



## CITY COUNCIL MEETING NO. 06-2007

Tuesday, February 20, 2007 at 5:15 pm in the Council Chambers at City Hall.

There will be a Public Meeting at 7:15 pm

Council will resolve into the Committee of the Whole "In Camera" and will reconvene as regular Council at 7:30 pm.

Pursuant to Ontario Regulation 244-02 of the *Municipal Act, SO 2001*, notice was given that the Corporation of the City of Kingston will be considering a by-law to establish the rates charged by Utilities Kingston for the treatments/distribution of water and the collection/treatment of sewage.

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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) Advice that is subject to solicitor-client privilege and litigation or potential litigation
  - (b) Advice that is subject to solicitor-client privilege and litigation or potential litigation
  - (c) A personal matter about an identifiable individual and labour relations or employee negotiations
  
2. THAT Council rise from the Committee of the Whole "In Camera" without reporting.



## DISCLOSURE OF PECUNIARY INTEREST



## PRESENTATIONS



## DELEGATIONS



## BRIEFINGS

- (1) Ms. Lanie Hurdle, Director, Project Development, and Mr. Tom Finan, PMX Inc., will speak to Council regarding the Kingston Regional Sports and Entertainment Centre Budget and Risk Management Plan.  
(See Clause (2), Report No. 15)
  
- (2) Ms. Desiree Kennedy, City Treasurer, and Mr. Gerard Hunt, Commissioner of Finance and Corporate Performance will speak to Council regarding the Kingston Regional Sports and Entertainment Centre Financial Summary.  
(See Information Report No. 07-084, Page No. 22)



## PETITIONS



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**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 Condolence**

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

**THAT** the sincere condolences of Kingston City Council be extended to the family of the late Wayne King, lawyer.

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

**THAT** the sincere condolences of Kingston City Council be extended to Dianne Davison, Human Resources, and family, on the loss of her son Cheston (Chet) Campbell.



## REPORTS

### REPORT NO. 14 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

#### Report No. 14

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) **Formalize the Continuation of Service Agreements with Queen's University and St. Lawrence College for the "Busit" Transit Pass Program**

**THAT** Council authorize the Mayor and Clerk to enter into the following service agreements with:

- 1) The Alma Mater Society of Queen's University for the "Busit" Transit Pass Program for a five year term expiring the end of August 2011, to provide universal access to transit service in the City of Kingston; with revenue valued at \$707,700 for the 2006/2007 academic year and annual price escalation clauses thereafter, and
- 2) The Student Association of St. Lawrence College for the "Busit" Transit Pass Program for a three year term expiring the end of August 2009, to provide universal access to transit service in the City of Kingston; with revenue valued at \$390,000 for the 2006/2007 academic year and annual price escalation clauses thereafter;

- and further -

**THAT** the said agreements shall be in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Public Works and Emergency Services (07-025) is attached as Schedule Pages 1-3)

(File No. CSU-T03-000-2007)

- (b) **Conversion of the Lower Robert Bruce Memorial Parking Lot from Attended to Pay and Display Operation**

**THAT** a by-law be presented to Council to amend "Schedule A" of By-Law No. 4489, "A By-Law To Regulate, Supervise And Govern The Parking Of Vehicles On Parking Lots And To Fix The Rates And Charges For Parking On Such Parking Lots" to change the rates and times that payment is required, converting the Lower Robert Bruce Parking Lot at 266 Bagot Street from attended to Pay and Display operation.

(The Report of the Commissioner of Public Works and Emergency Services (07-029) is attached as Schedule Pages 4-7)

(File No. CSU-T02-000-2007)

(See By-Law No. (1), 2007-48)

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## REPORTS

### REPORT NO. 14 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

(c) **Ontario Realty Corporation Lease with the City of Kingston for the Registry Office at 1 Court Street**

**THAT** Council authorize the Mayor and Clerk to execute a lease extension and amendment agreement at 1 Court Street with Ontario Realty Corporation, as Agent on Behalf of Her Majesty the Queen in Right of Ontario as represented by the Minister of Public Infrastructure Renewal, for a term of five (5) years, subject to a reciprocal cancellation option upon six months' notice, commencing January 1, 2007, at an annual rent of \$96,009, which includes base rent of \$8.34 per square foot for the ground level and \$5.00 per square foot for the basement level, and the recovery of base operating costs of \$7.57 per square foot, the amount which is subject to escalation annually.

(The Report of the Commissioner of Corporate Services (07-077) is attached as Schedule Pages 8-11)

(File No. CSU-L15-000-2007)

(d) **Approval for the Preparation of a Site Specific Risk Assessment for the Knox Farm Land**

**THEREFORE BE IT RESOLVED THAT** Council confirm the preparation of a closure plan for the Knox Farm dredge material from the Cataraqui River that involves the completion and submission of a Site Specific Risk Assessment;

- and further -

**THAT** it is recognized that the closure plan will contemplate leaving some or all of the dredge material on site requiring future land use activities to be restricted to a range of future uses such as industrial, commercial or similar type uses, if necessary.

(The Report of the President & CEO of Utilities Kingston (07-082) is attached as Schedule Pages 12-18)

(File No. CSU-D11-000-2007)

(e) **Awarding of an Access Agreement to Poly-Pacific International Inc. for the Purpose of Assessing Fibre Resource within a Closed Landfill Site**

**THAT**, for the sum of one dollar (\$1.00), Council grant Poly-Pacific International Inc. an agreement, satisfactory to the Director of Legal Services, to access the Kingston West Landfill for the sole purpose of conducting an assessment of fibre resource which may or may not be contained within.

(The Report of the Commissioner of Sustainability and Growth (07-085) is attached as Schedule Pages 19-27)

(File No. CSU-E07-000-2007)

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**REPORTS (CONTINUED)**

**REPORT NO. 15 OF THE CHIEF ADMINISTRATIVE OFFICER (RECOMMEND)**

**Report No. 15**

To the Mayor and Members of Council:  
 The Chief Administrative Officer reports and recommends as follows:

**(1) Agreement with Creative Outdoor Advertising for Rights to Sell Bus Stop Bench Advertising – Update to Council**

**THAT** Council authorize the Mayor and Clerk to enter into an advertising agreement with Creative Outdoor Advertising for the exclusive right to supply bus stop benches and to sell third party advertising on all bus stop benches in the City of Kingston for a period of 5 years with provisions for a 5 year extension; for revenue of approximately \$11,000 per year plus \$165.00 per installed bench annually;

- and further -

**THAT** the said agreement shall be in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Public Works and Emergency Services (07-080) is attached as Schedule Pages 28-31)

(File No. CSU-M01-000-2007)

**(2) Kingston Regional Sports and Entertainment Centre Risk Management Budget Update**

1. **THAT** Council approve a budget increase of \$4,345,000 for the Kingston Regional Sports and Entertainment Centre, with the following financing options:

- A. Option 1 – That Council pursue the Federal Grant Funding in accordance with the Minister's letter dated May 30<sup>th</sup>, 2006;
- B. Option 2 – That council approve the following financing options should the City not be successful in receiving the Federal Grant Funding.

Financing Options	CASH \$M	Debt \$M	Total \$M
1. Adjustment to the Operational Benchmark		\$500,000	\$500,000
2. Lease of Restaurant and Sports Café		\$500,000	\$500,000
3. Environmental Reserve Fund	\$505,000		\$505,000
4. Parking Incremental Revenues		\$500,000	\$500,000
5. Municipal Capital Reserve Fund	\$2,340,000		\$2,340,000
<b>Total</b>	<b>\$2,845,000</b>	<b>\$1,500,000</b>	<b>\$4,345,000</b>

2. **THAT** council direct staff to review and negotiate the appropriate change to the operational benchmark to reflect the leased furniture, fixtures and equipment that are now being capitalized;

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**REPORTS (CONTINUED)**

**REPORT NO. 15 OF THE CHIEF ADMINISTRATIVE OFFICER (RECOMMEND)**

3. **THAT** Council directs staff to work with Arcturus/SMG to identify any potential partnerships or third party operator for the restaurant and sports café areas and that staff report back to council on options, and;
  
4. **THAT** the fundraising campaign begin immediately.  
The Report of the Commissioner of Sustainability and Growth (07-081) is attached as Schedule Pages 47-158.  
(File No. CSU-R05-001-2007)



**REPORTS (CONTINUED)**

**REPORT NO. 16 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)**

**Report No. 16**

To the Mayor and Members of Council:  
The Kingston Municipal Heritage Committee (LACAC) reports and recommends as follows:

February 5, 2007

1. **Approval for Meeting the Conditions of Consent Further to the Terms of Council Approval and the Conditions of an Ontario Municipal Board Decision at 273 Main Street, Barriefield**

**WHEREAS** Council approved a specific definition of 'retain' and 'restore' with regard to 273 Main Street, Barriefield on July 20, 2005; and,

**WHEREAS** the Kingston Municipal Heritage Committee has established a working group to oversee the retention and restoration of this property; and,

**WHEREAS** this working group feels that the property will be retained and restored in accordance with the terms of the Council approval and the conditions of Ontario Municipal Board Decision 0625 on March 16, 2005;

**THEREFORE BE IT RECOMMENDED** that for the purposes of meeting the conditions for Consent UCOA639-02, that the recommendations for retention and restoration of the property at 273 Main Street, Barriefield have been met, and that the deed may be stamped;

- and further -

**THAT** it be understood that any unfinished and unapproved works will need to receive the approbation of Council by way of the Kingston Municipal Heritage Committee in accordance with the requirements of the Ontario Heritage Act.

2. **Approval of an Application for Signage at 60 Brock Street**

**THAT** Application P18-075-005-2007 for a property located at 60 Brock Street requesting approval for signage to include signage on the window **BE APPROVED** in accordance with a submission dated 24th January 2007 with the understanding that signage can be located in either location A or B, with consideration being given to fastenings being reviewed for structural integrity into existing material there;

- and further -

**THAT** fasteners fit within existing joints without damaging existing masonry units, and if not, that fasteners should be a minimum of 2" away from the edge;

- and further -

**THAT** guide fasteners will need to be installed to secure this sign.

3. **Approval of an Application for a Garage Door at 242 James Street, Barriefield**

**THAT** Application P18-460-003-2007 for a property located at 242 James Street, Barriefield requesting approval for the construction of a garage door **BE APPROVED** with the understanding that hardware for the door be reviewed for structural integrity in the existing material, and that garage lights be in accordance with option 3 as outlined within a submission dated 12th December 2006.

**REPORTS (CONTINUED)**

**REPORT NO. 16 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)**

4. **Approval of an Application for Installation of Eight External Alarm System Units at 1, 3, 5 Cassidy Terrace**

**THAT** Application P18-030-007-2007 for a property located at 1, 3, 5 Cassidy Terrace requesting approval for the installation of eight external alarm system units **BE APPROVED**, with the understanding that the devices be fastened into the mortar joints, and located a minimum of 1' from any stonework on the edge of the building;

- and further -

**THAT** the applicant be requested to attend the 05th March 2007 meeting to provide further clarification regarding installation prior to initiation of the work.

5. **Final Approval of a Heritage Property Grant for 653-655 King Street West**

**WHEREAS** the owner of 653-655 King Street West has requested final approval for Heritage Grant Application HG-36-06; and,

**WHEREAS** as per the requirements as per By-Law No. 2005-258 'A By-Law To Establish A Heritage Grants Program', a site visit to review the completed works was completed; and,

**THEREFORE BE IT RECOMMENDED** that Heritage Property Grant HG-36-06 for 653-655 King Street West Street **BE APPROVED** for repointing and repainting;

- and further -

**THAT** staff be authorized to issue a cheque for \$2000.00 as per the process outlined in By-Law No. 2005-258 'A By-Law To Establish A Heritage Grants Program'.

6. **Final Approval of a Heritage Property Grant for 46 Kennedy Street**

**WHEREAS** the owner of at 46 Kennedy Street has requested final approval for Heritage Grant Application HG-37-06; and,

**WHEREAS** as per the requirements as per By-Law No. 2005-258 'A By-Law To Establish A Heritage Grants Program', a site visit to review the completed works was completed; and,

**THEREFORE BE IT RECOMMENDED** that Heritage Property Grant HG-37-06 for 46 Kennedy Street **BE APPROVED** for repair of windows and repainting of trim;

- and further -

**THAT** staff be authorized to issue a cheque for \$2000.00 as per the process outlined in By-Law No. 2005-258 'A By-Law To Establish A Heritage Grants Program'.

7. **Final Approval of a Heritage Property Grant for 75 Lower Union Street**

**WHEREAS** the owner of 75 Lower Union Street has requested final approval for Heritage Grant Application HG-17-06; and,

**WHEREAS** as per the requirements as per By-Law No. 2005-258 'A By-Law To Establish A Heritage Grants Program', a site visit to review the completed works was completed; and,

**THEREFORE BE IT RECOMMENDED** that Heritage Property Grant HG-17-06 for 75 Lower Union Street **BE APPROVED** for replacement and painting of soffits & restoration of floor of balcony;

**REPORTS (CONTINUED)**

**REPORT NO. 16 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)**

- and further -

**THAT** staff be authorized to issue a cheque for \$2000.00 as per the process outlined in By-Law No. 2005-258 'A By-Law To Establish A Heritage Grants Program'.

8. **Final Approval of a Heritage Property Grant for 236 James Street, Barriefield**

**WHEREAS** the owner of 236 James Street, Barriefield has requested final approval for Heritage Grant Application HG-12-06; and,

**WHEREAS** as per the requirements as per By-Law No. 2005-258 'A By-Law To Establish A Heritage Grants Program', a site visit to review the completed works was completed; and,

**THEREFORE BE IT RECOMMENDED** that Heritage Property Grant HG-12-06 for 236 James Street, Barriefield **BE APPROVED** for replacement of windows;

- and further -

**THAT** staff be authorized to issue a cheque for \$2000.00 as per the process outlined in By-Law No. 2005-258 'A By-Law To Establish A Heritage Grants Program'.

9. **Final Approval of a Heritage Property Grant for 104 Montreal Street**

**WHEREAS** the owner of 104 Montreal Street has requested final approval for Heritage Grant Application HG-28-06; and,

**WHEREAS** as per the requirements as per By-Law No. 2005-258 'A By-Law To Establish A Heritage Grants Program', a site visit to review the completed works was completed; and,

**THEREFORE BE IT RECOMMENDED** that Heritage Property Grant HG-28-06 for 104 Montreal Street **BE APPROVED** for mortar work;

- and further -

**THAT** staff be authorized to issue a cheque for \$2000.00 as per the process outlined in By-Law No. 2005-258 'A By-Law To Establish A Heritage Grants Program'.

10. **Endorsement of a Resolution of Council Regarding the Marine Museum of the Great Lakes at Kingston**

**THAT** the Kingston Municipal Heritage Committee endorse the resolution of Council on 23<sup>rd</sup> January 2007 in regard to the Marine Museum of the Great Lakes at Kingston (MMGLK) whereby Council 'strongly endorse and support the MMGLK and recognize the important contribution it makes to the cultural and heritage life of Kingston'.



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**REPORTS (CONTINUED)**

**REPORT NO. 17 OF THE ENVIRONMENT, INFRASTRUCTURE AND TRANSPORTATION POLICIES COMMITTEE**

**Report No. 17**

To the Mayor and Members of Council:

The Environment, Infrastructure and Transportation Policies Committee reports and recommends as follows:

All items listed on the Environment, Infrastructure and Transportation 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.

February 8, 2007

1. **Membership to the Great Lakes and St. Lawrence Cities Initiative**

**THAT** Council accept the invitation from Mayor David Miller, Mayor of Toronto, to join the Great Lakes and St. Lawrence Cities Initiative (GLSLCI) binational organization of mayors and other local officials working actively with federal, state, provincial, tribal, and first nation governments to advance the protection and restoration of the Great Lakes and St. Lawrence River at a membership cost of \$7,000 per annum;

-and further-

**THAT**, in instances where Mayor Harvey Rosen is unable to attend, he recommend an alternate to attend on his behalf.

(A copy of the correspondence from Mayor David Miller was distributed attached to the adds for the Environment, Infrastructure and Transportation Policies Committee meeting held on February 8<sup>th</sup>, 2007.)



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**REPORTS (CONTINUED)**

**REPORT NO. 18 OF THE ADMINISTRATIVE POLICIES COMMITTEE**

**Report No. 18**

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.

February 13, 2007

1. **Tax Write Offs**

**THAT** Council approve the cancellation, reduction or refund of taxes pursuant to applications made under sections 357 and 358 of the *Municipal Act, 2001* totalling \$59,065.75, of which \$40,828.60 is recoverable from the school boards, and \$288.88 is charged back to Downtown Kingston! BIA, as listed in Appendix A attached.

(A copy of Appendix 'A' is attached as Schedule Pages 32-33)



**REPORTS (CONTINUED)**

**REPORT NO. 19 OF THE ARTS, RECREATION AND COMMUNITY POLICIES COMMITTEE**

**Report No. 19**

To the Mayor and Members of Council:

The Arts, Recreation and Community Policies Committee reports and recommends as follows:

All items listed on the Arts, Recreation and Community 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.

February 15, 2007

a) **Revised City of Kingston Emergency Response Plan**

**THAT** a by-law be presented to Council to repeal By-Law No. 2003-464 "A By-Law To Adopt A New Emergency Response Plan For The City Of Kingston";

- and further -

**THAT** a by-law be presented to adopt By-Law No. 2007-50 as the revised Emergency Response Plan for the City of Kingston dated February 15, 2007.

(The Report of the Commissioner of Public Works & Emergency Services (ARCP-07-003) was distributed with the 15<sup>th</sup> February 2007 Arts, Recreation & Community Policies Agenda.)

(A copy of the draft by-laws are attached as Schedule Pages 34-35)

(See By-Law No. (2), 2007-49, and By-Law No. (3), 2007-50)

b) **Noise By-Law Amendment to Restrict Playing of Musical Instruments**

**THAT** no action be taken on the request to amend Noise By-Law 2004-52 to prohibit the playing of musical instruments including drums at any time of the day at a volume loud enough to be heard within a neighbour's home.

(The Report of the Commissioner of Community Development Services (ARCP-07-007) was distributed with the 15<sup>th</sup> February 2007 Arts, Recreation & Community Policies Agenda.)

c) **Noise By-Law – Overnight Restrictions for Snow Clearing and Removal**

**THAT** a by-law be presented to Council to amend By-Law No. 2004-52, "A By-Law To Regulate Noise", to delete Activity #2 of Schedule "B", being "Operation of construction equipment for the removal of snow".

(The Report of the Commissioner of Community Development Services (ARCP-07-008) was distributed with the 15<sup>th</sup> February 2007 Arts, Recreation & Community Policies Agenda.)

(A copy of the draft by-law is attached as Schedule Pages 36)

(See By-Law No. (4), 2007-51)



**REPORTS (CONTINUED)**

**REPORT NO. 20 OF THE MUNICIPAL ACCESSIBILITY ADVISORY COMMITTEE**

**Report No. 20**

To the Mayor and Members of Council:

The Municipal Accessibility Advisory Committee reports and recommends as follows:

February 9, 2007

To the Mayor and Members of Council:

The Kingston Municipal Accessibility Advisory Committee Reports and Recommends as follows:

**1. Provision of Handicapped Parking Spaces for the Kingston Regional Sports and Entertainment Centre**

**THAT** based on the Consultant's report entitled "Kingston Regional Sports and Entertainment Centre, Review of Parking, Site Access and Exterior Conditions – Relative to Access for Disabled Persons", a total of twenty-one (21) parking spaces comprised of seven (7) existing spaces within 200 metres of the Kingston Sports and Entertainment Centre, an additional fourteen (14) spaces all the same size as would be required for accessible vans as specified by Universal Design Standards be provided in the Frontenac Lot BE APPROVED;

- and further -

**THAT** this parking plan be reviewed by City staff in consultation with the Municipal Accessibility Advisory Committee and be monitored on a regular basis twelve (12) months from the opening of the facility to determine if the parking plan is adequate.

**2. Establish Drop-off and Pick-up Locations at Kingston Regional Sports and Entertainment Centre**

**THAT** the following recommendations of the Consultant in the report entitled "Kingston Regional Sports and Entertainment Centre, Review of Parking, Site Access and Exterior Conditions – Relative to Access for Disabled Persons" respecting drop-off and pick-up locations BE APPROVED:

- Bus-lay at north side of Centre adjacent to the club entrance for accessible public transit shuttles;
- Drop-off / pick-up location on the south side of Barrack St. adjacent to King St. signalized crossing for private vehicles – this is closest to the Barrack St. ticket box office;
- Upgraded standards – design, signage, maintenance, signalized crossing, sonic directional indicators, tactile warnings and curb ramps;

- and further -

**THAT** this plan be monitored and reviewed 12 months after the opening of the facility by City staff in consultation with the Municipal Accessibility Advisory Committee.

**3. Provision of Accessible Barrier-Free Routes To and From the Kingston Sports and Entertainment Centre**

**THAT** the following recommendation of the Consultant in the report entitled "Kingston Regional Sports and Entertainment Centre, Review of Parking, Site Access and Exterior Conditions – Relative to Access for Disabled Persons" respecting accessible routes BE APPROVED:

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**REPORTS (CONTINUED)**

**REPORT NO. 20 OF THE MUNICIPAL ACCESSIBILITY ADVISORY COMMITTEE**

- Provide accessible routes from four (4) designated municipal parking lots providing barrier-free parking within 200 metres of the Centre.
- Upgraded standards – design, signage, maintenance, signalized crossing, sonic directional indicators, tactile warnings and curb ramps applied to accessible routes.
- If costs to upgrade all Accessible routes exceed the municipal budget or if the routes cannot be maintained, then all twenty-one (21) van sized, Barrier-Free parking spaces must be provided in the Frontenac Lot with an accessible route crossing Barrack Street at signalized intersections;

- and further -

**THAT** a review of safety and security provisions for accessible routes be required in 12 months after the opening of the facility by City staff in consultation with the Municipal Accessibility and Advisory Committee

**(A copy of the report entitled “Kingston Regional Sports and Entertainment Centre, Review of Parking, Site Access and Exterior Conditions – Relative to Access for Disabled Persons” is being distributed separately from the agenda.)**



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**REPORTS (CONTINUED)**

**REPORT NO. 21 OF THE MEMORIAL CENTRE REVITALIZATION ADVISORY COMMITTEE**

**Report No. 21**

To the Mayor and Members of Council:

The Memorial Centre Revitalization Advisory Committee reports and recommends as follows:

February 13, 2007

**Mr. Mark Fluhrer, Director, Culture and Recreation and Mr. Bruce Downey, Architect, Hughes Downey Architects, will speak to Council regarding the Concept Plan for the Memorial Centre Site.**

**1. Submission of Development Concept Plan for the Memorial Centre Site as a Basis for Further In-depth Technical and Financial Analysis**

**THAT** the Development Concept Plan marked as Exhibit "A" and further detailed in Exhibit "B" as amended, be approved as the basis for further in-depth technical and financial analyses by staff and the Memorial Centre Revitalization Committee and shall include:

- a) Cost estimates for the design elements and site functions contained in the adopted development concept, including a comprehensive risk analysis of preferred elements;
- b) A financial sensitivity analysis and budget plan for the capital construction and ongoing annual operating costs necessary to implement and maintain the proposed facilities at an acceptable level of operation and performance;
- c) The possibility of a partnership/sponsorship plan for the financing of the development plan; and
- d) A development phasing plan
- e) That \$50,000 be allocated in the 2007 budget for these purposes.

(A copy of Exhibits A and B are attached as Schedule Pages 37-39)



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**REPORTS (CONTINUED)**

**REPORT NO. 22 OF THE NOMINATIONS COMMITTEE**

**Report No. 22**

To the Mayor and Members of Council:  
The Nominations Committee reports and recommends as follows:

February 15, 2007

1. **Recommendation for Appointment to the Kingston Fire & Rescue Master Fire Plan Steering Committee**

**THAT** Council approve the appointment of Mr. Rod Ellis to the Kingston Fire & Rescue Master Fire Plan Steering Committee for a term ending November 30th, 2007.

2. **Recommendation for Appointment to the Appeals Committee**

**THAT** Council approve the appointment of Ms. Taneda Dawes to the Appeals Committee for a term ending November 30th, 2007.



**REPORTS (CONTINUED)**

**REPORT NO. 23 OF THE COMMITTEE OF THE WHOLE**

**Report No. 23**

To the Mayor and Members of Council:  
The Committee of the Whole reports and recommends as follows:

January 24, 2007

1. **Referral of Budgetary Parking Lot Items to the Environment, Infrastructure and Transportation Policies Committee**

THAT the following issues, related to Utilities Kingston budgetary parking lot items, be referred to the Environment, Infrastructure and Transportation Policies Committee:

- Cana Subdivision and its impact on water rates; and,
- the subsidization of Cana Subdivision.

2. **Approval of the 2007 Capital and Operating Budgets and Preliminary Approval of the 2008, 2009 and 2010 Budgets for Utilities Kingston**

(A) THAT Council approve the 2007 Capital and Operating Budgets for Utilities Kingston in the amounts noted below:

	2007
<b>SEWER</b>	
Capital Budget	<u>\$9,063,101</u>
Operating Budget	\$9,023,456
Debt Costs	\$2,361,620
Transfer to Capital Reserve Fund	<u>\$7,801,478</u>
Total Revenue	<u>\$18,936,554</u>
<b>WATER</b>	
Capital Budget	<u>\$6,858,238</u>
Operating Budget	\$8,387,230
Debt Costs	\$480,647
Transfer to Capital Reserve Fund	<u>\$3,250,127</u>
Total Revenue	<u>\$12,118,004</u>
<b>GAS</b>	
Capital Budget	<u>\$2,019,550</u>
Operating Budget	\$3,229,684
Purchase & Transportation	\$50,000,000
Debt Costs	\$605,599
Transfer to Capital Reserve Fund	\$2,615,137
Transfer to City General Capital Fund	<u>\$1,500,000</u>
Total Revenue	<u>\$57,950,420</u>

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**REPORTS (CONTINUED)**

**REPORT NO. 23 OF THE COMMITTEE OF THE WHOLE**

**HOT WATER TANK RENTAL BUSINESS**

Capital Budget	<u>\$350,000</u>
Operating Budget	\$160,104
Transfer to Capital Reserve Fund	\$313,896
Transfer to City Environment Fund	<u>\$750,000</u>
Total Revenue	<u><u>\$1,224,000</u></u>

- and further -

THAT Council give preliminary approval to the 2008, 2009, and 2010 Capital and Operating Budget amounts noted below.

	2008	2009	2010
<b>SEWER</b>			
Capital Budget	<u>\$9,251,365</u>	<u>\$9,883,401</u>	<u>\$10,509,102</u>
Operating Budget	\$9,243,274	\$10,225,801	\$10,481,446
Debt Costs	\$3,394,826	\$3,975,563	\$4,595,222
Transfer to Capital Reserve Fund	<u>\$7,920,115</u>	<u>\$7,784,561</u>	<u>\$7,741,058</u>
Total Revenue	<u>\$20,558,215</u>	<u>\$21,985,925</u>	<u>\$22,817,726</u>
<b>WATER</b>			
Capital Budget	<u>\$9,984,660</u>	<u>\$16,282,844</u>	<u>\$7,466,994</u>
Operating Budget	\$8,599,094	\$8,816,321	\$9,041,364
Debt Costs	\$571,636	\$915,346	\$1,104,189
Transfer to Capital Reserve Fund	<u>\$3,873,947</u>	<u>\$4,264,620</u>	<u>\$4,946,323</u>
Total Revenue	<u>\$13,044,677</u>	<u>\$13,996,287</u>	<u>\$15,091,876</u>
<b>GAS</b>			
Capital Budget	<u>\$1,954,766</u>	<u>\$2,144,888</u>	<u>\$1,746,630</u>
Operating Budget	\$3,310,426	\$3,393,187	\$3,478,017
Purchase & Transportation	\$50,000,000	\$50,000,000	\$50,000,000
Debt Costs	\$687,549	\$687,512	\$678,064
Transfer to Capital Reserve Fund	\$2,222,835	\$2,419,964	\$2,634,230
Transfer to City General Capital Fund	<u>\$2,000,000</u>	<u>\$2,000,000</u>	<u>\$2,000,000</u>
Total Revenue	<u>\$58,220,810</u>	<u>\$58,500,663</u>	<u>\$58,790,311</u>

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**REPORTS (CONTINUED)**

**REPORT NO. 23 OF THE COMMITTEE OF THE WHOLE**

	2008	2009	2010
<b>HOT WATER TANK RENTAL BUSINESS</b>			
Capital Budget	<u>\$358,750</u>	<u>\$367,719</u>	<u>\$376,912</u>
Operating Budget	\$164,107	\$168,210	\$172,415
Transfer to Capital Reserve Fund	\$296,613	\$330,332	\$365,083
Transfer to City Environment Fund	<u>\$800,000</u>	<u>\$800,000</u>	<u>\$800,000</u>
Total Revenue	<u>\$1,260,720</u>	<u>\$1,298,542</u>	<u>\$1,337,498</u>

**(B) Approval of Rate Changes for 2007 for the Water, Sewer and Gas Utilities**

**THAT** Council consider the following increases to water and sewer rates, effective March 1, 2007:

- 1) A by-law be presented to Council, By-Law No. 2007-52, "A By-Law To Impose Water And Waste Water Rates And Miscellaneous Charges (Utilities Kingston)" to reflect the approved rates for 2007, and miscellaneous charges.

	Water	Sewer
Central	1.0%	12.0%
West	15.0%	12.5%
East	15.0%	20.0%

- 2) A by-law be presented to Council to repeal By-Law No. 2006-3, "A By-Law To Impose Water And Waste Water Rates And Miscellaneous Charges (Utilities Kingston)" at the effective date of By-Law No. 2007-52.
- 3) A 3.5% rate increase to Local Distribution Charges on Natural Gas Rates changes effective March 1, 2007.
- 4) A 3% increase to the rates charged for Water Tank Rentals.
- 5) A by-law be presented to Council, By-Law No. 2007-54, "A By-Law To Impose Gas Rates" to reflect the approved Gas Rates and the approved Hot Water Rental Rates.
- 6) A by-law be presented to Council to repeal By-Law No. 2006-5, "A By-Law To Impose Gas Rates".  
**(See By-Law No. (5), 2007-52, By-Law No. (6), 2007-53, By-Law No. (7), 2007-54, and By-Law No. (8), 2007-55)**  
 (Copies of draft by-laws 2007-52 and 2007-54 were distributed with Report No. 07-049 for the Budget Planning Session held on January 16, 2007.)  
**(Copies of draft by-laws 2007-53 and 2007-55 will be distributed separately from the agenda.)**



## INFORMATION REPORTS

(1) **Capital Costs Relating to the Downtown Action Plan (North Block Area) and Kingston Regional Sports and Entertainment Centre**

The Report of the Commissioner of Finance and Corporate Performance (07-087) is attached as Schedule Pages 40-46.

(File No. CSU-D18-000-2007, CSU-R05-001-2007)

(2) **Kingston Regional Sports and Entertainment Centre Financial Summary**

The Report of the Commissioner of Finance and Corporate Performance (07-084) is attached as Schedule Pages 159-195.

(File No. CSU-R05-001-2007)



## MISCELLANEOUS BUSINESS

Motions of Council are required:

(1) **THAT**, as requested by Ms. Michelle Miatello, Development Manager for the Canadian Red Cross for Kingston, Quinte, Brockville and Cornwall, Council proclaim March 2007 as "Red Cross Month".

(File No. CSU-M10-000-2007)

(See Communication No. 06-133)

(Distributed to all Members of Council on February 9, 2007)



## MOTIONS

(1) Moved by Councillor MacLeod-Kane  
Seconded by Councillor Garrison

**WHEREAS** in 2005 the City of Kingston entered into an understanding with Kingston Terminal Properties Limited (the Springer Group) which resulted in the renaming of Market Square to "Springer Market Square"; and,

**WHEREAS** a substantial number of Kingstonians have expressed their dissatisfaction with both the renaming of Market Square and the process used to rename the square; and,

**WHEREAS** Kingston City Council acknowledges the generosity of Kingston Terminal Properties Limited in donating \$1,000,000 to the restoration of Market Square;

**THEREFORE BE IT RESOLVED THAT** the market square be renamed "Kingston Market Square". In recognition of the Springer Group's generosity, the City of Kingston intends to provide the Springer Group's name prominence on the donors' wall; and,

**BE IT FURTHER RESOLVED THAT** Kingston City Council hereby withdraws from all other obligations outlined in te Memorandum of Understanding between Kingston Terminal Properties Limited and the Corporation of the City of Kingston dated the 13<sup>th</sup> day of May, 2005.

**MOTIONS (CONTINUED)**

- (2) Moved by Councillor Schmolka  
Seconded by Councillor Glover

**WHEREAS** the first plan for a new sports and entertainment centre for Kingston was situated on Anglin Bay and costed at under \$28 million; and,

**WHEREAS** the site was changed and the centre was moved to the North Block and costed at \$37 million; and,

**WHEREAS** the costs for the centre were finalized at \$41.7 million when the project was given the go-ahead by Council on May 30, 2006; and,

**WHEREAS**, as of February 13, 2007, the centre is now costed at over \$46 million, a 60% increase over the original cost; and,

**WHEREAS** this latest cost may not be the total final cost of the project considering that building construction has not yet begun; and,

**WHEREAS** there are no guarantees that:

- the project can be completed for \$46 million,
- funding can be secured from the federal government, and
- revenues from the operations of the centre will be as projected and sufficient to cover the costs of borrowing for the project;

**THEREFORE BE IT RESOLVED THAT** the Chief Administrative Officer be directed to stop the project now, and negotiate the termination of all contracts associated with the project; and,

**BE IT FURTHER RESOLVED THAT** all reports to Council on the cost of terminating the project differentiate between site clean-up, archaeology, and servicing costs incurred which are site assets, materials purchased that can be re-sold or used elsewhere, and contract costs that are not recoverable; and,

**BE IT FURTHER RESOLVED THAT** the Chief Administrative Officer be directed to explore the possibilities of re-directing the \$4 million provincial funding under the Healthy Community Fund from the sports and entertainment centre to the multiplex project.

- (3) Moved by Councillor Glover  
Seconded by Councillor Schmolka

**WHEREAS** to promote efficiency in the conduct of public business there is in place a policy which permits senior staff within specific parameters to sign contracts; and,

**WHEREAS** it is in the public interest of openness of government that there be a mechanism which currently does not exist for reporting such actions; and,

**WHEREAS** since approximately July 2006 several contracts have been authorized by senior staff all relating to the LVEC project; and,

**WHEREAS** the lack of a requirement for disclosure of such contracts has aided the climate of secrecy which as surrounded the LVEC project;

**THEREFORE BE IT RESOLVED THAT:**

1. The Chief Administrative Officer is required to report publicly and in writing every contract over \$20,000 signed by senior staff within seven days of the date of that contract; and,
2. Such report shall include a summary account of the need for the contract, and confirmation that the value of the contract is within the amount of the budget line item used to pay for the contract; and,

## MOTIONS (CONTINUED)

3. The Chief Administrative Officer shall report on the year-to-date expenditure and the variances from the line item paying for the contract and its implications on the larger budget envelope that includes the line item;  
- and further -
4. The Chief Administrative Officer shall report in similar terms at the next meeting of Council on all contracts over \$20,000 authorized by staff from 1 January 2006 to 06 March 2007 inclusive; and,
5. The Chief Administrative Officer shall report on all such contracts signed prior to 1 January 2006 which have not yet been completed.



## NOTICES OF MOTION



## MINUTES



## TABLING OF DOCUMENTS

- 2007-14      Cataraqui Region Conservation Authority  
Minutes – Full Authority Annual Meeting – January 24, 2007  
(File No. CSU-D03-000-2007)



## COMMUNICATIONS

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

Filed

- 06-128      From the Ontario Ministry of Municipal Affairs and Housing, advising that they have launched a new section on their website to provide information to landlords and tenants about the offence provisions under the Residential Tenancies Act and the role of the Investigation and Enforcement Unit.  
(File No. CSU-L11-000-2007)
- 06-137      From the Association of Municipalities of Ontario (AMO), advising that the Minister of Children and Youth Services, Mary Anne Chambers, has announced the new model to be used by municipalities in calculating child care fee subsidy.  
(File No. CSU-S01-000-2007)  
**(Digitally distributed to all Members of Council on February 2, 2007)**
- 06-139      From the Association of Municipalities of Ontario (AMO), advising that AMO President, Doug Reycraft, presented AMO's 2007 Pre-Budget Submission to the Standing Committee on Finance and Economic Affairs on January 30<sup>th</sup>, 2007.  
(File No. CSU-F05-000-2007)  
**(Digitally distributed to all Members of Council on February 2, 2007)**

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**COMMUNICATIONS**

- 06-140 From the Federation of Canadian Municipalities (FCM), advising that James Knight has left the position of Chief Executive Officer of FCM as of January 29<sup>th</sup>, 2007.  
(File No. CSU-A01-002-2007)
- 06-141 From the Frank Cowan Company, providing information regarding a reception that they are hosting during the Ontario Good Roads Association Conference in Toronto on February 25<sup>th</sup>, 2007.  
(File No. CSU-A04-000-2007)
- 06-143 From Pitch-In Canada, providing information regarding the 2007 Pitch-In Week program.  
(File No. CSU-E07-000-2007)
- 06-145 From the Association of Municipalities of Ontario (AMO), providing a report to members on information from the January 2007 Board meeting.  
(File No. CSU-A01-004-2007)  
**(Digitally distributed to all Members of Council on February 9, 2007)**
- 06-146 From Mr. Jeff Garrah, Interim President, advising that Mr. Mark Hanley has assumed new responsibilities as Interim Director of Operations for the Kingston Economic Development Corporation (KEDCO).  
(File No. CSU-A01-003-2007)
- 06-147 From the Committee of Adjustment, a Notice of Decision for the following applications:  
CONSENT – In respect of an application for consent to sever the property at 11 Charles Street, that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date of appeal is February 28, 2007.  
CONSENT – In respect of an application for consent to sever the property at 13 Charles Street, that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date of appeal is February 28, 2007.  
CONSENT – In respect of an application for consent to sever the property at 15 Charles Street, that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date of appeal is February 28, 2007.  
CONSENT – In respect of an application for consent to sever the property at 17 Charles Street, that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date of appeal is February 28, 2007.  
(File No. CSU-D19-000-2007)

**Referred to All Members of Council**

- 06-129 From Mr. Matthew Gventer, providing Council with information regarding solutions to homelessness.  
(File No. CSU-S16-000-2007)

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**COMMUNICATIONS**

- 06-130 From the Town of Newmarket, asking for Council's support of a resolution requesting that the Province of Ontario review and amend the *Highway Traffic Act* and associated regulations and standards as required regarding school area and school crossing zone signage; provide approval for the use of Fluorescent Yellow Green school signage; and provide a formal decision on this matter prior to the start of the 2007/2008 school year.  
(File No. CSU-C10-000-2007, CSU-L11-000-2007)
- 06-131 From the Corporation of the Township of Lanark Highlands, asking for Council's support of a resolution requesting that the Province of Ontario review with municipalities and their associations the issue of ATV use on public highways with a view to ensuring consistency and sound decision making throughout all areas of the province.  
(File No. CSU-C10-000-2007)
- 06-132 From the Township of Scugog, asking for Council's support of a resolution petitioning the Minister of Community Safety and Correctional Services, Emergency Management Ontario and the Federal Government to revise the funding formula and application process for the Joint Emergency Preparedness Program to increase grants available for emergency preparedness purposes and reduce funding limitations.  
(File No. CSU-C10-000-2007, CSU-P03-000-2007)
- 06-133 From Ms. Michelle Miatello, Development Manager for the Canadian Red Cross for Kingston, Quinte, Brockville and Cornwall, asking that Council proclaim March 2007 as "Red Cross Month".  
(File No. CSU-M10-000-2007)  
**(See Miscellaneous Business Item No. 1)**
- 06-135 From the Association of Municipalities of Ontario (AMO), advising that the AMO Annual Conference for 2007 will be held from August 19<sup>th</sup> to 22<sup>nd</sup> in Ottawa.  
(File No. CSU-A04-000-2007, CSU-A01-004-2007)  
**(Digitally distributed to all Members of Council on February 6, 2007)**
- 06-136 From the Association of Municipalities of Ontario (AMO), advising that The Ontario Rural Council (TORC) will be hosting an forum on rural youth entitled "Rural Youth: Leading Today, Tomorrow and Beyond" in Belleville on March 6<sup>th</sup>, 2007.  
(File No. CSU-A04-000-2007)  
**(Digitally distributed to all Members of Council on February 6, 2007)**
- 06-138 From the Association of Municipalities of Ontario (AMO), advising that the AMO and the Association of Municipal Recycling Coordinators of Ontario (AMRC) are requesting Council's comments and support of the discussion paper on Strengthening Extended Producer Responsibilities for Ontario's Blue Box.  
(File No. CSU-E07-001-2007)  
**(Digitally distributed to all Members of Council on February 5, 2007)**

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**COMMUNICATIONS**

- 06-142 From the Ontario JPRM Committee, advising that June is Recreation and Parks Month (JRPM) and providing a toolkit to assist communities in celebrating the benefits of parks and recreation services.  
(File No. CSU-M02-000-2007)
- 06-149 From the Association of Municipalities of Ontario (AMO), providing information regarding a conference entitled "Making the Most of Energy" to be held June 4<sup>th</sup> and 5<sup>th</sup>, 2007 in Toronto.  
(File No. CSU-A04-000-2007)  
**(Digitally distributed to all Members of Council on February 13, 2007)**
- 06-150 From Fisheries and Oceans Canada, providing information as to whether the American eel should be added to the list of species at risk under the federal *Species at Risk Act* (SARA).  
(File No. CSU-P00-000-2007)
- 06-151 From Ms. Marcy Mundt, Manager of Security, Parking and Access Control for Kingston General Hospital, requesting the approval of Council to update the names of By-Law Enforcement Officers for the purpose of issuing tickets under By-Law No. 99-166 on the property of Kingston General Hospital by deleting Sharf Chowdhury, Lauren Brown, Phill Palmer, Matthew Colby, Gary Stojak, Jordan Pike, Scott Thompson, Keenan Radcliffe, Tim Walsh, Lindsay England, Andria Johnston, Marcy West; and adding Jesse Abbott, Marcy Mundt, Tomas Bell, Jonathon Marconi, Mark Chandler, Jennifer Massey, Jaimie Clarke, Adam Nitschmann, Justin Coburn, Mike Oddie, Scott Conway, Zach Offord, Lindsey Delaney, Celine Patenaude, Nicky Dyer, Pete Phillip, Laura Ellis, Traci Rancier, Derrick Gardner, Chris Raposa, Bruce Gibbs, Craig Revell, Brad Gleeson, Gena Rose, Ashley Gow, Sidney Salomons, Richard Harper, Andrew Schick, Chris Howe, Chris Shaw, Tracey Hughes, Lindsey Steinmiller, Patrick Hurley, Ryan Trembley, Patricia Jackson, Shawntel Tucker, Jordan Kelly, Tom Wilson, Alexandra Lewis, John MacMillan, John Mahoney, Walter Kennedy, Adam Manlow, Kelly Lavery, Mike Turner.  
(File No. CSU-P01-003-2007)  
**(See By-Law No. (9), 2007-56)**
- 06-152 From Ms. Marcy Mundt, Manager of Security, Parking and Access Control for Kingston General Hospital, requesting the approval of Council to update the names of By-Law Enforcement Officers for the purpose of issuing tickets under By-Law No. 99-166 on the property of St. Mary's of the Lake Hospital by deleting Dan Strople, Kevin Hanna, William Kennedy, Brian Gibb, William White, John Sexsmith; and adding Jesse Abbott, John Mahoney, Sam Asselstine, Adam Manlow, Natalie Baker, Marcy Mundt, Lindy Beauvais, Jonathon Marconi, Tomas Bell, Jennifer Massey, Jeff Bolton, Dennis Mercer, Falin Brygman, Ian Mercer, Mark Chandler, Becky Miller, Jaimie Clarke, Adam Nitschmann, Justin Coburn, Mike Oddie, Scott Conway, Zach Offord, Chris Darling, Celine Patenaude, Lindsey Delaney, Sarah Paterson, Nicky Dyer, Pete Phillip, Laura Ellis, Traci Rancier, Derrick Gardner, Chris Raposo, Bruce Gibbs, Craig Revell, Brad Gleeson, Brian Roscher, Allan Good, Gena Rose, Ashley Gow, Sidney Salomons, Vien Ha, Andrew Schick, Richard Harper, Joe Schreuer, Chris Howe, Mike Seeley, Tracey Hughes, Chris Shaw, Patrick Hurley, Lindsey Steinmiller, Patricia Jackson, Kris Sutherland, Jordan Kelly, Ryan Trembley, Walter Kennedy, John Tsonos, Marion Koch, Shawntel Tucker, Kelly Lavery, Mike Turner, Alexandra Lewis, Tom Wilson, Mike Long, Tom A Davis, John MacMillan.  
(File No. CSU-P01-003-2007)  
**(See By-Law No. (10), 2007-57)**

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**COMMUNICATIONS**

- 06-153 From Ms. Marcy Mundt, Manager of Security, Parking and Access Control for Kingston General Hospital, requesting the approval of Council to update the names of By-Law Enforcement Officers for the purpose of issuing tickets under By-Law No. 99-166 on the property of Providence Continuing Care Centre Mental Health Services (former Kingston Psychiatric Hospital) by deleting Daniel Strople, William Mason, Jerry Hazell, Charles Eddy, Thomas Lee; and adding Jesse Abbott, John Mahoney, Sam Asselstine, Adam Manlow, Natalie Baker, Marcy Mundt, Lindy Beauvais, Jonathon Marconi, Tomas Bell, Jennifer Massey, Jeff Bolton, Dennis Mercer, Falin Brygman, Ian Mercer, Mark Chandler, Becky Miller, Jaimie Clarke, Adam Nitschmann, Justin Coburn, Mike Oddie, Scott Conway, Zach Offord, Chris Darling, Celine Patenaude, Lindsey Delaney, Sarah Paterson, Nicky Dyer, Pete Phillip, Laura Ellis, Traci Rancier, Derrick Gardner, Chris Raposo, Bruce Gibbs, Craig Revell, Brad Gleeson, Brian Roscher, Allan Good, Gena Rose, Ashley Gow, Sidney Salomons, Vien Ha, Andrew Schick, Richard Harper, Joe Schreuer, Chris Howe, Mike Seeley, Tracey Hughes, Chris Shaw, Patrick Hurley, Lindsey Steinmiller, Patricia Jackson, Kris Sutherland, Jordan Kelly, Ryan Trembley, Walter Kennedy, John Tsonos, Marion Koch, Shawntel Tucker, Kelly Lavery, Mike Turner, Alexandra Lewis, Tom Wilson, Mike Long, Tom A Davis, John MacMillan.  
(File No. CSU-P01-003-2007)  
**(See By-Law No. (11), 2007-58)**
- 06-154 From Ms. Margaret Hughes, President of the Kingston Arts Council, providing an update on their planning and thoughts regarding the Interim Arts Committee's (IAC) proposals, in particular that Arts Funding be administered and adjudicated by the Kingston Arts Council as an arms length body.  
(File No. CSU-R09-000-2007)
- 06-155 From Mr. William Hopper, expressing his concerns and ideas regarding the potential cancellation of the LVEC project.  
(File No. CSU-R05-001-2007)
- 06-156 From Mr. Alan Wilkinson and Ms. Susan Thurlow, expressing their support for the ban of pesticides used for cosmetic purposes.  
(File No. CSU-E05-000-2007)
- 06-157 From Mrs. Margaret Silver, expressing her concerns regarding the plowing of snow on her street.  
(File No. CSU-T06-000-2007)

**Referred to the Commissioner of Corporate Services**

- 06-134 From Mr. Gerry Minard, asking that Council proclaim March 30<sup>th</sup> to April 1<sup>st</sup>, 2007 as "Kids for Kids Hockey Tournament Weekend".  
(File No. CSU-M10-000-2007)

## COMMUNICATIONS

### Referred to the Commissioner of Public Works and Emergency Services and the Commissioner of Community Development Services

- 06-144 From the Ontario Ministry of the Environment, providing information regarding an information sharing dialogue on the Canada-Ontario Agreement Respecting the Great Lakes Basin Ecosystem (COA) to be held in Toronto on February 12<sup>th</sup>, 2007.  
(File No. CSU-E05-000-2007)  
**(Digitally distributed on February 6, 2007)**

### Referred to the Planning Committee

- 06-148 From Trans-Northern Pipelines Inc., providing information regarding an application for a zoning by-law amendment for 1208-1210 Westbrook Road with reference to the transmission pipeline right-of-way in that area.  
(File No. CSU-D14-000-2007)



## BY-LAWS

- (A) **THAT** By-Laws (1) through (18) 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-Laws (5) to (11) three readings.
- (C) **THAT** By-Laws (5) through (21) be given their third reading.



- (1) A By-Law To Amend "Schedule A" of By-Law No. 4489, "A By-Law To Regulate, Supervise And Govern The Parking Of Vehicles On Parking Lots And To Fix The Rates And Charges For Parking On Such Parking Lots" (to change the rates and times that payment is required, converting the Lower Robert Bruce Parking Lot from attended to Pay and Display operation)  
FIRST AND SECOND READINGS PROPOSED NO. 2007-48  
**(See Clause (b), Report No. 14)**
- (2) A By-Law To Repeal By-Law No. 2003-464, A By-Law To Adopt A New Emergency Response Plan For The City Of Kingston"  
FIRST AND SECOND READINGS PROPOSED NO. 2007-49  
**(See Clause (a), Report No. 19)**
- (3) A By-Law To Adopt A New Emergency Response Plan For The City Of Kingston  
FIRST AND SECOND READINGS PROPOSED NO. 2007-50  
**(See Clause (a), Report No. 19)**

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**BY-LAWS (CONTINUED)**

- (4) A By-Law To Amend By-Law No. 2004-52, "A By-Law To Regulate Noise" (to delete Activity #2 of Schedule "B", being "Operation of construction equipment for the removal of snow")  
FIRST AND SECOND READINGS PROPOSED NO. 2007-51  
(See Clause (c), Report No. 19)
- (5) A By-Law To Impose Water And Waste Water (Sewage Service) Rates And Miscellaneous Charges (Utilities Kingston)  
THREE READINGS PROPOSED NO. 2007-52  
(See Clause (2), Report No. 23)
- (6) A By-Law To Repeal By-Law No. 2006-3, "A By-Law To Impose Water And Waste Water (Sewage Service) Rates And Miscellaneous Charges"  
THREE READINGS PROPOSED NO. 2007-53  
(See Clause (2), Report No. 23)
- (7) A By-Law To Impose Gas Rates  
THREE READINGS PROPOSED NO. 2007-54  
(See Clause (2), Report No. 23)
- (8) A By-Law To Repeal By-Law No. 2006-5, "A By-Law To Impose Gas Rates"  
THREE READINGS PROPOSED NO. 2007-55  
(See Clause (2), Report No. 23)
- (9) 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" (delete Sharf Chowdhury, Lauren Brown, Phill Palmer, Matthew Colby, Gary Stojak, Jordan Pike, Scott Thompson, Keenan Radcliffe, Tim Walsh, Lindsay England, Andria Johnston, Marcy West; add Jesse Abbott, Marcy Mundt, Tomas Bell, Jonathon Marconi, Mark Chandler, Jennifer Massey, Jaimie Clarke, Adam Nitschmann, Justin Coburn, Mike Oddie, Scott Conway, Zach Offord, Lindsey Delaney, Celine Patenaude, Nicky Dyer, Pete Phillip, Laura Ellis, Traci Rancier, Derrick Gardner, Chris Raposa, Bruce Gibbs, Craig Revell, Brad Gleeson, Gena Rose, Ashley Gow, Sidney Salomons, Richard Harper, Andrew Schick, Chris Howe, Chris Shaw, Tracey Hughes, Lindsey Steinmiller, Patrick Hurley, Ryan Trembley, Patricia Jackson, Shawntel Tucker, Jordan Kelly, Tom Wilson, Alexandra Lewis, John MacMillan, John Mahoney, Walter Kennedy, Adam Manlow, Kelly Lavery, Mike Turner – Kingston General Hospital)  
THREE READINGS PROPOSED NO. 2007-56  
(See Communication No. 06-151)

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**BY-LAWS (CONTINUED)**

- (10) 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" (delete Dan Strople, Kevin Hanna, William Kennedy, Brian Gibb, William White, John Sexsmith; add Jesse Abbott, John Mahoney, Sam Asselstine, Adam Manlow, Natalie Baker, Marcy Mundt, Lindy Beauvais, Jonathon Marconi, Tomas Bell, Jennifer Massey, Jeff Bolton, Dennis Mercer, Falin Brygman, Ian Mercer, Mark Chandler, Becky Miller, Jaimie Clarke, Adam Nitschmann, Justin Coburn, Mike Oddie, Scott Conway, Zach Offord, Chris Darling, Celine Patenaude, Lindsey Delaney, Sarah Paterson, Nicky Dyer, Pete Phillip, Laura Ellis, Traci Rancier, Derrick Gardner, Chris Raposo, Bruce Gibbs, Craig Revell, Brad Gleeson, Brian Roscher, Allan Good, Gena Rose, Ashley Gow, Sidney Salomons, Vien Ha, Andrew Schick, Richard Harper, Joe Schreuer, Chris Howe, Mike Seeley, Tracey Hughes, Chris Shaw, Patrick Hurley, Lindsey Steinmiller, Patricia Jackson, Kris Sutherland, Jordan Kelly, Ryan Trembley, Walter Kennedy, John Tsonos, Marion Koch, Shawntel Tucker, Kelly Lavery , Mike Turner, Alexandra Lewis, Tom Wilson, Mike Long, Tom A Davis, John MacMillan - St. Mary's of the Lake Hospital)  
THREE READINGS PROPOSED NO. 2007-57  
(See Communication No. 06-152)
- (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" (delete Daniel Strople, William Mason, Jerry Hazell, Charles Eddy, Thomas Lee; add Jesse Abbott, John Mahoney, Sam Asselstine, Adam Manlow, Natalie Baker, Marcy Mundt, Lindy Beauvais, Jonathon Marconi, Tomas Bell, Jennifer Massey, Jeff Bolton, Dennis Mercer, Falin Brygman, Ian Mercer, Mark Chandler, Becky Miller, Jaimie Clarke, Adam Nitschmann, Justin Coburn, Mike Oddie, Scott Conway, Zach Offord, Chris Darling, Celine Patenaude, Lindsey Delaney, Sarah Paterson, Nicky Dyer, Pete Phillip, Laura Ellis, Traci Rancier, Derrick Gardner, Chris Raposo, Bruce Gibbs, Craig Revell, Brad Gleeson, Brian Roscher, Allan Good, Gena Rose, Ashley Gow, Sidney Salomons, Vien Ha, Andrew Schick, Richard Harper, Joe Schreuer, Chris Howe, Mike Seeley, Tracey Hughes, Chris Shaw, Patrick Hurley, Lindsey Steinmiller, Patricia Jackson, Kris Sutherland, Jordan Kelly, Ryan Trembley, Walter Kennedy, John Tsonos, Marion Koch, Shawntel Tucker, Kelly Lavery, Mike Turner, Alexandra Lewis, Tom Wilson, Mike Long, Tom A Davis, John MacMillan - Providence Continuing Care Centre Mental Health Services (former Kingston Psychiatric Hospital))  
THREE READINGS PROPOSED NO. 2007-58  
(See Communication No. 06-153)
- (12) A By-Law To Establish Part 6 On Reference Plan 13R-18268 As Part Of The Public Highway Known As Middle Road, In The City Of Kingston, In Accordance With Section 31(4) Of The Municipal Act, Chapter 25, S.O. 2001, As Amended  
THREE READINGS PROPOSED NO. 2007-59  
(Delegated Authority)
- (13) A By-Law To Establish Parts 3, 5, 6, & 7 On Reference Plan 13R-18335 As Part Of The Public Highway Known As Abbey Dawn Road In The City Of Kingston, In Accordance With Section 31(4) Of The Municipal Act, Chapter 25, S.O. 2001, As Amended  
THREE READINGS PROPOSED NO. 2007-60  
(Delegated Authority)

City Council Meeting No. 06  
Agenda  
Tuesday, February 20, 2007

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**BY-LAWS (CONTINUED)**

- (14) A By-Law To Establish Part 4 On Reference Plan 13R-18195 As Part Of The Public Highway Known As Rogers Side Road, In The City Of Kingston, In Accordance With Section 31(4) Of The Municipal Act, Chapter 25, S.O. 2001, As Amended  
THREE READINGS PROPOSED NO. 2007-61  
(Delegated Authority)
- (15) A By-Law To Establish Parts 4 And 5 On Reference Plan 13R-15883 As Part Of The Public Highway Known As Andersen Drive In The City Of Kingston In Accordance With Section 31(4) Of The Municipal Act, Chapter 25, S.O. 2001, As Amended  
THREE READINGS PROPOSED NO. 2007-62  
(Delegated Authority)
- (16) A By-Law To Exempt 2 Mowat Avenue Under Section 9. (6) Of The Condominium Act From Sections 51 And 51.1 Of The Planning Act In Order To Alter The Condominium Description  
THREE READINGS PROPOSED NO. 2007-63  
(Delegated Authority)
- (17) A By-Law To Exempt 1 Mowat Avenue Under Section 9. (6) Of The Condominium Act From Sections 51 And 51.1 Of The Planning Act In Order To Alter The Condominium Description  
THREE READINGS PROPOSED NO. 2007-64  
(Delegated Authority)
- (18) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, February 20, 2007  
THREE READINGS PROPOSED NO. 2007-65  
(City Council Meeting No. 06-2007)
- (19) A By-Law To Cancel Municipal And Education Taxes For 326 Bagot Street, Plan OS Lot 305 and; Part Lot 306.  
THIRD READING PROPOSED NO. 2006-131  
(See Clause (7), Report No. 72)
- (20) A By-Law To Declare Surplus To Municipal Need And Sell The Parcel Of Land Identified As Part Of Lot 320, Plan 137, City Of Kingston, County Of Frontenac, Designated As Part 4 On Plan 13R-18234  
THIRD READING PROPOSED NO. 2007-37  
(See Clause (a), Report No. 8)
- (21) A By-Law To Declare Surplus To the Municipality A Parcel Of Land, 55.6 Square Metres In Size, Described As Part 2 On Draft Reference Plan 13R-\_\_\_, It Being Part Of Block 118 Registered Plan 1984, Concession East Of The Great Cataraqui River  
THIRD READING PROPOSED NO. 2007-38  
(See Clause (g), Report No. 8)
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**ADJOURNMENT**