asked if it would be possible to set up workshops for the public to attend. He sought clarity on what would happen if yard contained an 'offending plant'. He sought further confirmation that the items listed in Section J were a set standard across the province. Mr. Compeau stated that staff were keen to set up workshops this fall to tie into an education campaign. He explained that the onus would be on the complainant to describe the 'offending' plant and staff would go to ensure that is accurate and the provide education to the owner of the property. He confirmed that it was a standard.

Councillor Amos sought to confirm that Section N (5) only applied to private dwellings and not commercial lands. He pointed to section N(b) and asked if that was intended to disallow the storage of recreational vehicles on driveways. He noted that many people do not have detailed knowledge on plants and asked if the by-law officers would be receiving adequate training to enforce the updated by-laws. Mr. Compeau confirmed that it would only apply on private dwellings. He explained that all definitions were remaining the same from the old by-law and that staff were only adding the Administrative Monetary Penalties (AMPs) violations. He further confirmed that training would take place.

Councillor Stephen thanked staff for the update and asked for an explanation regarding asphalt as a suitable covering. She asked for further clarification on whether driveways were included in the definition of yard. Mr. Compeau explained that the coverings had been carried over from the

property standards by-law as it remained the main material for driveways. He noted that it was only an example covering. He confirmed that the term 'yard' covered everything that was not municipal property.

Councillor Chaves asked for clarification on what would happen if asphalt was removed from the document. Ms. Morley stated that it would not impact the ability for that material to be used for driveways.

Councillor Hassan asked for an explanation if this would have an impact on mowing requirements. He sought confirmation that no-mow May would remain a voluntary event. He further asked if any changes were being proposed to the Zoning By-Law related to this. Mr. Campeau stated that during no-mow May staff allow for grass to grow to a higher height. He confirmed that outside of no-mow May height restrictions remained for lawns. He further confirmed that it was a voluntary program and no changes were proposed to the Zoning By-Law at this time.

In response to a question from Councillor Hassan, Mr. Campeau stated that in terms of enforcement if an offending vehicle is removed then there would be no immediate charges. He stated that staff also have the option to use fines to ensure compliance to an order.

Councillor Hassan asked if the City could have residents buy a permit for a recreational vehicle to be parked at a certain places for a specific amount of time. Ms. Morley stated that a permit system had been proposed in 2019 and not adopted by staff. She explained that any amendments here would have to be done via a Zoning By-Law amendment.

Councillor Osanic asked if the definition of inoperative motor vehicles included a vehicle with a flat tire. She inquired if dog waste requirements also applied to backyards. She asked for an explanation of how this would apply to the condominium subdivisions in the City. Mr. Campeau confirmed that the definition included a vehicle with a flat tire. He further confirmed that backyard dog waste fell under the Property Standards By-Law. Ms. Morley explained that condominium corporations would likely have extra enforcement rules in place for residents and enforcement actions from the City would be against the corporation itself.

The Chair provided an opportunity for members of the public to speak. There were no comments received from the public.

Moved by: Councillor Tozzo
Seconded by: Councillor Hassan

That the Environment, Infrastructure & Transportation Policies Committee recommend to Council:

That City of Kingston By-Law Number 2007-136, being “A By-Law to Provide for Maintaining Land in a Clean and Clear Condition”, as amended, be further amended as per Exhibit A to Report Number EITP-24-007; and

That City of Kingston By-Law Number 2005-100, being “A By-Law for Prescribing Standards for the Maintenance and Occupancy of Property Within the City of Kingston”, as amended, be further amended as per Exhibit B to Report Number EITP-24-007; and

That City of Kingston By-Law Number 2020-69, being “A By-Law to Establish a Process for Administrative Monetary Penalties”, as amended, be further amended as per Exhibit C to Report Number EITP-24-007; and

That Council authorize the Director, Licensing and Enforcement Services, or their designate, to place amending by-laws on the Council agenda for all three readings to amend the list of prohibited plants contained in City of Kingston By-Law Number 2007-136, “A By-Law to Provide for Maintaining Land in a Clean and Clear Condition.

Carried

8. Motions

There were none.

9. Notices of Motion

There were none.

10. Other Business

There was none.

11. Correspondence

- 1. Correspondence received, dated June 10 - 11, 2024, regarding the Yards By-Law Update Report**

12. Date of Next Meeting

The next meeting of the Environment, Infrastructure and Transportation Policies Committee is scheduled for Tuesday, August 6, 2024 at 6:00 p.m.

13. Adjournment

Moved by: Councillor Chaves
Seconded by: Councillor Amos

That the Environment, Infrastructure and Transportation Policies Committee adjourn at 6:42 p.m.

Carried