



CITY COUNCIL MEETING NO. 03-2006

January 10th, 2006 at 6:00 pm there will be a Kingston & Frontenac Housing Corporation Shareholder's Meeting in the Council Chambers at City Hall.

(Note: The Shareholder's agenda was distributed on December 30th, 2005)
Council will reconvene as regular Council at 7:30 pm.

ORDERS OF THE DAY

	Page No.
Roll Call.....	3
Committee of the Whole "In Camera"	3
Disclosure of Pecuniary Interest.....	3
Presentations	3
Delegations	3
Briefings.....	3
Petitions	3
Motions of Congratulations/Condolences/Speedy Recovery	4
Report No. 11 of the Committee of the Whole "In Camera"	5
Report No. 12 of the CAO (Consent)	6-8
a) 2006 Interim Tax Levy	schedule pages 1-6
b) 2006 Municipal Borrowing By-Law	schedule pages 7-11
c) Tipi Moza (Iron Homes) Request for Loan for Capital Improvements	schedule pages 12-14
d) Appointment of Statutory Officials By-Law Enforcement Officers	schedule pages 15-18
e) Request from Kingston & Frontenac Housing Corporation to Obtain Approval to Develop a New Affordable Housing Project (111, 123 and 125 Van Order Drive) and Sell Ten Units	schedule pages 19-22
f) The Strong Start Project Selection and Ranking for Affordable Housing	schedule pages 23-27
g) Seeking Authority to Retain Municipal Right of Way Consulting Services to Perform Negotiations for Right of Way Land Acquisitions along John Counter Boulevard as well as Other Various Land Related Matters	schedule pages 28-30
h) Brownfields Application – 300 Wellington Street – Bajus Consulting Inc.	schedule pages 31-40

ORDERS OF THE DAY

	Page No.
Report No. 13 of the CAO (Recommend)	9-10
1. Funding for Utility Bills	schedule pages 41-43
2. Davis Tannery Site for Brownfields Assistance	schedule pages 44-48
3. Signing Authority for a Front-End Agreement with Jerome Taylor to Extend Centennial Drive	schedule pages 49-53
4) Annual Review of Delegation of Authority to Department Heads	schedule pages 54-56
Report No. 14 of the Planning Committee	11-16
Report No. 15 of the Community Services Committee.....	17
Information Reports.....	18
Committee of the Whole.....	18
Miscellaneous Business	18
Motions	20
Notices of Motion	19-20
Minutes	20
Tabling of Documents	21-22
Communications	22-28
By-Laws.....	28-31
Adjournment.....	31

(Council Chamber)

ROLL CALL



THE COMMITTEE OF THE WHOLE "IN CAMERA"



DISCLOSURE OF PECUNIARY INTEREST



PRESENTATIONS

Note: At the Council Meeting held on November 1, 2005, Council approved that the following presenter be allowed 15 minutes in order to make their presentation.

- (1) Corrie Abrams, Chair of the Selection Committee for the Kingston and District Sports Hall of Fame, will make the annual presentation to Council to introduce the new inductees into the Kingston and District Sports Hall of Fame.
(File No. CSU-C13-000-2006)



DELEGATIONS



BRIEFINGS

- (1) Angela McKercher, Youth Advisor for a Smoke Free Ontario, from Kingston Frontenac Lennox & Addington Public Health Unit will present the Mayor with a large golden hand thanking Council for the City of Kingston's Smoke-Free By-law.
(File No. CSU-C13-000-2006)



PETITIONS



MOTIONS OF CONGRATULATIONS/CONDOLENCES/SPEEDY RECOVERY

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

Motions of Congratulations

- (1) Moved by Mayor Rosen
Seconded by Councillor Foster

THAT the congratulations of Kingston City Council be extended to Brigitte McConnell, Lead Volunteer, City Hall Tour Guides, and her husband Bill, on their 50th wedding anniversary December 28, 2005.
(File No. CSU-M11-000-2006)

Motions of Condolence

- (1) Moved by Councillor Garrison
Seconded by Councillor Meers

THAT the condolences of Kingston City Council be extended to Steve Hunter, Fire and Rescue Division, and family on the recent death of his father Mr. Lorne Hunter.
(File No. CSU-M11-000-2006)

- (2) Moved by Councillor Sutherland
Seconded by Deputy Mayor B. George

THAT the condolences of Kingston City Council be extended to Chief Tulk, Fire and Rescue Division, and family on the passing of his Step-Father, Mr. Lawrence Forrester.
(File No. CSU-M11-000-2006)

- (3) Moved by Councillor Beavis
Seconded by Councillor Downes

That the condolences of Kingston City Council be extended to Brandi Timpson, City Clerk's Department and family on the recent death of her grandmother Edna Gallagher.
(File No. CSU-M11-000-2006)



City Council Meeting No. 03-2006
Agenda
January 10, 2006

REPORTS

REPORT NO. 11 OF THE COMMITTEE OF THE WHOLE "IN CAMERA"

Report No. 11

To the Mayor and Members of Council:

The Committee of the Whole "In Camera" reports and recommends as follows:

1. **THAT** Council authorize and direct the Mayor and City Clerk to execute an Agreement of Purchase and Sale, satisfactory to Legal Services, on behalf of The Corporation of the City of Kingston under corporate seal with the Roman Catholic Episcopal Corporation of the Diocese of Kingston in Canada for the purchase of the 0.115 acre strip of land required for the Division Street road widening, at a purchase price of \$22,000.
(File No. CSU-L18-000-2006)
2. **THAT** Council authorize and direct the Mayor and City Clerk to execute an Agreement of Purchase and Sale, satisfactory to Legal Services, on behalf of The Corporation of the City of Kingston under corporate seal with Shirley Cantalini of 804 Division Street for the purchase of an approximately 300 square foot portion of land required for a proposed daylight triangle, at a purchase price of \$1,500.
(File No. CSU-L18-000-2006)



City Council Meeting No. 03-2006
Agenda
January 10, 2006

Page 6

REPORTS

REPORT NO. 12 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

Report No. 12

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:

(a) **2006 Interim Tax Levy**

THAT a by-law be presented and given first and second readings to provide for the levying and collecting of 2006 interim realty taxes, including:

- a) **THAT** the 2006 interim tax bill be no greater than 50% of the 2005 taxes levied; and
- b) **THAT** the rates be as specified in Appendix A attached hereto; and
- c) **THAT** the due date for interim taxes be February 28, 2006; and
- d) **THAT** various payment options be provided; and
- e) **THAT** late payment charges be added to taxes that are in default of 1.25%.

(File No. CSU-F22-000-2006)

(The Report of the Commissioner of Finance and Corporate Performance (06-028) is attached as Schedule Pages 1-6)

(See By-Law No. (1), 2006-019)

(b) **2006 Municipal Borrowing By-Law**

THAT a by-law be presented and given first and second readings to authorize the municipality to borrow up to \$120,000,000 during the January 1, 2006 to September 30, 2006 period and up to \$60,000,000 during the October 1, 2006 to December 31, 2006 period in order to finance the city's current operating expenditures on an interim basis.

(File No. CSU-F11-000-2006)

(The Report of the Commissioner of Finance and Corporate Performance (06-030) is attached as Schedule Pages 7-11)

(See By-Law No. (2), 2006-020)

(c) **Tipi Moza (Iron Homes) Request for Loan for Capital Improvements**

THAT Council approves of a loan in the amount of \$220,400 from the social housing capital reserve fund for capital repairs to units owned by Tipi Moza (Iron Homes); the terms of said loan agreement as approved by the City Solicitor and as set out in By-Law 2003-88 "A By-Law To Authorize The Establishment Of A Social Housing Capital Reserve Fund"

(File No. CSU-F20-000-2006)

(The Report of the Commissioner of Community Development Services (06-033) is attached as Schedule Pages 12-14)

REPORTS

REPORT NO. 12 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

(d) **Appointment of Statutory Officials By-Law Enforcement Officers**

THAT Council waives the rules of By-Law 98-1 being a "Council Procedural By-Law", in order to give all three readings to amend Section 1 of By-Law 98-9 being "A By-Law to Appoint Municipal Law Enforcement Officers of the Corporation of the 'New' City of Kingston" by adding Lisa Moore and Robert Carroll as Municipal Law Enforcement Officers.

(File No. CSU-001-P01-003-2006)

(The Report of the Commissioner of Community Development Services (06-034) is attached as Schedule Pages 15-18)

(See By-Law No. (5), 2006-023)

(e) **Request from Kingston & Frontenac Housing Corporation to Obtain Approval to Develop a New Affordable Housing Project (111, 123 and 125 Van Order Drive) and Sell Ten Units**

THAT City Council approve the Kingston & Frontenac Housing Corporation's request to redevelop the site located at 111, 123 and 125 Van Order Drive in the City of Kingston, in order to build a 49 unit seniors only apartment building and office space for the housing corporation,

-and further-

THAT the Kingston & Frontenac Housing Corporation be granted approval to sell up to ten (10) semi-detached and scattered units, from their current housing portfolio and that funds obtained from the sale of these units be used to assist in developing the property located at 111, 123 and 125 Van Order Drive in the City of Kingston.

-and further-

THAT City Council agree to forward the above noted Recommendations to the Ministry of Municipal Affairs and Housing for Ministerial Consent.

(File No. CSU-S13-000-2006)

(The Report of the Commissioner of Community Development Services (06-036) is attached as Schedule Pages 19-22)

(f) **The Strong Start Project Selection and Ranking for Affordable Housing**

WHEREAS Council granted approval to the Service Manager to proceed with the Strong Start program for 2005-2006 capital funding through the Ministry of Municipal Affairs and Housing (MMAH); and

WHEREAS the Ministry of Municipal Affairs and Housing requires municipal approval based on eligibility and criteria for the affordable housing projects.

THEREFORE IT IS RECOMMENDED THAT Council approve and endorse the Strong Start Affordable Housing proposals, submitted as a result of Request for Proposal (RFP) No. DCS-HD 2005-03, with recommended ranking, as follows and that a copy of this resolution be forwarded to the Ministry of Municipal Affairs and Housing (MMAH) for MMAH funding consideration:

1. Kingston & Frontenac Housing Corporation
2. R. Paul Martin Construction Co Ltd.
3. Tipi Moza (Iron Homes)
4. Phoenix Homes

REPORTS

REPORT NO. 12 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

(File No. CSU-S13-000-2006)

(The Report of the Commissioner of Community Development Services (06-037) is attached as Schedule Pages 23-27)

- (g) **Seeking Authority to Retain *Municipal Right of Way Consulting Services* to Perform Negotiations for Right of Way Land Acquisitions along John Couter Boulevard, as well as Other Various Land Related Matters**

THAT Council authorize the Manager of Engineering to award the "Request For Proposals for right of way land acquisitions and other various land related matters for the City of Kingston" contract to Municipal Right of Way Consulting Services to perform land acquisition negotiations as an agent of the City of Kingston.

-and further-

THAT negotiated land acquisitions be submitted to Council for approval.

(File No. CSU-F31-000-2006)

(The Report of the Commissioner of Growth and Sustainability (06-039) is attached as Schedule Pages 28-30)

- (h) **Brownfields Application – 300 Wellington Street – Bajus Consulting Inc.**

THAT Council approve the application and deem Plan OS, Part Lot C; RP 13R-8115 (Parts 1 and 14), as property eligible to receive Brownfields Financial Tax Incentive Program and Tax Increment Program (BFTIP) and Tax Increment Based Rehabilitation Grant Program (TIRGP) assistance.

-and further-

THAT a by-law be forwarded to Council for the cancellation of property taxes for Education and Municipal purposes for the duration of the rehabilitation period and the development period for the eligible property. Following first and second reading of the by-law to cancel taxes, it will be forwarded to the Ministry of Finance for their approval and, once approved, presented to Council for third reading.

-and further-

THAT staff be directed to negotiate the Brownfields Site Agreement with the developer in a form satisfactory to the Legal Services Division and that the Mayor and Clerk be authorized to execute the Agreement.

-and further-

THAT Council exempt Plan OS, Part Lot C; RP 13R-8115 (Parts 1 and 14), from payment of Development Charges under By-Law 2004-256 and from Impost Fees under By-Law 2004-257 for the remediation and redevelopment of this parcel contemplated by the current application.

(File No. CSU-E05-000-2006)

(The Report of the Commissioner of Growth and Sustainability (06-044) is attached as Schedule Pages 31-40)

(See By-Law No. (4), 2006-022)



REPORTS (CONTINUED)

REPORT NO. 13 OF THE CHIEF ADMINISTRATIVE OFFICER (RECOMMEND)

Report No. 13

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

(1) Funding for Utility Bills

THAT a strategy be developed to create a local program that would permit Utilities Kingston's ratepayers or others to donate to a local "Utility Assistance Fund" to assist those having difficulty paying their utility bills and that this program be in place by September 2006.

(File No. CSU-E06-000-2006)

(The Report of the President and CEO of Utilities Kingston (06-041) is attached as Schedule Pages 41-43)

(2) Davis Tannery Site for Brownfields Assistance

THAT Council acknowledge that, in principle, the Davis Tannery site is eligible for Brownfields assistance under the Brownfield Community Improvement Plan. Final approval of Council shall be conditional on Kincore Holdings Limited and Conestoga Rovers & Associates Limited (or a newly-formed company incorporated by them for the purpose of remediating and redeveloping the Davis Tannery site) becoming the owners of the Davis Tannery Site and making an application for Brownfield funding that is acceptable to the City.

THAT Council approve a conditional payment to Kincore Holdings Limited and Conestoga Rovers Associates Limited, with an upset limit of \$410,000, to compensate them for actual expenses incurred in furtherance of the transaction in the event that the City cannot transfer title to the property because another purchaser has paid the cancellation price in full.

(File No. CSU-E05-000-2006)

(The Report of the Commissioner of Growth and Sustainability (06-032) is attached as Schedule Pages 44-48)

(3) Signing Authority for a Front-End Agreement with Jerome Taylor to Extend Centennial Drive

THAT the Mayor and Clerk be authorized to sign a front-end agreement in a form satisfactory to the Director of Legal Services to reimburse Jerome Taylor for the front-end costs attributed to the extension of Centennial Drive from Crossfield Avenue to Cataraqui Woods Drive.

(File No. CSU-L04-000-2006 and CSU-T04-000-2006)

(The Report of the Commissioner of Growth and Sustainability (06-040) is attached as Schedule Pages 49-53)

REPORTS (CONTINUED)

REPORT NO. 13 OF THE CHIEF ADMINISTRATIVE OFFICER (RECOMMEND)

(4) Annual Review of Delegation of Authority to Department Heads

THAT Council continue to delegate its authority to approve tenders and request for proposals (RFPs) and award contracts to Department Heads of the Corporation of the City of Kingston, in accordance with section 3.4 of the Purchasing By-law No. 2000-134, as amended, when all of the following conditions have been satisfied:

1. When there is a sufficient approved budget;
2. When all conditions for the establishment of prices in the city's purchasing by-law (by-law 2000-134), as amended, have been followed;
3. When the lowest bid or submission is accepted;
4. When at least three tenders have been received.

-and further-

THAT the Finance Department continue to provide an information report to council on a monthly basis, detailing the approvals and award of contracts for each monthly period.

-and further-

THAT this Delegation of Authority become a permanent part of the by-law 2000-134, as amended and that section 3.5 of this by-law be amended accordingly by deleting the sentence: "The delegation of authority will be reviewed on an annual basis".

-and further-

THAT by-law 2000-134, as amended "A By-Law To Establish Purchasing Policies And Procedures For The City Of Kingston" be presented and given first and second readings.

(File No. CSU-F18-000-2006)

(The Report of the Commissioner of Finance and Corporate Performance 06-031) is attached as Schedule Pages 54-56)

(See By-Law No. (3), 2006-021)



REPORTS (CONTINUED)

REPORT NO. 14 OF THE PLANNING COMMITTEE

Report No. 14

To the Mayor and Members of Council:

The Planning Committee reports and recommends as follows:

All items listed on the Planning 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. Approval of Zoning By-Law Amendment – 590 and 620 Cataraqui Woods Drive

THAT Council **APPROVE** the Application for Zoning By-Law Amendment (Our File No. D14-033-2005) submitted by Rogers & Trainor Commercial Realty Ltd., on behalf of Limestone Property Management, for the property located at 590 and 620 Cataraqui Woods Drive, and;

THAT the Township of Kingston Zoning By-Law No. 76-26 be amended as follows:

- 1) **THAT** Map 3 of Schedule "A" to Zoning By-Law No. 76-26 of the former Kingston Township be amended to rezone the subject site known municipally as 590 and 620 Cataraqui Woods Drive from the existing Restricted General Industrial 'M6' Zone to a Special Restricted General Industrial "M6-19" Zone, as shown on Schedule "A" attached to the Agenda.
- 2) **THAT** Section 28A(3)(s) of the By-Law be repealed in its entirety and replaced with the following new section 28A(3)(s) as follows:

"(s) **M6-19:**

Notwithstanding the provisions of Section 28A hereof to the contrary, on the lands designated 'M6-19' on Schedule 'A' hereto, the following regulations shall apply:

i) **PERMITTED USES:**

In addition to the provisions of Section 28A(1), the permitted uses shall also include:

- a. Accessory Wholesale Establishment; and
- b. Accessory Retail Use.

ii) **Maximum Gross Floor Area:**

The maximum combined gross floor area which may be devoted to an accessory wholesale use and/or accessory retail outlet use shall be equal to or lesser than the following:

- a) 25% of the gross floor area of an individual tenant's unit within the building.

iii) **PROHIBITED USES:**

Accessory Dwelling Unit

iv) **LOT AREA (minimum):** 0.5 acres

v) **LOT FRONTAGE (minimum):** 100 feet

REPORTS (CONTINUED)

REPORT NO. 14 OF THE PLANNING COMMITTEE

vi) **PARKING:** In accordance with the provisions of Section 5(16) hereof.”, and;

THAT the Amending By-Law be presented for all three readings.

(See By-Law No. (6), 2006-024)

(File No. CSU-D14-000-2006)

2. Application for Zoning By-Law Amendment – 2490 Isle of Man Road (Kingston East)

THAT, subject to the comments received at the Public Hearing, that the application by Nina Mohan for amendments to the Zoning By-Law No. 32-74 of former Township of Pittsburgh to change the Zone on the lands located at 2490 Isle of Man Road (Kingston East) to protect and preserve an area containing archaeological artifacts, File Number D14-024-2005 **BE APPROVED**; and

THAT the former Township of Pittsburgh By-Law No. 32-74, as amended, be further amended as follows:

- 1) **THAT** Map 1 of Schedule “A” to Zoning By-Law No. 32-74 of the former Township of Pittsburgh be amended so as to rezone a portion of the subject site (approximately 1.2 hectares), known municipally as 2490 Isle of Man Road, in Parts of Lots 1 and 2, Concession 4 and more particularly described as Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 30, 31 and 32 of Reference Plan 13R17992 from the existing Restricted Agricultural ‘A1’ Zone and Limited Service Residential Holding ‘LSR-H’ Zone to a Special Restricted Agricultural ‘A1-57-H’ Zone, as shown on Schedule “A” attached to the Agenda.
- 2) **THAT** By-Law No. 32-74 be amended by **adding** the following new subsection 23(3)(eee) immediately after Section 23(3)(ddd):

“A1-57 2490 Isle of Man Road:

Notwithstanding the provisions of Section 23 hereof to the contrary, on the lands designated ‘A1-57’ on Schedule “A” hereto, the following regulations shall apply:

(i) Special Front Yard Restriction:

Notwithstanding any provisions of this By-Law to the contrary, no buildings or structures may be constructed on or in the ground within the area Zoned ‘A1-57’ and located between the pipeline easement identified as Part 14 of Reference Plan 13R17992 and Isle of Man Road, while a Holding Symbol (-H) applies to the zone.

(ii) Special Holding Symbol Provision:

Notwithstanding the provisions of Section 6(6) to the contrary, development is permitted in accordance with the provisions of Section 23(1), Section 23(2) and Section 23(3)(ddd)(i).

Notwithstanding the provisions of Section 5(24)(iii) to the contrary, the Holding Symbol shall only be removed upon written clearance provided by the Ministry of Culture of Ontario.”, and;

THAT the Amending By-Law be presented for three readings.

(See By-Law No. (7), 2006-025)

(File No. CSU-D14-000-2006)

REPORTS (CONTINUED)

REPORT NO. 14 OF THE PLANNING COMMITTEE

3. Application for Zoning By-Law Amendment – 1836-1844 Middle Road

THAT the application by Joe Oomen for amendments to Zoning By-Law No. 32-74 of the former Township of Pittsburgh to change the Zone on the lands located at 1836 and 1844 Middle Road, Kingston East (File Number D14-022-2005) to comply with the Decision of the Committee of Adjustment No. D13-009-2004 **be approved**; and

THAT the former Township of Pittsburgh By-Law No. 32-74, as amended, be further amended as follows:

1. **THAT** Map 1 of Schedule “A” to Zoning By-Law No. 32-74 of the former Township of Pittsburgh be amended so as to rezone approximately 32 hectares, known municipally as 1836 and 1884 Middle Road, identified as Part of Lots 11, Concession 3 and more particularly described as Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of a Draft Reference Plan prepared by Smith and Smith OLS., dated January 14, 2005 from the existing Restricted Agricultural ‘A1’, ‘A1-10’, General Rural ‘A2’ Zone and Rural Residential ‘RR’ Zone to a Special Restricted Agricultural ‘A1-56’ Zone, as shown on Schedule “A” attached to the Agenda.

2. By **Adding** a new subsection 23(3)(ddd) immediately after Section 23(3)(ccc):

‘A1-56’ 1844 Middle Road:

Notwithstanding the provisions of Section 23 hereof to the contrary, the lands designated ‘A1-56’ on Schedule ‘A’ hereto, shall be developed in accordance with the following provisions:

- (i) Lot Frontage (minimum) - 44 metres
- (ii) Interior Side Yard (minimum) 6 metres

3. **THAT** the By-Law be amended by amending subsection 23(3)(j)(i) by reducing the minimum Lot Area requirement from 2.4 hectares to 2 hectares.

4. **THAT** the By-Law be amended by Adding a new subsection 23(3)(j)(iv) immediately after Section 23(3)(j)(iii):

- “(iv) Lot Frontage (minimum) 85 metres”, and;

THAT the Amending By-Law be presented for three readings.

(See By-Law No. (8), 2006-026)

(File No. CSU-D14-000-2006)

REPORTS (CONTINUED)

REPORT NO. 14 OF THE PLANNING COMMITTEE

4. Application for Zoning By-Law Amendment – 2327 Princess Street

THAT the application for Zoning By-Law Amendment (D14-029-2005) submitted by Holzman Consultants Inc. for the property located at 2327 Princess Street, Kingston West, **BE APPROVED**;

THAT Zoning By-Law No. 76-26, former Township of Kingston be amended as follows:

1. **THAT** Zone Map No. 5 of Zoning By-Law No. 76-26, as amended, is hereby further amended by changing the zone symbol of the subject site from 'R2-9-H' to 'C2-1-H' as shown on Schedule 'A' attached to the Agenda, and;

THAT the Amending By-Law be presented for three readings.

(See By-Law No. (9), 2006-027)

(File No. CSU-D14-000-2006)

5. Zoning Administration – Transfer of Function to Planning Division

- (a) **THAT** in accordance with the provisions of the existing Official Plans regarding Public Notification, that Council forego any public notification / public meeting with respect to the following amendments to the various Zoning By-Laws as the amendments are purely administrative in nature and will not affect the existing provisions of the Zoning By-Laws in any material way.

-and further-

- (b) **THAT** Section 3.1 of **Zoning By-Law No. 8499** (Kingston Central) be **Deleted** in its entirety and be **Replaced** with the following new Section 3.1:

"3.1 **Administration**

Unless otherwise stated, this By-Law shall be administered and enforced by the Director of Planning and Development, or in the absence of the Director, the Manager of Development Approvals or the Manager of Policy Planning or any other authorized member of the Department of Planning and Development."

-and further-

- (c) **THAT** Section 2 of Zoning By-Law No. 96-259 (Downtown and Harbour Zoning By-Law) be amended as follows:

- (i) By **Adding** the following as a new Section 2.1:

"2.1 **ADMINISTRATION**

Unless otherwise stated, this By-Law shall be administered and enforced by the Director of Planning and Development, or in the absence of the Director, the Manager of Development Approvals or the Manager of Policy Planning or any other authorized member of the Department of Planning and Development."

- (ii) By Deleting Section 2.4 ("Inspection") in its entirety and Replacing it with the following new Section 2.4:

"2.4 **INSPECTION**

Any officer or employee of the City of Kingston acting under the direction of the Director of Planning and Development or Chief Building Official is hereby authorized to enter, at all reasonable hours, upon any property or premises in or on which he/she has reason to believe that the provisions of this By-Law are not being obeyed, for the purpose of carrying out his/her duties under this By-Law."

REPORTS (CONTINUED)

REPORT NO. 14 OF THE PLANNING COMMITTEE

- (iii) By **Renumbering** the existing Sections and related Subsections 2.1 through 2.8 inclusive to 2.2 through 2.9 inclusive in order to accommodate the addition of the new Section 2.1.

-and further-

- (d) **THAT Zoning By-Law No. 76-26** (Kingston West) shall be amended as follows:

- (i) By **Deleting** Section 4 Subsection (171) in its entirety and **Replacing** it with the following new Subsection (171):

“(171) **“ZONING ADMINISTRATOR”** means the Director of Planning and Development, or in the absence of the Director, the Manager of Development Approvals or the Manager of Policy Planning or any other authorized member of the Department of Planning and Development.”

- (ii) By **Amending** Section 31 (2)(b) so as to delete the words “Zoning Administrator” in the second last line and add the words “Chief Building Official”, so that as amended Section 31(2)(b) shall now read as follows:

“(b) Notwithstanding the generality of (a) above, where the approval of another agent or authority is required, this shall mean that the written approval of such agent or authority shall be obtained by the applicant and submitted to the Chief Building Official at such time as an application is made for a building permit.”

- (iii) By **Amending** Section 31 (5) so as to add the words “Chief Building Official” in the first line, so that as amended Section 31(5) shall now read as follows:

“(5) **INSPECTION**

The Zoning Administrator, Chief Building Official, Building Inspector or any other officer or employee of the Corporation, acting under the direction of Council, is hereby authorized to enter, at all reasonable hours, upon any property or premises for the purpose of carrying out his/her duties under this By-Law.”

-and further-

- (e) **THAT** Section 1 of **Zoning By-Law No. 97-102** (Catawaqui North Zoning By-Law) be **Amended** so as to **Add** the following new Section 1.7:

“1.7 **ADMINISTRATION**

Unless otherwise stated, this By-Law shall be administered and enforced by the Director of Planning and Development, or in the absence of the Director, the Manager of Development Approvals or the Manager of Policy Planning or any other authorized member of the Department of Planning and Development.”

-and further-

- (f) **THAT** Zoning By-Law No. 32-74 (Kingston East) shall be amended as follows:

- (i) By **Deleting** Section 4 Subsection (155) in its entirety and **Replacing** it with the following new Subsection (155)

“(155) **“ZONING ADMINISTRATOR”** means the Director of Planning and Development, or in the absence of the Director, the Manager of Development Approvals or the Manager of Policy Planning or any other authorized member of the Department of Planning and Development.”

- (ii) By **Deleting** Section 4 (22a) in its entirety and replacing it with the following new Section 4(22a):

“(22a) **“CHIEF BUILDING OFFICIAL”** shall mean the municipal Official adopted pursuant to the Ontario Building Code Act, R.S.O. 1993, Chapter B.23, as amended, and shall include his authorized representatives.”

REPORTS (CONTINUED)

REPORT NO. 14 OF THE PLANNING COMMITTEE

- (iii) By **Amending** Section 26 (4) so as to add the words "Chief Building Official" in the first line, so that as amended Section 26(4) shall now read as follows:

"(4) **INSPECTION**

The Zoning Administrator, Chief Building Official, Building Inspector or any other officer or employee of the Corporation, acting under the direction of Council, is hereby authorized to enter, at all reasonable hours, upon any property or premises for the purpose of carrying out his/her duties under this By-Law."

- (iv) By **Amending** Section 26 (8) so as to **Delete** the words "Zoning Administrator" in the second line and **Add** the words Chief Building Official, so that as amended Section 26(8) shall now read as follows:

"(8) **CERTIFICATE OF OCCUPANCY**


No seasonal dwelling house shall be altered to any other Residential use until a Certificate of occupancy has been issued by the Chief Building Official to the effect that the proposed use conforms to the provisions of this By-Law."

-and further-

(g) **THAT** the Amending By-Laws be presented for all three readings.

(See By-Law No. (10), 2006-028; By-Law No. (11), 2006-029; By-Law No. (12), 2006-030; By-Law No. (13), 2006-031; By-Law No. (14), 2006-032)

(File No. CSU-D14-000-2006)



REPORTS (CONTINUED)

REPORT NO. 15 OF THE COMMUNITY SERVICES COMMITTEE

Report No. 15

19th December 2005

To the Mayor and Members of Council:

The Community Services Committee reports and recommends as follows:

All items listed on the Community Services 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.

STAFF PRESENTATION:

Linda Stevens, Homelessness Services Co-ordinator will provide the long and short term strategies regarding homelessness and energy crisis on low income households for the Kingston area.

1. Recommendation of short and long-term strategies to mitigate the energy crisis impact on low-income households and cold weather exposure on the homeless population in the Kingston Area

THAT Council adopt the following strategy in response to the looming heating crisis for low income families:

Immediate

- \$20,000 from the remaining unallocated 2005 Ontario Works Placement Enhancement Fund be allotted to the existing Utility Bank funds
- \$10,000 be provided to support the Warm Room operations proposed by the Housing Action Coalition (as approved by Council December 13, 2005)

Short Term (January 1, 2006 – June 01, 2006)

- An allotment of \$23,770 from the Housing Division 2006 budget to enhance the Utility Bank Fund
- \$50,000 for a Utilities Outreach Position, from the Working Fund Reserve, reporting to the Community & Family Services Department located within the City of Kingston (as approved by Council December 6, 2005)
- Revisions to the Utility Bank Program such that it would become a grant program rather than a grant/loan program, with a maximum grant payout of \$750.
- An increase in the Ontario Works discretionary benefit maximum for eligible Ontario Works recipients to a maximum of \$500 per household with eligibility being once within every 12 month period rather than every 24 months.
- Consider expanding this strategy to include ODSP recipients pending a comprehensive consideration of budget impact and staffing resources issues.

Long Term

Support staff in researching and developing a comprehensive and integrated homelessness strategy in collaboration with community groups and Utilities Kingston, which will include among other things, possible service enhancements, streamlining access to funds, emergency shelter provision and use, developing enhanced and expanded community partnerships, and improving the energy efficiency of residential buildings,

-and further-

THAT a copy of this resolution be circulated to the Honourable John Gerretsen, M.P.P., the Honourable Dalton McGuinty, Premier, the Honourable Donna Cansfield, Ontario Minister of Energy, the Association of Municipalities of Ontario and all municipalities on our standard mailing list for endorsement,

-and further-

THAT the province be requested to match community raised funds.

(Note: A copy of the staff report (Report No. 06-001) is being distributed separately from the agenda.)

(File No. CSU-S04-000-2006 and CSU-S16-000-2006)

INFORMATION REPORTS



COMMITTEE OF THE WHOLE

A. **THAT** Council resolve into the Committee of the Whole to consider the following appointments.

- (a) **Administrative Policies Committee**
5 Councillors are required for a term ending November 30, 2006.
- (b) **Environment, Infrastructure and Transportation Policies Committee**
5 Councillors are required for a term ending November 30, 2006.
- (c) **Arts, Recreation and Community Policies Committee**
5 Councillors are required for a term ending November 30, 2006.

The following recommendation was deferred at the December 13th Council Meeting:

THAT the composition of the Planning Committee be changed from eight (8) members of Council to five (5) members of Council;

- (d) **Planning Committee**
Councillors are required for a term ending November 30, 2006.

B. **THAT** Council rise from the Committee of the Whole and the Chair report.

C. **THAT** the report of the Committee of the Whole be received, confirmed and approved.



MISCELLANEOUS BUSINESS

Motions of Council are required:

- (1) **THAT** Councillor Smith (Williamsville) and two other members of Council be appointed to the Memorial Centre Revitalization Advisory Committee.
(File No. CSU-C12-000-2006)



City Council Meeting No. 03-2006
Agenda
January 10, 2006


Page 19

MOTIONS

- (1) Moved by Councillor Stoparczyk
Seconded by Councillor Smith

THAT any motions resulting in a budgetary impact are to be referred to staff or the appropriate standing committees for a report and recommendation before being debated at Council.

(File No. CSU-F05-000-2006)



NOTICES OF MOTION

- (1) Moved by Councillor Downes
Seconded by Councillor Meers

WHEREAS during the last municipal election there was no clear mandate for the construction of a Large Venue Entertainment Centre and;

WHEREAS the proposed construction on the Large Venue Entertainment Centre will require an estimated expenditure of 37.3 million dollars expensed in the Capital budget of the Corporation of the City of Kingston and;

WHEREAS the proposed operation of the Large Venue Entertainment Centre will be based on a “public-private” partnership concept never before debated by Kingston City Council to set a policy for such a contractual relationship and;

WHEREAS the business plan for the Large Venue Entertainment Centre is based on several revenue lines such as grants from other levels of government that are still uncertain and;

WHEREAS the construction of the Large Venue Entertainment Centre is an “extraordinary event” in the history of public expenditure in the City of Kingston and;

WHEREAS City Staff have been directed to complete the preparation for the building of the Large Venue Entertainment Centre such as to begin construction in 2006 before the municipal election of November 2006 and;

WHEREAS the taxpayers of the City of Kingston and Kingston City Council have no information on any of the process related to the negotiation of any contracts related to the Large Venue Entertainment Centre but have authorized the Mayor and City Clerk to execute such contracts under an arbitrary timeline of before the next municipal election and;

WHEREAS the LVEC Steering Committee has not met for a significant period of time to allow an open and public process to allow public attendance and participation in this significant and extraordinary expenditure of taxpayer dollars and;

WHEREAS neither the public nor members of Council know the final cost of the Large Venue Entertainment Centre to Kingston taxpayers and;

WHEREAS historically, the most important function of the municipal council is to be publicly accountable to the public in the expenditure of taxpayer dollars and;

NOTICES OF MOTION (CONTINUED)

WHEREAS a referendum question on the Large Venue Entertainment Centre will establish a clear mandate and direction:

THEREFORE, BE IT RESOLVED THAT the Council of the Corporation of the City of Kingston direct the City Clerk to implement the process outlined in the Municipal Elections Act to hold a referendum on the construction of a Large Venue Entertainment Centre in the City of Kingston during the next Kingston Municipal election (November 2006) and;

THAT the City Solicitor word the related question to conform to the Municipal Elections Act and;

THAT Kingston City Council direct staff to complete all preparation for the Large Venue Entertainment Centre and report to Council on the exact amount of all taxpayer dollars expended and to be expended on the Large Venue Entertainment Centre and;

THAT a final design scale model for the Large Venue Entertainment Centre Building and surrounding site be put on display in Memorial Hall found in Kingston City Hall for public view for a time period before the next municipal election deemed reasonable by Kingston City Council and;

THAT once the public is made aware of the final cost and final architectural rendering of the Large Venue Entertainment Centre that;

A referendum question be affixed to the election process of the November 2006 municipal election for the City of Kingston, that subject to the advice of the City Solicitor, would read as follows:

"The City Council of the Corporation of the City of Kingston is proposing the construction of a new Large Venue Entertainment Centre at a cost of (final cost) dollars after an architectural rendering as displayed at Kingston City Hall. Do you support the construction of this facility?" YES NO
(File No. CSU-XXX-000-2006)



MINUTES

THAT the following Minutes of City Council be confirmed:

- Council Meeting No. 29, held November 22, 2005
- Council Meeting No. 1, held December 6, 2005



City Council Meeting No. 03-2006
Agenda
January 10, 2006

Page 21

TABLING OF DOCUMENTS

- 2006-005 Social Housing Services Corporation
2004 Annual Report
(File No. CSU-M04-000-2006)
- 2006-006 Town of Markham
2004 Annual Report
(File No. CSU-F10-000-2006)
- 2006-007 Cataraqui Region Conservation Authority
Full Authority Meeting Minutes – December 14, 2005
(File No. CSU-D03-000-2006)
- 2006-008 Cataraqui Region Conservation Authority
CRCA Member Update – December 2005
(File No. CSU-D03-000-2006)
- 2006-009 Cataraqui Region Conservation Authority
Full Authority General Meeting – Agenda – December 14, 2005
(File No. CSU-D03-000-2006)
- 2006-010 Kingston, Frontenac and Lennox & Addington Public Health
Board Agenda – December 14, 2005
(File No. CSU-S08-001-000-2006)
- 2006-011 Archives Association of Ontario
Newsletter – Volume 22, Number 4, Fall 2005
(File No. CSU-A01-000-2006)
- 2006-012 Frontenac Heritage Foundation
Newsletter – Volume 32, Number 3
(File No. CSU-M06-000-2006)
- 2006-013 Cogeco
Annual Report 2005
(File No. CSU-M04-000-2006)
- 2006-014 Downtown Kingston! Board of Management
Agenda – December 14, 2005
(File No. CSU-A01-001-000-2006)

TABLING OF DOCUMENTS (CONTINUED)

- 2006-015 Downtown Kingston! Board of Management
Minutes – November 9, 2005
(File No. CSU-A01-001-000-2006)
- 2006-016 Ministry of Culture
Introductory Guide – Strengthening Ontario's Heritage
(File No. CSU-R01-000-2006)



COMMUNICATIONS

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

Filed

- 03-031 From Hydro One, advising that customers with lower income who heat their home electrically may be eligible to receive up to \$3,000 in energy-efficiency improvements.
(File No. CSU-E06-000-2006)
- 03-032 From the Committee of Adjustment, a Notice of Decision for the following applications:
CONSENT – PETER SPLINTER – In respect of an application for consent to sever the property at 900-920 Gardiners Road and 2481-2487-2491 Princess Street **BE PROVISIONALLY APPROVED**, subject to conditions. The final date of appeal is January 10, 2006.

CONSENT – JASON BLACK – In respect of an application for consent to sever the property at 342-344 Mack Street **BE PROVISIONALLY APPROVED**, subject to conditions. The final date of appeal is January 10, 2006.

MINOR VARIANCE – JEAN-FRANCOIS MARSOLAIS AND NATHALIE LAVOIE – In respect of an application for minor variance from Zoning By-Law 8499, for the property at 33 Balmoral Court, **BE APPROVED**, subject to conditions. The final date of appeal is January 9, 2006.

CONSENT – ROBINSON PROPERTIES INC. – In respect of an application for consent to sever the property at 1456 Centennial Drive **BE PROVISIONALLY APPROVED**, subject to conditions. The final date of appeal is January 10, 2006.

MINOR VARIANCE – MADAJAMA HOLDINGS LTD. – In respect of an application for minor variance from Zoning By-Law 76-26, for the property at 1585 Centennial Drive, **BE APPROVED**, subject to conditions. The final date of appeal is January 9, 2006.

MINOR VARIANCE – DONALD O'HIGGINS – In respect of an application for minor variance from Zoning By-Law 32-74, for the property at 207 Main Street (Barriefield), **BE APPROVED**, subject to conditions. The final date of appeal is January 9, 2006.

MINOR VARIANCE – BAYHILL DEVELOPMENT LIMITED – In respect of an application for minor variance from Zoning By-Law 76-26, for the property at 775 Strand Boulevard **BE APPROVED**, subject to conditions. The final date of appeal is January 9, 2006.

City Council Meeting No. 03-2006
Agenda
January 10, 2006

Page 23

COMMUNICATIONS

MINOR VARIANCE – THE CORPORATION OF THE CITY OF KINGSTON – In respect of an application for minor variance from Zoning By-Law 32-74, for the property at 933 Innovation Drive **BE APPROVED**, subject to conditions. The final date of appeal is January 9, 2006.
(File No. CSU-D19-000-2006)

- 03-034 From the Town of Oakville, acknowledging receipt of Council's resolution concerning future Utility rate increases.
(File No. CSU-E06-000-2006)
- 03-035 From the Corporation of the City of Oshawa, acknowledging receipt of Council's resolution concerning future Utility rate increases.
(File No. CSU-E06-000-2006)
- 03-036 From the City of Kitchener, advising Council of a resolution which was passed to petition the Province to amend its legislation to remove the requirement for Environmental Assessments for the implementation of traffic calming measures.
(File No. CSU-C10-000-2006)
- 03-037 From the Ministry of Municipal Affairs and Housing, advising Council of the introduction of the Stronger City of Toronto for a Stronger Ontario Act, 2005 legislation which marks a significant shift in how the province relates to municipalities.
(File No. CSU-L11-000-2006)
- 03-038 From the Association of Municipalities of Ontario, advising Council that the Ministry of Municipal Affairs and Housing has introduced Bill 51, the Planning and Conservation Land Statute Law Amendment Act.
(File No. CSU-L11-000-2006)
(Distributed digitally December 15, 2005)
- 03-039 From the Ontario Good Roads Association, advising that if any municipal member would still like to put their name forward for a position on the Board of Directors they must complete and submit the Nomination Form prior to February 1, 2006.
(File No. CSU-A01-000-2006)
- 03-040 From the Corporation of the County of Grey, acknowledging receipt of Council's resolution and voicing their opposition to the third reading and introduction of Bill 123 -Transparency in Public Matters Act.
(File No. CSU-L11-000-2006)
- 03-041 From the City of Oshawa, acknowledging receipt of Council's resolution concerning Bill 123 – Transparency in Public Matters Act.
(File No. CSU-L11-000-2006)

City Council Meeting No. 03-2006
Agenda
January 10, 2006

Page 24

COMMUNICATIONS

- 03-042 From the Association of Municipalities of Ontario, advising that the Provincial Auditor released a report on Ambulance Services that criticizes ambulance response times and other areas of service.
(File No. CSU-S08-000-2006)
(Distributed digitally December 9, 2005)
- 03-043 From the Association of Municipalities of Ontario, advising that Bill 123 – Transparency in Public Matters Act has been recommended for Third Reading without the amendments requested by AMO and other municipal representatives.
(File No. CSU-L11-000-2006)
(Distributed digitally December 9, 2005)
- 03-044 From the Association of Municipalities of Ontario, inviting Council to attend the Energy Reduction Workshop for Municipalities being held on January 25, 2006 in Cornwall.
(File No. CSU-A04-000-2006)
(Distributed digitally January 4, 2005)
- 03-045 From the Ministry of Labour, advising that in approximately a year the Ending Mandatory Retirement Statute Law Amendment Act will come into effect allowing workers to decide when to retire based on lifestyle, circumstance and priorities.
(File No. CSU-L11-000-2006)
- 03-046 From the Association of Municipalities of Ontario, advising that Bill 206 – Ontario Municipal Employee Retirement System Act, received its Second Reading and is being sent to the Standing Committee for further review.
(File No. CSU-L11-000-2006)
(Distributed digitally December 20, 2005)
- 03-047 From the Association of Municipalities of Ontario, providing Council with the Federal Gas Tax implementation update.
(File No. CSU-F11-000-2006)
(Distributed digitally December 20, 2005)
- 03-048 From the Association of Municipalities of Ontario, advising that the Association of Municipalities of Ontario has launched its \$3 billion gap campaign at the August 2005 AMO conference and providing Council with a fact sheet.
(File No. CSU-A01-004-000-2006)
(Distributed digitally December 20, 2005)

City Council Meeting No. 03-2006
Agenda
January 10, 2006

Page 25

COMMUNICATIONS

- 03-049 From the Association of Municipalities of Ontario, updating Council on important matters considered at regular Memorandum of Understanding meetings with the various Provincial ministries as part of their commitment to keep members informed.
(File No. CSU-A01-04-000-2006)
(Distributed digitally December 20, 2005)
- 03-050 From the Association of Municipalities of Ontario, providing Council with notice of a public hearing regarding Bill 206 – Ontario Municipal Employee Retirement System Act being held in Toronto on January 19, 2006.
(File No. CSU-L11-000-2006)
(Distributed digitally December 20, 2005)
- 03-051 From the Association of Municipalities of Ontario, advising that AMO has forwarded a strategy to the Province that integrates waste management, resource use and energy creation.
(File No. CSU-A01-004-000-2006)
- 03-052 From the Association of Municipalities of Ontario, announcing that the Ministry of Health and Long-Term Care has allocated \$83.5 million in funding for diagnostic and medical equipment, some of which will go towards land ambulance and long-term care facility equipment.
(File No. CSU-S08-000-2006)
- 03-053 From the County of Frontenac, supporting and acknowledging receipt of Council's resolution concerning Bill 123 – Transparency in Public Matters Act.
(File No. CSU-L11-000-2006)
- 03-054 From the Corporation of the City of London, acknowledging receipt of Council's resolution concerning Bill 123 – Transparency in Public Matters Act.
(File No. CSU-L11-000-2006)
- 03-055 From John Gerretsen, M.P.P., Kingston and The Islands, acknowledging receipt of Council's resolution concerning future Utility rate increases.
(File No. CSU-E06-000-2006)
- 03-056 From the Town of Oakville, supporting and acknowledging receipt of Council's resolution concerning Bill 123 – Transparency in Public Matters Act.
(File No. CSU-L11-000-2006)
- 03-057 From Dalton McGuinty, Premier of Ontario, acknowledging receipt of Council's resolution concerning future Utility rate increases.
(File No. CSU-E06-000-2006)

City Council Meeting No. 03-2006
Agenda
January 10, 2006

Page 26

COMMUNICATIONS

- 03-058 From Dalton McGuinty, Premier of Ontario, acknowledging receipt of Council's resolution concerning Bill 123 – Transparency in Public Matters Act.
(File No. CSU-L11-000-2006)
- 03-059 From the City of Thunder Bay, acknowledging receipt of Council's resolution concerning future Utility rate increases.
(File No. CSU-E06-000-2006)
- 03-060 From the Corporation of the City of Barrie, acknowledging receipt of Council's resolution concerning Bill 123 – Transparency in Public Matters Act.
(File No. CSU-L11-000-2006)
- 03-061 From the Kingston Police Services Board, supporting Council's resolution to petition the federal government to provide special annual funding to the police budget to offset policing costs associated with the high number of federal penal institutions in the Kingston area.
(File No. CSU-P17-000-2006)
- 03-074 From Loyalist Township, advising that Councillor Duncan Ashley is their Council representative for the Taxi Commission for 2006.
(File No. CSU-C12-000-2006)

Referred to All Members of Council

- 03-033 From the City of Port Colborne, asking for Council's support of a resolution to petition the Province of Ontario to provide relief and remedy for the working families and seniors who are hardest hit by unacceptable spikes in the cost of living and by the likely property tax increases to come as well as ending its downloading of provincial programs and the use of municipal property tax dollars for the subsidization of provincial health and social services programs.
(File No. CSU-C10-000-2006)
- 03-062 From the City of Sarnia, asking for Council's support of a resolution to petition the Minister of Finance and Minister of Municipal Affairs and Housing to defer the 2006 MPAC assessment values until the Ombudsman's investigation into the MPAC process of Property Assessment has been completed.
(File No. CSU-C10-000-2006)
- 03-063 From the Canadian Diabetes Association, asking that Council send a letter via e-mail to our MPP asking him/her to contact the Chair of the Social Policy Committee, Mario Racco, MPP, Thornhill to ask for speedy consideration of Bill 15 – An Act to Amend the Health Insurance Act which proposes that the cost of an insulin pump and its supplies be a covered service by OHIP.
(File No. CSU-L11-000-2006)

City Council Meeting No. 03-2006
Agenda
January 10, 2006

Page 27

COMMUNICATIONS

- 03-064 From the City of Brampton, asking for Council's support of a resolution to petition the Province of Ontario to amend Bill 169 – Transportation Statute Law Amendment Act, 2005 to require the driver of a vehicle to remain stopped until all the children and school crossing guard in the crossing have cleared the roadway.
(File No. CSU-C10-000-2006, and CSU-L11-000-2006)
- 03-066 From the Town of Niagara-On-The-Lake, asking for Council's support of a resolution to disapprove of all the recommendations contained in the Report of the Expert Panel on Water and Wastewater Strategy which gives Regional Municipalities exclusive jurisdiction over all elements of the water and wastewater sector at the exclusion of lower tier municipalities with less than 10,000 customers.
(File No. CSU-C10-000-2006)
- 03-067 From the Ontario Small Urban Municipalities, inviting Council to attend the 53rd Annual Conference and Trade Show being held in the Municipality of Leamington from May 3rd – May 5th, 2006.
(File No. CSU-A04-000-2006)
- 03-068 From the Township of Severn, asking for Council's support of a resolution to petition the Province of Ontario to create an appropriate tax class under the Assessment Act for the Canadian Heritage museum and other similar type non-profit operations.
(File No. CSU-C10-000-2006, and CSU- F22-000-2006)
- 03-069 From the Corporation of the City of Mississauga, asking for Council's support of a resolution to petition the Ministry of Transportation to reconsider the amendments to Bill 169 Transportation Statute Law Amendment Act, 2005 to require the driver of a vehicle to remain stopped until all the children and school crossing guard in the crossing have cleared the roadway.
(File No. CSU-C10-000-2006, CSU-L11-000-2006)
- 03-073 From the City of Sarnia, asking for Council's support of a resolution to petition both the Federal and Provincial governments so that any severance monies received by individuals be taxed only on that amount which is over \$100,000 so the funds can be utilized to solidify his or her financial situation and that a percentage of revenues collected from GST and PST in municipalities be forwarded to the governmental offices of the municipalities from which said monies have been derived.
(File No. CSU-XXX-000-2006)

Referred to the President and CEO of Utilities Kingston

- 03-065 From the Ministry of Environment, advising that municipalities with municipal residential drinking-water systems within a conservation authority can apply for funding for technical studies by January 31, 2005.
(File No. CSU-F11-000-2006)
- 03-070 From the Ministry of the Environment, announcing that the Clean Water Act, 2005 has been introduced into the Ontario Legislature which, if passed, will mandate source water protection planning in Ontario.
(File No. CSU-L11-000-2006)

City Council Meeting No. 03-2006
Agenda
January 10, 2006

Page 28

COMMUNICATIONS

Referred to the CAO

- 03-071 From the Kingston Police Services Board, advising that a motion has been passed to request City Council to initiate discussions with the County of Frontenac regarding the sharing of court security costs as soon as possible in an effort to correct the imbalance that current provincial legislature has created in this area.
(File No. CSU-P17-000-2006)
(Copied to all Members of Council on December 29, 2005)

Referred to the Commissioner of Finance and Corporate Performance

- 03-072 From the Ministry of Municipal Affairs and Housing, providing Council with a brief summary on the new financial regulations and regulatory amendments which provides municipalities with more flexibility and tools to better manage their local financial circumstances.
(File No. CSU-L11-000-2006)



BY-LAWS

- (A) That By-Laws (1) through (15) be given their first and second reading.
- (B) That Clause 8.9 of By-Law No. 98-1 be suspended for the purpose of giving By-Law (5) three readings.
- (C) That By-Laws (5) through (20) be given their third reading.
- (1) A By-Law To Provide For An Interim Tax Levy; Payment Of Taxes By Instalment; To Provide For Penalty And Interest Of 1.25% On Tax Arrears
FIRST AND SECOND READING PROPOSED NO. 2006-019
(See Clause (a), Report No. 12)
- (2) A By-Law To Authorize The Municipality To Borrow Up To \$120,000,000 During The January 1, 2006 To September 30, 2006 Period And Up To \$60,000,000 During The October 1, 2006 To December 31, 2006 Period In Order To Finance The City's Current Operating Expenditures On An Interim Basis
FIRST AND SECOND READING PROPOSED NO. 2006-020
(See Clause (b), Report No. 12)
- (3) A By-Law To Amend By-Law No. 2000-134 "A By-Law To Establish Purchasing Policies And Procedures For The City Of Kingston" (Delegation of Authority)
FIRST AND SECOND READINGS PROPOSED NO. 2006-021
(See Clause (4), Report No. 13)

City Council Meeting No. 03-2006
Agenda
January 10, 2006

Page 29

BY-LAWS

- (4) A By-Law To Cancel Municipal And Education Taxes For 300 Wellington Street, Plan OS, Part Lot C; R.P. 13R-8115 (Parts 1 And 14)
FIRST AND SECOND READINGS PROPOSED NO. 2006-022
(See Clause (h), Report No. 12)
- (5) A By-Law To Amend By-Law 98-9 "A By-Law To Appoint Municipal Law Enforcement Officers In The Corporation Of The 'New' City Of Kingston" (Appoint Lisa Moore And Robert Carroll As Municipal Law Enforcement Officers)
THREE READINGS PROPOSED NO. 2006-023
(See Clause (d), Report No. 12)
- (6) A By-Law To Amend By-Law No. 76-26 Of Former Township Of Kingston, (Zone Change From 'M6' To 'M6-19', 590 And 620 Cataraqui Woods Drive, Kingston West)
THREE READINGS PROPOSED NO. 2006-024
(See Clause (1), Report No. 14)
- (7) A By-Law To Amend By-Law No. 32-74 Of Former Township Of Pittsburgh, (Site Specific Zoning – 'A1' And 'Lsr-H' To 'A1-57-H-', 2490 Isle Of Man Road, Part Of Lots 1 And 2, Concession 4 Geographic Township Of Pittsburgh, City Of Kingston, County Of Frontenac, Kingston East)
THREE READINGS PROPOSED NO. 2006-025
(See Clause (2), Report No. 14)
- (8) A By-Law To Amend By-Law No. 32-74 Of Pittsburgh Now The Corporation Of The City Of Kingston, (Site Specific Zoning – A1, A2 And Rr To A1-5, 1844 Middle Road, Identified As Part Of Lot 11, Concession 3 And More Particularly Described As Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 And 11 Geographic Township Of Pittsburgh, City Of Kingston, Of Draft Reference Plan By Smith And Smith Ols, Dated January 14, 2005)
THREE READINGS PROPOSED NO. 2006-026
(See Clause (3), Report No. 14)
- (9) A By-Law To Amend By-Law No. 76-26 Of Former Township Of Kingston' Site Specific Zoning – 2327 Princess Street, Kingston West-Rezone From 'R2-9-H' Site Specific Residential Type 2 Holding To 'C2-1-H- Site Specific General Commercial Holding, To Permit The Development Of A Supermarket
THREE READINGS PROPOSED NO. 2006-027
(See Clause (4), Report No. 14)
- (10) A By-Law To Amend Zoning By-Law No. 8499 Of The Former City Of Kingston (Zoning Administration)
THREE READINGS PROPOSED NO. 2006-028
(See Clause (5), Report No. 14)

City Council Meeting No. 03-2006
Agenda
January 10, 2006

Page 30

BY-LAWS

- (11) A By-Law To Amend Zoning By-Law No. 96-259 Downtown And Harbour Zoning By-Law Of The Former City Of Kingston (Zoning Administration)
THREE READINGS PROPOSED NO. 2006-029
(See Clause (5), Report No. 14)
- (12) A By-Law To Amend Zoning By-Law No. 76-26 Of The Former Township Of Kingston (Zoning Administration)
THREE READINGS PROPOSED NO. 2006-030
(See Clause (5), Report No. 14)
- (13) A By-Law To Amend Zoning By-Law No. 97-102 (Cataraqui North Zoning By-Law) (Zoning Administration)
THREE READINGS PROPOSED NO. 2006-031
(See Clause (5), Report No. 14)
- (14) A By-Law To Amend Zoning By-Law No. 32-74 Of The Former Township Of Pittsburgh (Zoning Administration)
THREE READINGS PROPOSED NO. 2006-032
(See Clause (5), Report No. 14)
- (15) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, January 10, 2006
THREE READINGS PROPOSED NO. 2006-033
(City Council Meeting No. 03-2006)
- (16) A By-Law To Amend By-Law 2004-360 "A By-law to Define the Composition and Terms of Reference for Committees Established by the Corporation of the City of Kingston" (Replacing Schedule – Realignment of Standing Committees)
THIRD READING PROPOSED NO. 2006-013
(Clause (1), Report No. 9)
- (17) A By-Law To Amend By-Law 2005-10, "A By-Law to Establish Rates and Fees to be Collected by the Corporation of the City of Kingston"
THIRD READING PROPOSED NO. 2006-014
(Clause (3), Report No. 9)
- (18) A By-Law To Declare City-Owned Lands Described As Part "A" (Part 1 On Plan 13R-15438) Of The Former Township Of Kingston.
THIRD READING PROPOSED NO. 2006-009
(See Clause (f), Report No. 2)

City Council Meeting No. 03-2006
Agenda
January 10, 2006

Page 31

BY-LAWS

- (19) A By-Law To Stop Up And Close Part Of The Road Allowance At The Intersection Of Innovation Drive And John Marks Avenue, Concession East Of The Great Cataraqui River, City Of Kingston, Geographic Former Township Of Pittsburgh.
THIRD READING PROPOSED NO. 2006-010
(See Clause (e), Report No. 2)

- (20) A By-Law To Declare Surplus To Municipal Need Part Of The Road Allowance At The Intersection Of Innovation Drive And John Marks Avenue, Concession East Of The Great Cataraqui River, City Of Kingston, Geographic Former Township Of Pittsburgh.
THIRD READING PROPOSED NO. 2006-011
(See Clause (e), Report No. 2)



ADJOURNMENT