

Subject: Urban Forest Management Plan

Kingston City Council

Cc: Damon Wells,
Director, Public Works

City of Kingston

June 29, 2011

Dear Councillors,

Access to healthy food is increasingly difficult for many Kingstonians. With rising costs, limited resources, time constraints, and lack of proximity to affordable food, the City's lower income and working class areas are the first to suffer the consequences of poor food access and inadequate nutrition. The Kingston Coalition Against Poverty has been considering this issue and would like the City to consider planting fruit bearing trees and shrubs in these neighborhoods as a longer term solution to this issue.

The right to food is a human right specified in the International Covenant on Economic, Social and Cultural Rights (ICESCR), to which Canada is a signatory. The UN Special Rapporteur on the right to food in 2002 defined it as follows: "The right to adequate food is a human right, inherent in all people, to have regular, permanent and unrestricted access, either directly or by means of financial purchases, to quantitatively and qualitatively adequate and sufficient food corresponding to the cultural traditions of people to which the consumer belongs, and which ensures a physical and mental, individual and collective fulfilling and dignified life free of fear." This definition entails all normative elements explained in detail in the General Comment 12 of the ICESCR, which states: "[...] the right to adequate food is realized when every man, woman and child, alone or in community with others, have the physical and economic access at all times to adequate food or means for its procurement."

The 2010 Vital Signs report by the Community Foundation Kingston & Area includes statistics on Income & Poverty and Health & Wellness, which are statistically closely linked. (<http://www.cfka.org/vital-signs-2010>) The Social Planning Council's 2009 Kingston Community Profile maps statistics on income in Kingston, identifying specific areas of the City where financial access to healthy food is most limited. (<http://spckingston.ca/Resources.html>)

As noted in an April 2011 report on sustainable urban forestry: "Growing fruit trees within urban areas takes advantage of vital resources while simultaneously providing social, environmental, and possible economic benefits. From a social perspective, growing fruit directly in communities where it is consumed provides residents with immediate access to healthy food

and can improve food security in poor communities.”

(<http://www.dovetailinc.org/reportsview/2011/sustainable-forestry/pmatt-frankp/utilizing-urban-forests-fruit-production>)

One of the Sustainable Kingston Plan’s Social Indicators is Food and Nutrition: “People in Kingston have access to healthy and affordable food that is available through locally sustainable agriculture, local markets, and community gardens.” Furthermore, one of the Plan’s Economic Indicators is Agriculture: “Kingston has a secure, coordinated and integrated ecological and regional farm and food system based on sustainable farming practices.” Your Table 2: Summary of Official Plan Policies relevant to Kingston’s Urban Forest: Urban Agriculture (Section 3 pg 54) 3.2.8. cites the following: “Community-based initiatives such as community gardens, other form of urban agriculture, and tree planting projects are permitted in all land use designations, subject to site by site evaluation.” The provision of fruit bearing trees would thus fit within the City’s existing policy framework.

Fruit bearing trees also address other current interests of the urban foresting project. In addition to addressing food access in low income areas, the provision of food-bearing trees would make these neighborhoods leaders in local sustainability efforts, would contribute to beautifying these neighborhoods, and would promote healthy communities. They would have an obvious environmental impact, and would promote a healthy, thriving community that will be “praised by visitors for its beauty and vitality”. Many varieties of fruit trees grow in this area and have lengthy productive lives. Apple trees, for example, can produce fruit for approximately 40 years. Planting fruit bearing trees would increase diversity. It would provide an excellent resource for urban adapted and migratory wildlife and birds. Fruit bearing trees increase a sense of well-being, provide food, and bring communities together (as food often can).

One of the priorities that stood out in your report was the need to educate the community about trees, and that you are asking community members to come forth and participate in whatever way possible. We suggest that in addition to targeting low income neighborhoods, perhaps planting fruit bearing trees in school yards, having classes take responsibility for the research, planting and care of the trees will address these desires in a very direct way. Not only will children benefit from healthy snacks for generations to come, as well as learn valuable lessons about the ecosystem and sustainability, but they can also take home the message that trees can be planted on their lawns and that participation in the urban foresting movement can be easy and recreational for families.

The provision of fruit and nut producing trees and shrubs is being pursued in other cities across North America for all of the reasons cited above. We believe that the health and well-being of our most marginalized populations is among the most important, and urge the incorporation of provisions regarding fruit and nut bearing trees and shrubs within the proposed Urban Forest Plan.

Sincerely,

Kingston Coalition Against Poverty

Refer to ARC

PETITION re:
AquaFit + Artillery
Park Pool
36 signatures

353 Sydenham St., Kingston K7K 3N1
July 13, 2011

To Mayor and Councillors
From Aquafit Patrons & Swimmers at Artillery Park

Re: Making Swimming and Aquafit Accessible & Affordable to People of all Ages in Kingston & Area

We are very grateful to be able to use this wonderful facility. We thank all the courteous people who work at the front desk. Aquafit patrons wish to recognize our gifted and dedicated Aquafit instructor Michelle Stych.

We would like to bring the following concerns to your attention:

Cost

- The huge increase in cost for Aquafit memberships (in the case of the undersigned, the cost doubled in two years with more increases to come).
 - The change in "senior" designation from 55 years to 65
 - The requirement to purchase a "Wellness" pass which includes a gym membership whether or not the person is able to use, or wishes to use the gym.
 - These changes were presented as a "fait accompli" without consultation with patrons.
 - We are pleased that the city of Kingston provides assistance to those whose incomes are \$20,000 or below. However, many of us have fairly modest incomes but do not qualify for this assistance.

Health Benefits of Aquatic Exercise

- Those who swim and attend Aquafit faithfully are people who wish to stay fit and healthy. A significant number have been referred to Aquafit by physicians or physiotherapists after surgery or accidents or for other health reasons.
- There is a perception among many patrons that, probably because management does not understand the benefits of Aquafit and swimming, these programmes are not valued. At the meeting at Artillery Park in April of this year where the new membership costs were revealed, little or no attention was paid to the suggestion that the health benefits of aquatic exercise were very important. Management appeared to believe that machines in the gym would be just as effective. Exercise using gym equipment is repetitive and adds undue strain to the joints. Aquafit is recommended by Arthritis specialists.
- We are quite concerned about the proposed renovation to Artillery Park. It is our hope that renovations only include what is necessary and that the pool and the change rooms will be closed for as short a time as possible.
- We understand that management has to balance the needs of many groups and that they must use the dollars allocated to Recreation as wisely as possible. It may be because of scarcity of resources that we have found it difficult to communicate with management. For instance, at the April meeting reference was made to a survey to collect opinions from patrons of Artillery Park last winter. Almost no-one had seen this survey although many of us are at the facility several times a week. For this reason we are contacting you in the hope that you can be helpful in helping us to communicate with management more effectively.

Thank you for your consideration of these concerns
Irene Watt. Please see attached sheet for supporters of this letter.



Memorial Centre Advisory Committee

MEMORANDUM

To: Councillor Glover; Chair, Art, Recreation & Community Policies Committee

From: Mr. James Thompson, Committee Clerk

Date: July 14th, 2011

Subject: Request for Review of Leo Lafleur Pool Fees

At the regular meeting of the Memorial Centre Advisory Committee held on Wednesday July 13th, 2011 the following motion was approved.

THAT the Memorial Centre Advisory Committee recommend that the Arts, Recreation & Community Policies Committee direct Staff to review the current fees for the Leo Lafleur pool.

Sincerely,

James Thompson
Committee Clerk



Affordable Housing Advisory Committee INFORMATION MEMORANDUM

TO: James Thompson, Committee Clerk, Arts, Recreation & Community Policies Committee
FROM: Jannette Amini, Committee Clerk, Clerk's Department
DATE: July 22, 2011
SUBJECT: Affordable Housing Advisory Committee
City Properties for Affordable Housing Land Bank

At the regular meeting of the Affordable Housing Advisory Committee held July 14th, 2011 the following motion was made:

City Properties for Affordable Housing Land Bank

Moved by: Councillor Schell
Seconded by: Councillor Neill

THAT the Affordable Housing Advisory Committee endorse 58 Leroy Grant Drive and 208 Indian Road as the two properties to be included in the City's housing land bank.

CARRIED UNANIMOUSLY

Sincerely,

Jannette Amini,
Affordable Housing Advisory Committee Clerk

While it may be argued that a permit and/or audition system protects local talent, I would beg to differ. This protectionist mentality actually makes it difficult to import talent to the Kingston scene, and does nothing to raise the bar on the level of musicianship at street level. Good, healthy competition is required to improve that, and will not be achieved by additional barriers to the poets, dreamers, experimentalists, provocatives, and indeed the travellers. Without these folks we would not have such great classic songs as King of the Road, or Simon and Garfunkel's America, or The Boxer.

A long-time Canadian busker/busker rights activist, and Queen's University graduate had this to say with regards to auditions :

"I've seen people who can't sing or play particularly well display an infectious love of music, people and city streets. They put a smile on people's faces and make a few dollars too. That's much better entertainment value than someone mechanically reproducing something difficult without any feeling (while maybe being off somewhere else in their heads). That's one reason why I find the idea of auditions to be very wrong. That spontaneous love of the moment can easily get lost in front of some 'experts' in a cold, competitive audition room. You audition in order to get a paid gig, not to be able to be free in public space." Tom Pirosok

While it is true that many municipalities are implementing permit systems, I would urge this Committee resist recommending protectionist measures. I urge this committee to take a more progressive, common sense approach, such as the one taken by Stratford, Ontario's 'Protection to Persons and Property subcommittee', in which Committee chair Jackie Catania noted :

"making "nomadic" buskers play by a rigid set of rules would also stifle a means of expression that has helped kick-start the careers of internationally acclaimed musicians like Justin Bieber and Loreena McKennitt. To me, when you start putting rules and regulations on things then you're crushing that kind of creative spirit."

While it may be argued that there is a need to regulate busking in order to ensure conflicts do not arise, I would argue that any complaints which arise can be addressed by existing legislation. Indeed Stratford police Chief Gerald McEwin, "agreed with Catania that there haven't been many complaints and the ones that do come up can be addressed with existing legislation."

It is my hope that this committee will recommend to council that the permit system is unnecessarily restrictive, and should be abolished. Failing that, at least keep the status quo, rather than an unconstitutional audition for the right to engage in freely entertaining the public.

Carl Beaupre

804 Brock Street

Kingston, Ontario

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No need to license busking: committee

By MIKE BEITZ STAFF REPORTER
 Posted 6 days ago

Leave well enough alone.

The city's protection to persons and property subcommittee took that stance Wednesday, recommending against licensing and regulating buskers in Stratford.

"I don't see the need," said Coun. Bonnie Henderson after a fairly lengthy discussion, which ended in a motion to take no action on the issue. "I think busking has been working fine for years."

Prompted by a few recent complaints, city staff was asked to prepare a report on street performers for the subcommittee, including the possibility of licensing them as a means of preventing potential conflicts.

After consultations with the City Centre Committee, the Stratford Tourism Alliance and Stratford police, staff outlined three options for the subcommittee to consider: sticking with the status quo (no formal regulations), implementing a full-fledged licensing bylaw or expanding a program already in place in which the City Centre Committee manages and pays a pool of professional buskers to perform at specific times in four spots within the downtown core.

City Centre Committee chair Jackie Catania said the association of downtown merchants would be willing to consider expanding on that concept but she made it clear it could turn into a "logistical nightmare."

"My personal feeling is that if it ain't broke, don't fix it," said Catania. "I would really prefer that it just be left alone."

She stressed that there have been very few complaints involving buskers in Stratford -- the staff report identified six to eight in the past two years -- and implementing a complicated licensing process based on a few isolated incidents would be "overkill."

Coun. George Brown, the subcommittee's chair, suggested some regulation may be necessary to avoid friction between performers playing at prime spots around the city.

"To me it comes to the conclusion that anybody that's busking should at least be registered, if not licensed, so that we don't run into these conflicts," said Brown.

And Coun. Brad Beatty noted that without some sort of control, a potential "influx" of buskers into Stratford could eventually become unmanageable.

But Catania reiterated that conflicts involving buskers are few and far between and suggested any complaints that arise are best handled by police, the same way as any other incidents that occur on city streets.

"The fact that somebody's holding a guitar and having an argument on the sidewalk, I don't understand why we have to license everyone," she said.

And making "nomadic" buskers play by a rigid set of rules would also stifle a means of expression that has helped kick-start the careers of internationally acclaimed musicians like Justin Bieber and Loreena McKennitt, she noted.

"To me, when you start putting rules and regulations on things then you're crushing that kind of creative spirit."

Coun. Henderson agreed, adding that the "unwritten code of ethics" that currently exists among buskers is enough.

Asked by Beatty if a licensing bylaw would make it easier for police to deal with complaints over busking, Stratford police Chief Gerald McEwin agreed with Catania that there haven't been many complaints and the ones that do come up can be addressed with existing legislation.

The subcommittee's recommendation to take no action on licensing buskers will be forwarded to city council for consideration.

mbeitz@bowesnet.com

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 - Summer Exhibitions at Gallery Stratford
 - Wheatley Idol Talent Competition - Bring Your Idol Cheers! Sunday, July 31, 2011 at 12:00 noon
 - Jul. 22, 2011
 - Open Closet
 - Jul. 28, 2011
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Don't treat busking as business

Posted 1 month ago

While some will argue that a permit system is necessary to regulate the activity of busking, it is my intention to demonstrate that it is not only counter-productive to regulate this activity, but also contravenes the constitutionally protected rights of individuals to freely engage in this activity without the requirement of first obtaining permission.

You will hear many people argue that we must regulate busking, in order to protect the buskers. Many will argue that some buskers are, in fact, "talentless louts" with nothing to contribute to the cultural improvement of our society. Some will argue that talented buskers need to be protected from these "talentless louts." While it is true that some fall into this category, it is the exception rather than the rule.

These people are not the real problem. The real problem is the panhandling population, which carries a mixed bag of transients, addicts, homeless, inadequately housed, unemployed and underemployed individuals. They were, until recent times, the most disenfranchised people in our society.

Real solutions and supports for the homeless, inadequately housed, underemployed, unemployed and addicts are the only things that can alleviate this problem.

Regulating street entertainers will not. In fact, regulating street entertainers only serves to further marginalize and disenfranchise the "starving artists" in our communities.

Most buskers are very talented individuals who have a need to express themselves through their art, and often have no other venue to do so. To treat busking as a business is misguided. It should be viewed more as an expressive outlet, a venue to perfect the performing art that also allows for the "starving artist" to subsist, while enlivening the streetscape with a vibrant cultural atmosphere. Note here that the public expression of the art is as much an art as the art itself. Regulating this activity only serves to impose performance conditions on these starving artists, by which panhandlers are not obliged to abide. As such, you now create a situation where it is the very people you mean to be protecting who have now become the most disenfranchised people in our communities. This occurs because the buskers are now extended less rights than the panhandlers.

Panhandling itself is protected under the Charter of Rights and Freedoms.

In fact, two organizations in British Columbia -- End Legislated Poverty (ELP) and Anti- Poverty Committee (APC) -- produced and distributed a pamphlet titled: "Vancouver panhandlers Rights," which outlined charter rights.

The right to panhandle also appears to have been acknowledged at a meeting of Kingston's Arts Advisory Committee last year when a city supervisor said there is nothing the city can do regarding panhandling.

Panhandling is actually a legal and constitutionally protected right under the charter. To treat street entertainers in a different manner is discriminatory. Street entertainers must be accorded the same rights as panhandlers who communicate to the public for a gratuity.

To treat street entertainers differently than other groups is a violation of Section 15(1) of the charter: Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability."

A street entertainer should not have to obtain a street entertainer's permit, as entertaining the public for donations or a gratuity is a busker's way of expressing themselves. Here, there is both an artistic expression of self as relates to the community, as well as the sociopolitical expression of a need for help, as, for example, expressed by an open guitar case.

A permit requirement is a prior restraint on speech and therefore bears a heavy presumption: against its constitutionality. It is offensive not only to the values protected under section 2b of the charter, but to the very notion of a free society, that in the context of everyday public discourse, a citizen must first inform the government of his/her desire to speak to his/her neighbours and then obtain a permit to do so.

Both the procedural hurdle of filling out and submitting a written application, and the temporal hurdle of waiting for the permit to be granted may discourage potential speakers.

Advance notification requirements eliminate spontaneous expression, so that immediate speech can no longer respond to immediate issues.

Carl Beaupre Kingston

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