



CITY COUNCIL MEETING NO. 19-2006

Tuesday, September 5, 2006 at 7:00 pm in the Council Chambers at City Hall.
 Council will resolve into the Committee of the Whole "In Camera" and
 will reconvene as regular Council at 7:30 pm.

ORDERS OF THE DAY

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ORDERS OF THE DAY

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(Council Chamber)

ROLL CALL



THE COMMITTEE OF THE WHOLE "IN CAMERA"

1. THAT Council resolve itself into the Committee of the Whole "In Camera" to consider the following item(s):
 - (a) Proposed or Pending Disposition of Land

2. THAT Council rise from the Committee of the Whole "In Camera" without reporting.



DISCLOSURE OF PECUNIARY INTEREST



PRESENTATIONS



DELEGATIONS

- (1) Mr. Ian Walsh, President, Kingston Accommodation Partners Inc., will speak to Council regarding A Sport Tourism Opportunity.
(See Motion No. 2)



BRIEFINGS

- (1) Mr. Jeff Garrah, General Manager of KEDCO, will speak to Council, providing their semi-annual progress report.



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

- (a) Moved by Deputy Mayor George
Seconded by Councillor Smith

THAT the congratulations of Kingston City Council be extended to Sylvia Rosen, mother of Mayor Harvey Rosen, on the occasion of her 85th birthday, celebrated on September 3rd, 2006.

Motions of Condolence



City Council Meeting No. 19-2006
Agenda
Tuesday, September 5, 2006

REPORTS

REPORT NO. 100 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

Report No. 100

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) **Exercise Option to Repurchase Employment Lands from Jenkamp Developments Inc. for Alcan Industrial Park**

THAT Council authorize the exercise of the City's Option to Repurchase the Lands more particularly described as Parts 1, 2 and 3 Reference Plan 13R-11991 for the amount of \$123,453, which in accordance with the Option to Repurchase Agreement dated February 4, 2004 represents 90% of the \$137,170 sale price to Jenkamp;

-and further -

THAT the Director of Growth and Initiatives and the Director of Legal Services be authorized and directed to take all steps necessary to exercise and enforce the City's option to repurchase the Lands;

- and further -

THAT the repurchase funds and costs associated with exercising the option and reacquiring ownership of the Lands be charged to the City's Industrial Land Reserve Fund which was where the sale proceeds were deposited in February, 2004;

- and further -

THAT the Mayor and Clerk be authorized to sign all documents, in a form satisfactory to the Director of Legal Services, necessary to give effect to the City's exercise of its option and the repurchase of the Lands.

(File No. CSU-L18-000-2006)

(The Report of the Commissioner of Sustainability and Growth (06-221) is attached as Schedule Pages 1-5)

(b) **Release of Easement for 2487-2491 Princess Street**

THAT Council approve the quit claim and release of any right the City may have in a prescriptive or other easement over Parts 2, 6, 8, 9 and 12 on Plan 13R-18393 and that the Mayor and Clerk be authorized to execute the quit claim and all necessary documents in a form satisfactory to the Director of Legal Services.

(File No. CSU-D15-000-2006)

(The Report of the President & CEO of Utilities Kingston (06-227) is attached as Schedule Pages 6-8)

REPORTS

REPORT NO. 100 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

(c) **Pipe Crossing Agreement between Canadian National Railways and the City of Kingston at Mile 172**

THAT Council authorize the Mayor and Clerk to execute an agreement satisfactory to Legal Services between the City of Kingston and Canadian National Railways to permit the installation and ongoing maintenance of municipal storm drainage works at Mile 172 of the Kingston Station.

(File No. CSU-E02-000-2006)

(The Report of the Commissioner of Public Works & Emergency Services (06-231) is attached as Schedule Pages 9-12)

(d) **Ontario Human Rights Commission Complaint Settlement**

THAT Council authorize the Mayor and Clerk to enter into Minutes of Settlement with the Ontario Human Rights Commission, as outlined in Report No. 06-235, in a final form satisfactory to the Director of Legal Services, the complainant, and the Ontario Human Rights Commission.

(File No. CSU-H00-000-2006)

(The Report of the Commissioner of Public Works & Emergency Services (06-235) is attached as Schedule Pages 13-16)



REPORTS (CONTINUED)

REPORT NO. 93 OF THE ADMINISTRATIVE POLICIES COMMITTEE

Report No. 93 was deferred from the Council meeting on August 22 due to the lateness of that meeting.

Report No. 93

To the Mayor and Members of Council:

The Administrative Policies Committee reports and recommends as follows:

All items listed on the Administrative Policies 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.

08-08-2006

1. **By-Law to Indemnify Council Members and Employees against Legal Proceedings and Damage Awards or Fines**

THAT a by-law be presented, By-Law No. 2006-181, "A By-Law Respecting The Protection Of Municipal Employees And Officers And Members Of Council Of The Corporation Of The City Of Kingston Against Liability Incurred While Acting On Behalf Of The City".

(A copy of the draft by-law was distributed on Friday, August 18, 2006.)

(See By-Law No. (1), 2006-210)

2. **Municipal Election Compliance Audit Committee**

THAT a Compliance Audit Committee be established and that the attached mandate be adopted, it being understood that the Committee shall be delegated all of the responsibilities, powers and functions under Subsections 81 (3), (4), (7), (10) and (11) of the *Municipal Elections Act, 1996* in respect of compliance audit applications; and,

THAT the City Clerk be authorized to solicit interest from auditors, accountants, lawyers, and academics and that the list of potential candidates be submitted to Council for appointment to a Compliance Audit Committee; and,

THAT the Compliance Audit Committee shall recover all costs relating to the retention and hire of an auditor from the applicant requesting the compliance audit, if the auditor's report reveals that there was no apparent contravention and the Committee finds that there were no reasonable grounds for the application as per Subsection 81(11) of the *Municipal Elections Act, 1996*.

(A copy of the Terms of Reference for the Kingston 2006 Election Compliance Audit Committee was distributed on Friday, August 18, 2006.)

3. **Regulation and Control of Lobbying in the Procurement Process and Access to Procurement Information**

THAT a by-law be presented to amend By-Law No. 2000-134, "A By-Law To Establish Purchasing Policies And Procedures For The City Of Kingston";

-and further-

THAT By-Law No. 2000-134, "A By-Law To Establish Purchasing Policies And Procedures For The City Of Kingston" be amended to include:

REPORTS (CONTINUED)

REPORT NO. 93 OF THE ADMINISTRATIVE POLICIES COMMITTEE

1) "no lobbying" provisions as follows:

- a) to prohibit a Prospective Vendor to an Offer to Procure (as defined in the Purchasing By-Law), including a Request for Information, Request for Proposal or Tender, from communicating, either directly or through its representatives (including a third party representative employed or retained by it) for the purpose of promoting its Offer to Procure or opposing any competing Offer to Procure ("Lobbying") with any member of Council, City staff and consultants, appointed members and staff of any City Boards, agency, commission, task force or related organization, including the Kingston Economic Development Corporation, during the period commencing at the City's issuing the Offer to Procure and ending at the time of the award of the contract.

Communication for the purpose of this "No Lobbying" provision shall mean oral or written communications but does not include a communication to the authorized City project contact person, as set out in the Offer to Procure.

- b) In circumstances where the City's Purchasing By-Law requires that the award of contract be made by Council, a Prospective Vendor may request that it be allowed to attend at that Council meeting to speak as a delegation. Any such request must be made to the City Clerk and shall be dealt with in accordance with the City's Procedural By-Law. Other than for the opportunity to request to attend as a delegation before Council, the prohibition against communicating with individual councillors, City staff and others remains in place.
- c) The successful Vendor who is awarded a contract shall be required to certify in writing that it has complied with the "no lobbying" policy as a precondition to the award becoming final and binding.
- d) Where a Prospective Vendor contravenes the "no lobbying" provisions of the Purchasing By-Law the City may at its sole and absolute discretion disqualify the Prospective Vendor from further consideration under the Offer to Procure. In addition to the foregoing, a Prospective Vendor may at the City's sole and absolute discretion be prohibited from being considered for award in any further Offers to Procure for a period of one year from the time the contravention came to the attention of the City.
- e) The determination as to whether a Prospective Vendor has contravened the "no lobbying" provisions and if so, whether that Prospective Vendor shall be disqualified for a contravention of the City's "no lobbying" policy is delegated to the City's Chief Administrative Officer who in making a determination shall consult with the Commissioner of the Group which initiated the procurement, the City Solicitor and the City Treasurer.
- f) City staff be required to report a contravention of the "no lobbying" provisions of the Purchasing By-Law to the City's Treasurer for further investigation and action.
(See Section 2.15 of By-Law No. 2000-134, which was distributed on Friday, August 18, 2006.)

REPORTS (CONTINUED)

REPORT NO. 93 OF THE ADMINISTRATIVE POLICIES COMMITTEE

2) Access to Information Regarding Submitted Proposals or Bids:

a) That the City's policies and procedures with regard to access to information regarding proposals or bids that have been submitted by Prospective Vendors contain provisions that submitted proposals will be treated as public once an award has been made and a contract entered into, subject to the requirements of the Municipal Freedom of Information and Protection of Privacy Act ("MFIPPA") to protect personal information and comply with mandatory and, where appropriate, discretionary exemptions. Prospective Vendors shall be requested to identify any portions of the tender or proposal which contains a trade secret, scientific, technical, financial, commercial or labour relations information supplied in confidence and which will cause harm if disclosed. Notwithstanding the foregoing, Council retains the right in appropriate circumstances to require Prospective Vendors to agree to the disclosure of the entire contents of their bid or proposal.

(See Section 2.12 of By-Law No. 2000-134, which was distributed on Friday, August 18, 2006.)

b) That in circumstances where the Purchasing By-Law provides for Council to award a Request for Proposal or Tender or where staff refer the decision to award to Council, it is recommended that upon request by Council, the proponents scores by criteria, price comparisons (if part of the evaluation) and a staff analysis of the results be presented to Council for awards of greater than \$50,000.

(See Section 3.4, Clause (ii) of By-Law No. 2000-134, which was distributed on Friday, August 18, 2006.)

c) Should Kingston City Council wish to establish a process by which individual Councillors have access to confidential information in relation to a procurement process, it is recommended that such information be available on a view only basis in the office of the appropriate Commissioner upon a formal request in writing using a recommended form. That form would require the Councillor to declare that he or she requires the information in his or her capacity as a member of Council, that the Councillor does not have a conflict of interest and that the information will be treated as confidential and will not be disclosed. To ensure transparency of the procurement process, staff is recommending that a semi-annual report be prepared by the Legal Services Department and provided to Council on the extent of individual Councillor requests that are made.

(See Section 2.15, Clauses (vii) and (viii) of By-Law No. 2000-134, which was distributed on Friday, August 18, 2006.)

(See By-Law No. (2), 2006-211)

(A copy of Report No. AP-06-022 of the Commissioner of Corporate Services was distributed on Friday, August 11, 2006.)

4. Amendments to By-Law No. 2000-134 "A By-Law To Establish Purchasing Policies And Procedures For The City Of Kingston"

THAT a by-law be presented to amend By-Law No. 2000-134, "A By-Law To Establish Purchasing Policies And Procedures For The City Of Kingston", it being understood that the delegated authority to Commissioners and Directors, to approve the award of Contracts remain at the current level of \$50,000 as per section 3.4 of the by-law.

(A copy of the draft by-law was distributed on Friday, August 18, 2006.)

(See By-Law No (2), 2006-211)

REPORTS (CONTINUED)

REPORT NO. 93 OF THE ADMINISTRATIVE POLICIES COMMITTEE

5. **Licensing Review**

THAT a by-law be presented to repeal By-Law No. 2002-255, "A By-Law To License, Regulate And Govern Certain Businesses" to take effect on November 1, 2006; and,

THAT By-Law No. 2006-213 being "A By-Law To License, Regulate And Govern Certain Businesses" be approved; and,

THAT the new By-Law No. 2006-213 take effect on November 1, 2006.

(See By-Law No (3), 2006-212 and By-Law No. (4), 2006-213)

(A copy of the draft by-law was distributed on Friday, August 11, 2006.)



REPORTS (CONTINUED)

REPORT NO. 98 OF THE NOMINATIONS COMMITTEE

Report No. 98 was deferred from the Council meeting on August 22 due to the lateness of that meeting.

Report No. 98

To the Mayor and Members of Council:

The Nominations Committee reports and recommends as follows:

18th July 2006

1. Establish Length of Term for Approval of Citizen Appointments

THAT a by-law be presented to Council to amend By-Law No. 2004-360, "A By-Law To Define The Composition And Terms Of Reference For Committees Established By The Corporation Of The City Of Kingston" to add Section 3.3 "Term for Citizen Appointments" outlining the following criteria:

- a) Members of the public shall be eligible to serve for a maximum of six consecutive years on the same committee;
- b) Members of the public are required to take at least a one year absence after serving on the same committee for six years; after the one year absence, the member of the public shall be eligible to re-apply to serve on the former committee. On the recommendation of the Nominating Committee, a member of the public may, upon application, be appointed beyond six years if there are compelling reasons;
- c) During the one year of absence from a committee, a member of the public may apply to serve on a different committee;
- d) A member of the public, who has been appointed to replace a committee member and is filling a partially completed term, shall be appointed for the balance of that member's term; the new member is eligible to apply for re-appointment for a maximum of six consecutive years.
- e) Renewed membership on a committee is not automatic, any member of the public who wishes to serve for an additional term must submit the approved application form or provide a letter which includes the necessary information in order to be considered for re-appointment;
- f) Committee members shall continue to serve on a committee past the expiration of their term until they are replaced;
- g) Terms of office and membership on some external boards/commissions/ authorities or quasi-judicial committees may differ as specifically outlined under statute or legislation.
(See By-Law No. (5), 2006-214)

REPORTS (CONTINUED)

REPORT NO. 98 OF THE NOMINATIONS COMMITTEE

2. **Recommendation of No Action on the Kingston Frontenac Public Library Request to Review Board Applications**

WHEREAS a request received from the Kingston Frontenac Public Library Board for an opportunity to provide the board with an opportunity to review applications for the Library Board by asking the City Clerk to forward the letters of application to the Library Board so that recommendations for appointment to the Library Board be made to the City of Kingston Nominations Committee; and,

WHEREAS the Nominating Committee reviewed this request, and in light of the fact that previously the Municipality had allowed the Library Board to review applications;

THEREFORE BE IT RESOLVED THAT no action be taken on the request from the Kingston Frontenac Public Library Board to review applications to serve on the Board.



REPORTS (CONTINUED)

REPORT NO. 101 OF THE MULTIPLEX COMMUNITY CENTRE PROJECT STEERING COMMITTEE (MCCP-SC)

Ms. Lanie Hurdle, Director, Project Development, will speak to Council regarding the Multiplex.

Report No. 101

To the Mayor and Members of Council:

The Multiplex Community Centre Project Steering Committee (MCCP-SC) reports and recommends as follows:

24th August 2006

1. Evaluation of Design – Build Proposals for the Multiplex Community Centre

THAT staff be authorized to proceed with the design and the construction of the Multiplex Community Centre; and,

THAT staff be authorized to engage, through a letter of intent, the services of PEAK Engineering & Construction Ltd. for the purposes of finalizing a scope for the design of the facility for an amount not to exceed \$28,112,000 (including optional prices for fitness centre and emergency evacuation centre); and,

THAT staff be directed to negotiate and enter into a contract with PEAK Engineering & Construction Ltd. for the design and construction of the facility and the Mayor and Clerk be authorized to execute all related contracts, amendments and agreements to the satisfaction of the City Solicitor related to phases of the design and construction of the Multiplex Community Centre; and,

THAT Council approves a total project budget in the amount of \$33,607,750 (GST exclusive), with the following financing model:

Financing Alternative	PAYG (2005 – 2008) \$M	*Debt \$M	Total \$M
Cash Flows from Multiplex operations		19,000,000	19,000,000
Development Charges		2,000,000	2,000,000
Parkland Reserve Fund		500,000	500,000
Arena Facility Reserve Fund		1,000,000	1,000,000
Municipal Capital Reserve Fund/Tax base Funding	2,000,000	9,107,750	11,107,750
Subtotal	2, 000,000	31,607,750	33,607,750
Total Financing			33,607,750

- Principal repayment over 30 year term.

REPORTS (CONTINUED)

REPORT NO. 101 OF THE MULTIPLEX COMMUNITY CENTRE PROJECT STEERING COMMITTEE (MCCP-SC)

2. **Detailed Analysis of Operational Models for the Multiplex Community Centre**

THAT 'Model 1 Managed and Operated by the City' as described in Report No: MP-06-006 Exhibit 'A' **BE APPROVED** as the operational model best suited for the Multiplex Community Centre in accordance with an evaluation completed by staff and further to consideration by the Multiplex Steering Committee,

- and further -

THAT operations and maintenance standards and schedules as described in Report No: MP-06-006 Exhibit 'B' **BE APPROVED** with the understanding that the operations and maintenance standards will be enforced.
(Report No: MP-06-006 from Cynthia Beach, Commissioner, Sustainability & Growth Group dated August 24, 2006 is being distributed separately from the agenda.)



REPORTS (CONTINUED)

REPORT NO. 102 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)

Report No. 102

To the Mayor and Members of Council:

The Kingston Municipal Heritage Committee (LACAC) reports and recommends as follows:

14th August 2006

1. **Approval of an Application for Exterior Improvements to Windows for 16 Drummond Street, Barriefield**

THAT Application P18-467-73-06 for a property located at 16 Drummond Street, Barriefield requesting approval for exterior improvements to windows **BE APPROVED** in accordance with a submission dated 01st August 2006 with the suggestion that the exterior trim as proposed by the supplier not be used and that a trim more in keeping with the house would be applied on site;

- and further -

THAT it be understood that trim details will be provided to the Kingston Municipal Heritage Committee at the next meeting.



INFORMATION REPORTS



MISCELLANEOUS BUSINESS

Motions of Council are required:



MOTIONS

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

WHEREAS the Portsmouth Community Correctional Centre (PCCC), located at 508 Portsmouth Avenue in Kingston, has been located next to Polson Park Public School, McCullough Park, Polson Park and very near Runnymede Park; and

WHEREAS the residents of the PCCC are former inmates who have recently completed prison terms, now more frequently than previously, for sexual and physical assaults against children; and

WHEREAS each of the aforesaid school and parks are heavily utilized by this community's children; and

WHEREAS those residents of the PCCC who have recently completed terms of incarceration related to sexual or physical assaults against children are subject to supervisory orders prohibiting them from approaching within limited distances of children by reason of their presenting an unreasonable risk to the safety of children; and

WHEREAS it is only prudent to take action in the face of a perceived risk before, rather than after, such risk becomes a tragic event;

THEREFORE BE IT RESOLVED THAT City Council direct the Mayor to contact the Minister of Public Safety, Stockwell Day, to encourage the Government of Canada to relocate this facility to a more appropriate location in the city that is not in close proximity to a school, playground, park or another area that children frequent.

BE IT FURTHER RESOLVED THAT a copy of this resolution be circulated for information to the Rt. Hon. Steven Harper, Prime Minister; Hon. Peter Milliken, MP for Kingston and The Islands; Hon. Senator Hugh Segal; Hon. Bill Graham, MP, Interim Liberal Leader; Hon. Jack Layton, MP, NDP Leader; Hon. Gilles Duceppe, MP, Bloc Québécois Leader; Ms. Joanne Blais, Director of the Portsmouth Community Correctional Centre; Mr. Ron Sharp, Director of the Limestone District School Board, and to the Federation of Canadian Municipalities.

- (2) Moved by Councillor Pater
Seconded by Councillor Stoparczyk

BE IT RESOLVED THAT City Council supports, in principle, the Sports Tourism Business Model as presented and directs staff to consult with the sports tourism proponents and report back to Council by September 19th on how this would be implemented, particularly with respect to facility and event marketing, facility and ice schedule management, and ensuring adequate supply of ice surfaces for both sports tourism and community use.

MOTIONS

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

WHEREAS the safe crossing of Rideau Street at Rideaucrest Towers has become a source of worry of the residents of Rideaucrest Home and Rideaucrest Towers;

THEREFORE BE IT RESOLVED THAT staff report to Council on the costing of a pedestrian activated crossing light at a time no later than the October 17, 2006 Council meeting.



NOTICES OF MOTION



MINUTES

THAT the Minutes of City Council Meeting No. 18-2006, held Tuesday, August 22, 2006 be confirmed.



TABLING OF DOCUMENTS

2006-59 Kingston, Frontenac, Lennox & Addington (KFL&A) Public Health
Agenda – Board Meeting – August 23rd, 2006
(File No. CSU-S08-001-2006)

2006-60 Association of Ontario Road Supervisors
Newsletter – Summer 2006
(File No. CSU-A01-000-2006)



COMMUNICATIONS

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

19-595 From the City of St. Catharines, advising that it has endorsed Council's resolution regarding licensing of multi-tenant housing.
(File No. CSU-P09-000-2006)

19-596 From the City of St. Catharines, acknowledging receipt of Council's resolution regarding liquor licence act regulations.
(File No. CSU-L11-000-2006)

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COMMUNICATIONS

- 19-601 From the City of Sarnia, advising that it has endorsed Council's resolution regarding licensing of multi-tenant housing.
(File No. CSU-P09-000-2006)
- 19-602 From the City of Sarnia, acknowledging receipt of Council's resolution regarding liquor licence act regulations.
(File No. CSU-L11-000-2006)
- 19-603 From the Ministry of Municipal Affairs and Housing, providing information on the 2007 rent increase guideline, which is 2.6%.
(File No. CSU-L11-000-2006)
- 19-604 From Joanne Chamberlain, Planning and Development, providing information on the Notice of Appeal submitted regarding the Ontario Municipal Board (OMB) application for 334 Johnson Street.
(File No. CSU-L01-001-2006)
- 19-605 From Canada Mortgage and Housing Corporation (CMHC), advising that a plaque dedication ceremony was held on August 21st, 2006 at the Welland Mills affordable housing project, which will create 18 units of affordable housing in the City of Thorold under the Canada-Ontario Affordable Housing Program.
(File No. CSU-A16-000-2006)

Referred to All Members of Council

- 19-590 From the Association of Municipalities of Ontario (AMO), advising Council that AMO President Doug Reycraft presented AMO's submission on Bill 43 to the Standing Committee on Social Policy on August 21, 2006. AMO expressed concern about the proposed Clean Water Act, noting that municipalities have not been heard on three issues fundamental to municipal government: municipal role, extensive new liabilities and lack of stable funding.
(File No. CSU-L11-000-2006)
(Digitally distributed to all Members of Council on August 21, 2006.)
- 19-591 From the Association of Municipalities of Ontario (AMO), advising that Health Canada and the Quebec National Institute for Public Health have partnered to present a two-day symposium in Montreal on October 23-24 to address how public sector professionals can and must adapt to climate change.
(File No. CSU-A04-000-2006)
(Digitally distributed to all Members of Council on August 24, 2006.)
- 19-592 From the Association of Municipalities of Ontario (AMO), providing information and a registration form for the upcoming one-day Energy Workshop – Making the Case for Energy Conservation, to be held September 18th, 2006 at the Mariposa Inn in Orillia.
(File No. CSU-A04-000-2006)
(Digitally distributed to all Members of Council on August 24, 2006.)

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- 19-593 From the Association of Municipalities of Ontario (AMO), providing information on a Creative Approaches in Economic Development Out-trip, as well as registration and program information for the 2006 Counties, Regions and Single Tier (CRST) Municipalities, and District Social Service Administration Boards Annual Conference hosted by the County of Haliburton at the Delta Pinehurst Resort from October 2nd to 4th, 2006.
(File No. CSU-A04-000-2006)
(Digitally distributed to all Members of Council on August 24, 2006.)
- 19-594 From the Association of Municipalities of Ontario (AMO), advising of two important announcements made at the 2006 AMO Conference: a joint Provincial-Municipal Fiscal and Service Delivery review; and the implementation of Provincial Land Tax (PLT) reform.
(File No. CSU-F00-000-2006)
(Digitally distributed to all Members of Council on August 24, 2006.)
- 19-597 From Ms. Jill Irwin, urging Council to reject the recommendation to grant an exemption to the noise by-law on September 16th, 2006 for the Aberdeen Street area and to reject any proposal to close the road around Aberdeen Street on that date.
(File No. CSU-T08-000-2006, CSU-P01-002-2006)
(Digitally distributed to all Members of Council on August 23, 2006.)
- 19-598 From the Association of Municipalities of Ontario (AMO), providing information on the Ontario Public Health Association (OPHA) annual conference – “Cooperation, Collaboration, Synergy: A Foundation for Public Health” - to be held October 25th to 27th, 2006 in Cornwall.
(File No. CSU-A04-000-2006)
(Digitally distributed to all Members of Council on August 28, 2006.)
- 19-599 From Smijie's Bar and Grill, located at 394 Princess Street, requesting an application for a liquor licence from the Alcohol and Gaming Commission of Ontario.
(File No. CSU-P09-000-2006)
- 19-600 From the Association of Municipalities of Ontario (AMO), advising that the City of Ottawa will be hosting the 2007, 2008 and 2009 Annual General Meeting and Conference.
(File No. CSU-A01-004-2006)
(Digitally distributed to all Members of Council on August 29, 2006.)
- 19-606 From the City of Guelph, asking for Council's support of a resolution expressing concern to the Minister of Municipal Affairs that the inclusion of unconfirmed citizenship is not in keeping with the Municipal Election Act and will result in additional cost to municipalities, and inconvenience to voters on election day, and that the Minister be requested to ensure that MPAC complies with the Municipal Elections Act for future elections.
(File No. CSU-C07-000-2006)

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- 19-607 From Loyalist Township, asking for Council's support of a resolution requesting the Province of Ontario to pass a regulation placing a moratorium on the burning of waste derived fuel in all cement kilns until such time that a full environmental assessment as to suitability of using waste derived fuel in cement kilns has been completed; and, if the Province rejects the moratorium on burning of waste derived fuel in cement kilns, then the application of Lafarge North America, Cement Division, Bath plant shall be assessed under the provisions of the Environmental Protection Act, with a public hearing.
(File No. CSU-E11-000-2006)
- 19-608 From Mr. Ian Walsh, Kingston Accommodation Partners, a report entitled "A Sport Tourism Opportunity – Business Case for the City of Kingston as a supplement to the Multiplex Business Plan".
(File No. CSU-R05-002-2006)



BY-LAWS

- (A) THAT By-Laws (1) through (7) be given their first and second reading.
- (B) THAT By-Laws (6) through (21) be given their third reading.



- (1) A By-Law Respecting The Protection Of Municipal Employees And Officers And Members Of Council Of The Corporation Of The City Of Kingston Against Liability Incurred While Acting On Behalf Of The City
FIRST AND SECOND READINGS PROPOSED NO. 2006-210
(See Clause (1), Report No. 93)
- (2) A By-Law To Amend By-Law No. 2000-134, "A By-Law To Establish Purchasing Policies And Procedures For The City Of Kingston" (no lobbying provisions, access to information and housekeeping amendments)
FIRST AND SECOND READINGS PROPOSED NO. 2006-211
(See Clauses (3) and (4), Report No. 93)
- (3) A By-Law To Repeal By-Law No. 2002-255, "A By-Law To License, Regulate And Govern Certain Businesses"
FIRST AND SECOND READINGS PROPOSED NO. 2006-212
(See Clause (5), Report No. 93)
- (4) A By-Law To License, Regulate And Govern Certain Businesses
FIRST AND SECOND READINGS PROPOSED NO. 2006-213
(See Clause (5), Report No. 93)

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- (5) A By-Law To Amend By-Law No. 2004-360, "A By-Law To Define The Composition And Terms Of Reference for Committees Established By The Corporation Of The City Of Kingston" (add Section 3.3, Term for Citizen Appointments
FIRST AND SECOND READINGS PROPOSED NO. 2006-214
(See Clause (1), Report No. 98)
- (6) A By-Law To Provide For The Assumption Of The Public Highways In Phase 3 Of King's Landing Subdivision, Registered Plan 13M-44, In The City Of Kingston, In Accordance With Section 31(4) Of The Municipal Act, Chapter 25, S.O. 2001; And To Provide For The Acceptance By The City Of Kingston, Of The Associated Public Works Within.
THREE READINGS PROPOSED NO. 2006-215
(Delegated Authority)
- (7) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, September 5, 2006
THREE READINGS PROPOSED NO. 2006-216
(City Council Meeting No. 19-2006)
- (8) A By-Law To Stop Up And Close The Parcel Of Land Identified As Parts 1, 2 And 3 On Draft Reference Plan 13R-____ (Clergy Street from University Avenue to Division Street and its Adjacent Laneways)
THIRD READING PROPOSED NO. 2006-162
(See Clause (1), Report No. 84)
- (9) A By-Law To Declare Surplus To Municipal Need And Sell The Parcel Of Land Identified As Parts 1, 2 And 3 On Draft Reference Plan 13R-____ (Clergy Street from University Avenue to Division Street and its Adjacent Laneways)
THIRD READING PROPOSED NO. 2006-163
(See Clause (1), Report No. 84)
- (10) A By-Law To Designate 18 Earl Street To Be Of Cultural Heritage Value Pursuant To The Provisions Of The Ontario Heritage Act (R.S.O. 1990, Chapter 0.18)
THIRD READING PROPOSED NO. 2006-164
(See Clause (15), Report No. 89)
- (11) A By-Law To Amend By-Law No. 99-166, "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board (Add Sandy MacLachlan and Gene Kay; Delete Ronnie Bilow, Jerry Strong and Andrew Aylesworth – Cataraqui Town Centre)
THIRD READING PROPOSED NO. 2006-171
(See Communication No. 18-569)

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- (12) A By-Law To Amend By-Law No. 2005-10, "A By-Law To Establish Rates And Fees To Be Collected By The Corporation Of The City Of Kingston" (amending Hangar Storage in Schedule B)
THIRD READING PROPOSED NO. 2006-172
(See Clause (a), Report No. 91)
- (13) A By-Law To Amend Schedule 3 of By-Law No. 495, "A By-Law To Provide For A Parking Meter Zone In Certain Streets Or Portions Thereof, And To Provide For The Installation, Regulations, Supervision And Control Of Such Parking Meters" (to allow metered parking spaces on the east side of Wellington Street between Place d'Armes and Bay Street, establishing them as three (3) hour maximum stay)
THIRD READING PROPOSED NO. 2006-173
(See Clause (b), Report No. 91)
- (14) A By-Law To Amend By-Law No. 24, "A By-Law For Regulating Traffic In The Highways Of The City Of Kingston, Subject To The Provisions Of The Highway Traffic Act" (to allow metered parking spaces on the east side of Wellington Street between Place d'Armes and Bay Street, establishing them as three (3) hour maximum stay)
THIRD READING PROPOSED NO. 2006-174
(See Clause (b), Report No. 91)
- (15) A By-Law To Amend By-Law No. 81-218, "A By-Law To Provide For Exempting, Pursuant To Permits Issued, The Owners And Drivers Of Vehicles Operated By Or Carrying Persons With Disabilities From The Provisions Of By-Laws Of The City Of Kingston Prohibiting Or Regulating The Parking, Standing Or Stopping Of Motor Vehicles On Any Highway Or Part Thereof In The City Of Kingston" (to create designated accessible parking spaces at three locations: Princess Street, south side west of Division Street; Queen Street, south side east of Division Street; Clarence Street, north side east of Bagot Street, servicing persons with disabilities and to apply a 3 hour stay time limit to all metered accessible spaces and two centrally located non-metered accessible spaces)
THIRD READING PROPOSED NO. 2006-175
(See Clause (k), Report No. 91)
- (16) A By-Law To Amend By-Law No. 495, "A By-Law To Provide For A Parking Meter Zone In Certain Streets Or Portions Thereof, And To Provide For The Installation, Regulations, Supervision And Control Of Such Parking Meters" (to create designated accessible parking spaces at three locations: Princess Street, south side west of Division Street; Queen Street, south side east of Division Street; Clarence Street, north side east of Bagot Street, servicing persons with disabilities and to apply a 3 hour stay time limit to all metered accessible spaces and two centrally located non-metered accessible spaces)
THIRD READING PROPOSED NO. 2006-176
(See Clause (k), Report No. 91)

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- (17) A By-Law To Amend to amend By-Law No. 24, "A By-Law For Regulating Traffic In The Highways Of The City Of Kingston, Subject To The Provisions Of The Highway Traffic Act" (to create designated accessible parking spaces at three locations: Princess Street, south side west of Division Street; Queen Street, south side east of Division Street; Clarence Street, north side east of Bagot Street, servicing persons with disabilities and to apply a 3 hour stay time limit to all metered accessible spaces and two centrally located non-metered accessible spaces)
THIRD READING PROPOSED NO. 2006-177
(See Clause (k), Report No. 91)
- (18) A By-Law To Amend By-Law No. 2003-209, "A By-Law To Regulate Traffic" (to reduce the maximum posted speed limit on Tanner Drive from 50 km/hr to 40 km/hr)
THIRD READING PROPOSED NO. 2006-178
(See Clause (l), Report No. 91)
- (19) A By-Law To Amend By-law No. 2003-209 "A By-Law To Regulate Traffic" (to reduce the maximum posted speed limit on Princess Street, west of Collins Bay and east of Westbrook Road from 80 km/hr to 60 km/hr)
THIRD READING PROPOSED NO. 2006-179
(See Clause (m), Report No. 91)
- (20) A By-Law To Amend By-Law No. 24, "A By-Law For Regulating Traffic In The Highways Of The City Of Kingston, Subject To The Provisions Of The Highway Traffic Act," (to prohibit parking at all times on the entire inside portion of Calderwood Drive and to restrict parking on the outside portion of Calderwood Drive, between 10:00 a.m. and 11:00 a.m. and from 2:00 p.m. to 3:00 p.m. weekdays only)
THIRD READING PROPOSED NO. 2006-180
(See Clause (p), Report No. 91)
- (21) A By-Law To Amend Clause 35 Of Schedule 'A' Of By-Law No. 8892, "A By-Law To Amend By-Law No. 8497, A By-Law To Designate Certain Properties Within The Municipality To Be Of Historic Or Architectural Value Of Interest" (amended designation for 232 King Street East)
THIRD READING PROPOSED NO. 2006-186
(See Clause (2), Report No. 97)



ADJOURNMENT