



City of Kingston  
Council Meeting  
Agenda

23-2024

Tuesday, October 1, 2024

7:00 p.m.

Council Chamber

Council will resolve into the Committee of the Whole "Closed Meeting" at 6:15 p.m. and will reconvene as regular Council at 7 p.m.

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Pages

1. **Call Meeting to Order**
2. **Roll Call**
3. **The Committee of the Whole "Closed Meeting"**

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

- a. A proposed or pending acquisition or disposition of land by the municipality or local board - 2312 Princess Street; and
- b. Labour relations or employee negotiations - Canadian Union of Public Employees (CUPE), Local 109 - Collective Bargaining.

4. **Report of the Committee of the Whole "Closed Meeting"**
5. **Approval of Addeds**
6. **Disclosure of Potential Pecuniary Interests**
7. **Presentations**
8. **Delegations**

1. **Stacey Gregory and Ken Barrie - Request for Noise Exemption - Providence Manor Redevelopment Project**

Stacey Gregory, Director of Redevelopment and Planning, Providence Care, and Ken Barrie, Site Supervisor, M. Sullivan & Sons, will appear before Council to speak to Clause 1 of Report Number 84: Received from the Chief Administrative Officer (Consent) with respect to Request for Noise Exemption - Providence Manor Redevelopment Project.

**2. Adam & Cassandra Haws - Notice of Intention to Designate under the Ontario Heritage Act**

Adam & Cassandra Haws will appear before Council to speak to Clause 2 of Report Number 87: Received from Kingston Heritage Properties Committee regarding Notice of Intention to Designate under the Ontario Heritage Act - 831 Montreal Street.

**3. Robert Kiley - Notice of Intention to Designate under the Ontario Heritage Act**

Robert Kiley will appear before Council to speak to Clause 2 of Report Number 87: Received from Kingston Heritage Properties Committee regarding Notice of Intention to Designate under the Ontario Heritage Act - 831 Montreal Street.

**9. Briefings**

**10. Petitions**

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

**1. Motion of Condolences - Harold Tulk**

Moved by: Mayor Paterson

Seconded by: Deputy Mayor Boehme

**That** the sincere condolences of Kingston City Council be extended to the family and friends of former Kingston Fire & Rescue Chief Harold Tulk, who passed away suddenly on September 19, 2024. Chief Tulk served for 42 years in the fire service in Ontario, and was appointed as Fire Chief for the City of Kingston on November 26, 2001, serving until his retirement on December 31, 2012. Chief Tulk played an important role in the merging of three separate fire departments during the amalgamation of the former Pittsburgh and Kingston Townships and the City of Kingston. Our thoughts are with his wife Susan, children Mark and Lindsay, and his grandchildren.

**2. Motion of Condolences - Mac Gervan**

Moved by: Councillor Oosterhof

Seconded by: Councillor Amos

**That** the sincere condolences of Kingston City Council be extended to the family and friends of Mac Gervan who passed away on September 20, 2024 after being fatally struck by a car while walking his beloved dog Zuri. Mac was a cherished father, partner and friend known for his kindness, generosity and commitment to service. He touched the lives of many with his unwavering support, infectious laughter and dedication to his community. Mac's construction company was instrumental in

advancing Kingston's Heritage portfolio over many years and his contribution of excellence will have a legacy in wood and limestone. Mac loved to travel, was an avid gardener, a champion of the arts and loved to golf with his friends. Above all, Mac valued his friends, his family and his community. Our thoughts are with his colleagues, family and friends during this difficult time.

**3. Motion of Recognition - Fire Prevention Week**

Moved by: Councillor Glenn

Seconded by: Councillor Hassan

**That** Kingston City Council recognize October 6 to 12, 2024 as Fire Prevention Week. The campaign for 2024 is "Smoke alarms: make them work for you!". According to the National Fire Prevention Association, smoke alarms reduce the risk of dying in a home fire by more than half, with three out of five fire deaths happening in homes with either no smoke alarms or no working smoke alarms. Kingston Fire & Rescue, along with other fire departments through Ontario and North America, will be educating residents on the importance of installing and maintaining smoke alarms to support this year's theme. Kingston City Council thanks Kingston Fire & Rescue for their work and encourages all residents to test existing smoke alarms and install new smoke alarms where needed.

**12. Deferred Motions**

**13. Report Number 84: Received from the Chief Administrative Officer (Consent)**

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.

**1. Request for Noise Exemption - Providence Manor Redevelopment Project**

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(Report Number 24-231 from the Commissioner, Growth & Development Service)

**That** Sullivan Construction, be granted an exemption from Schedule B of By-Law Number 2004-52, "A By-Law to Regulate Noise", beginning October 10, 2024, and expiring October 10, 2025, to permit amplified sound from Monday to Friday (excluding Holidays), 7:00 p.m. to 11:59 p.m. for construction work related to the Providence Manor Redevelopment Project located at 1200 Princess Street; and

**That** should the provisions related to amplified sound contained in Schedule B of By-Law Number 2004-52, "A By-Law to Regulate Noise" be amended prior to the October 10, 2025, expiration of the exemption granted to Sullivan Construction, the exemption will be voided at the time those amendments come into effect.

**14. Report Number 85: Received from the Chief Administrative Officer  
(Recommend)**

**1. Notice of Objection to Proposed Heritage Designation - 163 Brock Street**

31

(Report Number 24-233 from the Commissioner, Community Services)

(See By-Law Number (1), 2024-365)

**That** Council acknowledges receipt of the Notice of Objection from Dr. Ruth MacSween, dated June 24, 2024, to the proposed designation of the property located at 163 Brock Street, known as the Dupuis House, as a property of cultural heritage value or interest pursuant to Section 29(5) of the Ontario Heritage Act and having considered the objections set out in the Notice of Objection pursuant to Section 29(6), has decided not to withdraw the Notice to Intention to Designate the property; and

**That** Council accordingly reaffirms its approval of the Draft Designation By-Law for 163 Brock Street, known as the Dupuis House; and

**That** Council give all three readings to the Designation By-Law for 163 Brock Street, attached as Exhibit B to Report Number 24-233, and directs the City Clerk to serve a Notice of Passing as prescribed under Section 29(8) of the Act.

**2. Drinking Water Quality Management System - 2023 Management Review Report and Re-endorsement of Operational Plan**

49

(Report Number 24-219 from the President & Chief Executive Officer, Utilities Kingston)

**That** Council receive the Kingston and Cana Drinking Water System Management Review Summary Report 2023 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.

**3. Weather-Based Parking Ban**

128

(Report Number 24-144 from the Commissioner, Infrastructure, Transportation & Emergency Services)

(See By-Law Number (2), 2024-366)

(See By-Law Number (3), 2024-367)

**That** Council make permanent a weather-based winter overnight parking ban during the months of December and March each year, while

maintaining the current full parking ban overnight during the months of January and February; and

**That** the By-Law attached to Report Number 24-144 as Exhibit A, “A By-Law to Amend By-Law Number 2010-128, A By-Law to Regulate Parking, as Amended” be presented to Council for all three readings; and

**That** Council delegate authority to the Director of Public Works & Solid Waste, or their designate, to enact and end a “Declared Weather Event” during the months of March and December of each year; and

**That** the By-Law attached to Report Number 24-144 as Exhibit B, “A By-Law to Amend By-Law Number 2016-189, “A By-Law to Consolidate the Delegation of Powers and Duties, as amended”, be presented to Council for all three readings.

**15. Report Number 86: Received from the Planning Committee**

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. Official Plan & Zoning By-Law Amendment - 2312 Princess Street**

175

(Exhibits C and D to Report Number PC-24-048)

(See By-Law Number (4), 2024-368)

(See By-Law Number (5), 2024-369)

**That** the applications for Official Plan and zoning By-Law amendments (File Number D35-004-2022) submitted by Arcadis, on behalf of 2312 Princess Street Inc., for the property municipally known as 2312 Princess Street, be approved; and

**That** the City of Kingston Official Plan, as amended, be further amended, Amendment Number 88, as per Exhibit C, (Draft By-Law and Schedule A to Amend the Official Plan) to Report Number PC-24-048; and

**That** Kingston Zoning By-Law Number 2022-62, as amended, be further amended, as per Exhibit D (Draft By-Law and Schedule A and B to Amend Zoning By-Law Number 2022-62) to Report Number PC-24-048; 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.

**16. Report Number 87: Received from Kingston Heritage Properties Committee**

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. Application for Ontario Heritage Act Approval - 9 George Street**

186

(Exhibit A to Report Number HP-24-038)

**That** alterations to the property at 9 George Street, be approved in accordance with details as described in the application (P18-084-2024), which was deemed complete on August 7, 2024 with said alterations to include the installation/construction of a second floor addition above an existing one storey addition, a new porch that faces Wellington Street, a new carport over the existing driveway, a new approximately 0.3 metre raised foundation clad in limestone, new windows/surrounds/trim and doors for all openings, new standing seam profile roofing with skylights, new wood siding/trim for the entire building, new window openings on the vestibule and east elevation, two new decks that face the rear yard, and the removal of the existing chimney and two first floor windows on the western elevation; and

**That** the approval of the application is subject to the conditions outlined in Exhibit A to Report Number HP-24-038.

**2. Notice of Intention to Designate under the Ontario Heritage Act**

283

(Exhibits A-H and J-L to Report Number HP-24-039)

Note: The designation of 2973 Orser Road, Exhibit I to Report HP-24-039, was deferred to the October 16, 2024 meeting of the Kingston Heritage Properties Committee.

**That** Council direct staff to serve a Notice of Intention to Designate the property located at 294 Elliott Avenue, known as the Elliott Farmhouse, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-24-039; and

**That** should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 294 Elliott Avenue, known as the Elliott Farmhouse, attached as Exhibit B to Report Number HP-24-039, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

**That** Council direct staff to serve a Notice of Intention to Designate the



property located at 3751 Smith Road, known as the Bell Farmstead, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-24-039; and

**That** should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 3751 Smith Road, known as the Bell Farmstead, attached as Exhibit C to Report Number HP-24-039, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

**That** Council direct staff to serve a Notice of Intention to Designate the property located at 3867 Smith Road, known as the Smith Farmstead, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-24-039 and

**That** should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 3867 Smith Road, known as the Smith Farmstead, attached as Exhibit D to Report Number HP-24-039, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

**That** Council direct staff to serve a Notice of Intention to Designate the property located at 722-766 John Counter Boulevard, known as the John Elliott Farmhouse, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-24-039; and

**That** should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 722-766 John Counter Boulevard, known as the John Elliott Farmhouse, attached as Exhibit E to Report Number HP-24-039, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

**That** Council direct staff to serve a Notice of Intention to Designate the property located at 831 Montreal Street, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-24-039; and

**That** should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-

Law for 831 Montreal Street, attached as Exhibit F to Report Number HP-24-039, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

**That** Council direct staff to serve a Notice of Intention to Designate the property located at 1901 Jackson Mills Road, known as the Jackson Mill, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-24-039; and

**That** should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 1901 Jackson Mills Road, known as the Jackson Mill, attached as Exhibit G to Report Number HP-24-039, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

**That** Council direct staff to serve a Notice of Intention to Designate the property located at 262 Wellington Street, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-24-039; and

**That** should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 262 Wellington Street, attached as Exhibit H to Report Number HP-24-039, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

**That** Council direct staff to serve a Notice of Intention to Designate the property located at 4226 Florida Road, known as the Walker Farmstead, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-24-039; and

**That** should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 4226 Florida Road, known as the Walker Farmstead, attached as Exhibit J to Report Number HP-24-039, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

**That** Council direct staff to serve a Notice of Intention to Designate the property located at 617-619 Union Street, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-24-039; and

**That** should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 617-619 Union Street, attached as Exhibit K to Report Number HP-24-039, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

**That** Council direct staff to serve a Notice of Intention to Designate the property located at 79-83 Princess Street, known as the Robert White Building, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-24-039; and

**That** should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 79-83 Princess Street, known as the Robert White Building, attached as Exhibit L to Report Number HP-24-039, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act.

17. **Committee of the Whole**

18. **Information Reports**

1. **Operating Budget Status Report - August 2024** 347

(Report Number 24-205 from the Chief Financial Officer & City Treasurer)

The purpose of this report is to provide Council with a financial status update of the general operating budget as at August 31, 2024.

19. **Information Reports from Members of Council**

20. **Miscellaneous Business**

Miscellaneous Business Items are voted on as one motion.

1. **Resignation from Housing & Homelessness Advisory Committee - River Hill** 361

(See Communication 23-638)

Moved by: Councillor Ridge

Seconded by: Councillor Tozzo

**That** the resignation of River Hill from the Housing & Homelessness Advisory Committee be received with regret.

21. **New Motions**

1. **Kingston Police Service Board**

Moved by: Mayor Paterson

Seconded by: Councillor Ridge

**Whereas** the Kingston Police Service Board was established under the former Police Services Act where the number of board members was dictated based on the municipality's population, which limited the Kingston Police Service Board to a five-member board based on the City's population; and

**Whereas** Section 31 of the new Community Safety and Policing Act states the police service boards will be composed of five members unless the municipality passes a resolution to change the number of members; and

**Whereas** Section 31 of the new Community Safety and Policing Act states that the board membership can be composed of five, seven or nine members, and where a board with seven members has the following composition:

- a. the head of the municipal council or, if the head chooses not to be or is ineligible to be a member of the board, another member of the municipal council appointed by resolution of the municipality;
- b. two members of the municipal council appointed by resolution of the municipality;
- c. one person appointed by resolution of the municipality, who is neither a member of the municipal council nor an employee of the municipality; and
- d. three persons appointed by the Lieutenant Governor in Council; and

**Whereas** the City of Kingston has experienced and continues to experience significant population growth with an increased level of concern for public safety due to an increase in crime and violence;

**Therefore Be It Resolved That** in accordance with subsection 31(3) of the Community Safety and Policing Act, City Council approve an amendment to the composition of the Kingston Police Service Board from a five-member board to a seven-member board; and

**That** Council direct staff to include the necessary funding in the 2025 operating budget to cover the Lieutenant Governor appointed board members' honorariums; and

**That** City Council direct the Clerk to proceed with appropriate next steps to implement recruitment for the expanded board composition to be effective January 1, 2025.

**22. Notices of Motion**

**23. Minutes**

Distributed to all Members of Council on September 27, 2024.

**That** the Minutes of City Council Meeting Number 21-2024, held Tuesday, September 17, 2024, and Special City Council Meeting Number 22-2024, held Tuesday, September 24, 2024 be confirmed.

**24. Tabling of Documents**

**25. Communications**

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Communications received and distributed to Council between September 10, 2024 to September 24, 2024.

**26. Other Business**

**27. By-Laws**

**That** By-Laws (1) through (6), and (8) be given their first and second reading.

**That** By-Laws (1) through (8) be given their third reading.

**1. A By-Law to Designate the property at 163 Brock Street to be of Cultural Heritage Value and Interest pursuant to the Ontario Heritage Act**

A By-Law to Designate the property at 163 Brock Street to be of Cultural Heritage Value and Interest pursuant to the Ontario Heritage Act

Three Readings

Proposed By-Law Number 2024-365

(Clause 1, Report Number 85)

**2. A By-Law to Regulate Parking**

A By-Law to Amend City of Kingston By-Law Number 2010-128, A By-Law to Regulate Parking

Three Readings

Proposed By-Law Number 2024-366

(Clause 3, Report Number 85)

**3. A By-Law to Consolidate the Delegation of Powers and Duties**

A By-Law to Amend City of Kingston By-Law Number 2016-189, A By-Law to Consolidate the Delegation of Powers and Duties

Three Readings

Proposed By-Law Number 2024-367

(Clause 3, Report Number 85)

**4. Official Plan Amendment - 2312 Princess Street**

A By-Law to Amend The City of Kingston Official Plan (Amendment Number 88, 2312 Princess Street)

Three Readings

Proposed By-Law Number 2024-368

(Clause 1, Report Number 86)

**5. Zoning By-Law Amendment - 2312 Princess Street**

A By-Law to Amend By-Law Number 2022-62, "The Kingston Zoning By-Law" (Transfer of Lands into Kingston Zoning By-Law, Introduction of Exception Number E139, and Removal of Holding Overlay H180 (2312 Princess Street)

Three Readings

Proposed By-Law Number 2024-369

(Clause 1, Report Number 86)

**6. Delegated Authority - A By-Law to Amend By-Law Number 2022-62, "Kingston Zoning By-Law Number 2022-62" (Removal of Holding Overlay, 2251 McKendry Road)**

366

A By-Law to Amend By-Law Number 2022-62, "Kingston Zoning By-Law Number 2022-62" (Removal of Holding Overlay, 2251 McKendry Road)

Three Readings

Proposed By-Law Number 2024-370

(Delegated Authority)

**7. A By-Law to Provide Rules for Governing the Order and Procedures of the Council of The Corporation of the City of Kingston**

A By-Law to Amend City of Kingston 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

Third Reading

By-Law Number 2024-360

(Clause 4, Report Number 80, September 17)

**8. A By-Law to confirm the proceedings of Council at its meeting held on October 1, 2024**

A By-Law to confirm the proceedings of Council at its meeting held on October 1, 2024

Three Readings

Proposed Number 2024-371

(City Council Meeting Number 23-2024)

**28. Adjournment**

**That** Council do now adjourn.