



CITY COUNCIL MEETING NO. 12-2007

Tuesday, May 15, 2007 at 7:00 pm in the Council Chambers at City Hall.

There will be a Kingston & Frontenac Corporation Shareholders Meeting in the Council Chamber at 7:00 pm.

Council will reconvene as regular Council at 7:30 pm.

ORDERS OF THE DAY

Page No.

Roll Call4

Committee of the Whole “In Camera”4

Disclosure of Pecuniary Interest4

Presentations4

Delegations.....4

Briefings4

Petitions4

Motions of Congratulations/Condolences/Speedy Recovery.....5

Report No. 51 of the CAO (Consent)6-8

a) License Agreement Renewal with Frontenac Condominium Corporation No. 20
for the Seawall Adjacent to Anglin Bay **schedule pages 1-4**

b) 4th Quarter Operating Budget Report for 2006 **schedule pages 5-14**

c) Community Park Projects – Request for Funds from the Polson Estate **schedule pages 15-18**

d) Awarding of Pavement Marking Tender to Metro Pavement Markings and A&A Asphalt **schedule pages 19-23**

e) Property Assessment Information Licence Agreement **schedule pages 24-26**

f) Approval to Amend the Existing Agreement with Jacques Whitford Limited for Consulting Services for Organics and Residual Management to include Consulting Services for an Integrated Waste Management System **schedule pages 27-33**

g) Award of Tender to Clow Farm Equipment Ltd. for the Purchase of a 2007 Up Front Mower **schedule pages 34-36**

ORDERS OF THE DAY

Page No.

Report No. 52 of the CAO (Recommend)	9-11
1. Market Square Revitalization	schedule pages 37-49
2. Marine Museum Purchase Negotiation Updated Status Report	schedule pages 50-58
3. City of Kingston Arts Fund Administration	schedule pages 59-91
4. Capital Budget – Consolidation/Reallocation of Accounts for 1211 and 1181 John Counter Boulevard	schedule pages 92-98
5. By-Law Amendment to Provide Partial Exemptions for Impost Fees	schedule pages 99-105
6. Naming Policy for Heritage Places, Spaces and Structures	schedule pages 106-115
7. Front-end Financing of the Construction of Seawall Improvements at Block D	schedule pages 116-123
Report No. 53 of the Planning Committee	12-13
Report No. 54 of the Kingston Municipal Heritage Committee	14-17
Report No. 55 of the Administrative Policies Committee.....	18
Report No. 56 of the Arts, Recreation & Community Policies Committee.....	19-2C
Report No. 57 of the FOCUS Kingston Steering Committee	21
Information Reports	22-23
1. 2007 Municipal Debt Limits	schedule pages 124-131
2. 2006 Development Charges Reserve Fund and Impost Reserve Fund Statement	schedule pages 132-137
3. 1 st Quarter Operating Budget Report for 2007	schedule pages 138-142
4. Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of April 2007	schedule pages 143-147
5. 2007 1 st Quarter Report – Provincial Offences Court Administration, Legal Services Department	schedule pages 148-153
6. Project Status Reports for the Grand Theatre Building Improvement Project, The Multiplex Community Centre and the Kingston Regional Sports and Entertainment Centre for April 2007	schedule pages 154-233
7. Grounding of the Multiplex Community Centre	schedule pages 234-237

ORDERS OF THE DAY

	Page No.
Miscellaneous Business	23-24
Motions.....	24-26
Notices of Motion	26
Minutes.....	26
Tabling of Documents.....	26
Communications.....	27-33
By-Laws	33-34
Adjournment.....	34

(Council Chamber)

ROLL CALL



THE COMMITTEE OF THE WHOLE "IN CAMERA"



DISCLOSURE OF PECUNIARY INTEREST




PRESENTATIONS



DELEGATIONS

- (1) Ms. Marianne Davis, Executive Director of the 2007 Volvo Youth Sailing ISAF World Championship will speak to Council regarding this event taking place in Kingston from July 13th to 20th, 2007.
(See Miscellaneous Business Item No. 5, Page No. 24)

 - (2) Ms. Jennifer Garofalo and Ms. Nicola Diak will speak to Council regarding the efforts to relocate the Portsmouth Community Correctional Centre.
(See Motion No. 3, Page No. 25)
- 

BRIEFINGS



PETITIONS



MOTIONS OF CONGRATULATIONS/CONDOLENCES/SPEEDY RECOVERY

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

Motions of Congratulations

- (1) Moved by Councillor Hector
Seconded by Deputy Mayor Schmolka

THAT the congratulations of Kingston City Council be extended to Allen Lucas, Engineer from Utilities Kingston on being named a member of the Professional Engineers Ontario Order of Honour. The Order of Honour pays tribute to professional engineers who have rendered significant service to the engineering profession. Throughout his years of service with Professional Engineers Ontario, Allen has worked to establish roles and responsibilities for its chapters that support the organization's important regulatory function.

- (2) Moved by Councillor Hector
Seconded by Councillor Smith

THAT the congratulations of Kingston City Council be extended to Sunni Rideout, Council Committee Supervisor, and her husband, Neil, on the occasion of their 25th wedding anniversary.

Motions of Condolence

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

THAT the sincere condolences of Kingston City Council be extended to the family of the late Oliver Doyle, long-time Labour Council representative and employee of Millard and Lumb.



City Council Meeting No. 12
Agenda
Tuesday, May 15, 2007

REPORTS

REPORT NO. 51 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

Report No. 51

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) **License Agreement Renewal with Frontenac Condominium Corporation No. 20 for the Seawall Adjacent to Anglin Bay**

THAT Council authorize the Mayor and City Clerk to execute a license agreement between the City and Frontenac Condominium Corporation No. 20 for a term of 10 months, commencing on June 1, 2007 and expiring on March 31, 2008, for the berthing of pleasure boats owned by members of the Corporation at a rate of \$5.11 plus Goods and Services Tax (GST) per linear foot for the boating season.

(The Report of the Commissioner of Corporate Services (07-064) is attached as Schedule Pages 1-4)
(File No. CSU-D26-000-2007)

(b) **4th Quarter Operating Budget Report for 2006**

THAT Council receive the 2006 4th quarter operating budget status report;

- and further -

THAT the surplus generated from municipal operations in the amount of \$1,651,891 be allocated as follows:

- a. \$1,000,000, to partially compensate for exemptions in support of industrial development and assessment growth, be allocated to:
 - i. the Development Charges Reserve Fund in the amount of \$500,000
 - ii. the Impost Reserve Fund in the amount of \$500,000
- b. \$651,891 to Working Fund Reserve in accordance with policy on surplus distribution;

- and further -

THAT the surplus generated from the municipal utilities operations be allocated as follows:

- a. \$580,269 to the Water Capital Reserve Funds
- b. \$1,195,928 to the Wastewater Capital Reserve Funds
- c. \$847,198 to the Gas Capital Reserve Fund
- d. \$99,370 to the Gas Appliance Reserve Fund

(The Report of the Commissioner of Finance and Corporate Performance (07-125) is attached as Schedule Pages 5-14)

(File No. CSU-F05-000-2007)

REPORTS

REPORT NO. 51 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

(c) **Community Park Projects – Request for Funds from the Polson Estate**

THAT staff be authorized to apply to the Advisory Committee to withdraw funds in the estimated amount of \$175,000 to finance The West 49 Lyons Skate Park (located in Polson Park) in the amount of \$25,000 and the Shannon Park Splash Pad Facility Project in the amount of \$150,000.

(The Report of the Commissioner of Finance and Corporate Performance (07-162) is attached as Schedule Pages 15-18)

(File No. CSU-F24-000-2007)

(d) **Awarding of Pavement Marking Tender to Metro Pavement Markings and A&A Asphalt**

THAT Council authorize the Mayor and Clerk to enter into a contract for Pavement Markings on a split basis as follows:

Metro Pavement Markings:

2007 / 2008 Roadway portion - \$336,295 / year

2007 / 2008 Airport portion - \$18,228 / year

2008 Parking lot portion - \$3,032

A & A Asphalt

2007 Parking lots portion - \$11,448

- and further -

THAT the contracts will be in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Public Works and Emergency Services (07-174) is attached as Schedule Pages 19-23)

(File No. CSU-F18-000-2007)

(e) **Property Assessment Information Licence Agreement**

THAT Council delegates its authority to the Manager of Taxation & Revenue to enter into agreements, in a form satisfactory to the Director of Legal Services, with the Municipal Property Assessment Corporation (MPAC) for the electronic download of property assessment information from the Municipal Property Assessment Corporation's *MunicipalConnect* website.

(The Report of the Commissioner of Finance and Corporate Performance (07-175) is attached as Schedule Pages 24-26)

(File No. CSU-F22-000-2007, CSU-L04-000-2007)

REPORTS

REPORT NO. 51 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

- (f) **Approval to Amend the Existing Agreement with Jacques Whitford Limited for Consulting Services for Organics and Residual Management to include Consulting Services for an Integrated Waste Management System**

THAT Council authorize the Mayor and Clerk to enter into an amending agreement in a form satisfactory to the Director of Legal Services with Jacques Whitford Limited to extend the scope of services being provided under RFP No. PWES-SW-6-2006: Engineering & Consulting Services for Organics and Residual Management to include the work identified in Report EITP-07-0111 under Phases A and B for an amount of \$114,060 plus GST, as per the Memorandum dated May 3, 2007 attached as Exhibit A, and that the term of the agreement be extended to end December 31, 2008. Sufficient funds are available in the 2007 Solid Waste Capital Budget.

(The Report of the Commissioner of Public Works and Emergency Services (07-178) is attached as Schedule Pages 27-33)

(File No. CSU-L04-000-2007, CSU-E07-000-2007)

- (g) **Award of Tender to Clow Farm Equipment Ltd. for the Purchase of a 2007 Up Front Mower**

THAT the tender CS-FL-2007-06 for the purchase of a 2007 Up Front Mower be awarded to Clow Farm Equipment Ltd. for the purchase price of \$37,942.00 plus applicable taxes.

(The Report of the Commissioner of Corporate Services (07-180) is attached as Schedule Pages 34-36)

(File No. CSU-F18-000-2007)



City Council Meeting No. 12
Agenda
Tuesday, May 15, 2007

Page 9

REPORTS (CONTINUED)

REPORT NO. 52 OF THE CHIEF ADMINISTRATIVE OFFICER (RECOMMEND)

Report No. 52

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

(1) **Market Square Revitalization**

THAT Council approve in principle the naming of those physical features of the Market Square listed in "Exhibit B" Report No. 07- 140 to meet its overall fund raising objective of \$3,650,000;

- and further -

THAT Council direct staff to prepare a confidential memorandum to Council describing any proposed naming opportunities, including the nature of the proposed donation and the name to be established;

- and further -

THAT staff be directed to prepare a report for Council's consideration in open session related to the proposed naming opportunity and that the Mayor and Clerk be authorized to sign a naming recognition letter to the donors, in a form satisfactory to the Commissioner of Public Works & Emergency Services and the Director of Legal Services;

- and further -

THAT the bid of J. Wallens Construction Ltd in the amount of \$983,000 plus GST for the construction of the north and south courtyards be accepted, it being the only bid received;

- and further -

THAT Council authorize the Mayor and Clerk to enter into a contract with J. Wallens Construction Ltd., in a form satisfactory to the Director of Legal Services

(The Report of the Commissioner of Public Works and Emergency Services (07-140) is attached as Schedule Pages 37-49)

(File No. CSU-A20-000-2007)

(2) **Marine Museum Purchase Negotiation Updated Status Report**

THAT Council approve an amendment to the 2007 capital budget in the amount of \$195,000 with funding from the Municipal Capital Reserve Fund, to carry out geotechnical investigations and technical design to evaluate and enhance the safety of the west wharf, east wharf and drydock structures at the Marine Museum property;

- and further -

THAT Council authorize City staff to retain De Curtis Engineering Limited to carry out geotechnical investigations and technical design to evaluate and enhance the safety of the west wharf, east wharf and drydock structures at the Marine Museum property.

(The Report of the Commissioner of Sustainability and Growth (07-164) is attached as Schedule Pages 50-58)

(File No. CSU-R03-000-2007)

(3) **City of Kingston Arts Fund Administration**

THAT Council accept the Kingston Arts Council's business plan to administer the City of Kingston's 2007 Arts Fund on behalf of the City of Kingston;

City Council Meeting No. 12
Agenda
Tuesday, May 15, 2007

REPORTS (CONTINUED)

REPORT NO. 52 OF THE CHIEF ADMINISTRATIVE OFFICER (RECOMMEND)

- and further -

THAT Council authorize the Mayor and Clerk to execute an agreement with the Kingston Arts Council to administer the 2007 City of Kingston Arts Fund in accordance with the business plan dated April 10, 2007; the form and content of said agreement to be satisfactory to the Commissioner of Community Development Services and the Director of Legal Services.

(The Report of the Commissioner of Community Development Services (07-165) is attached as Schedule Pages 59-91)

(File No. CSU-R00-000-2007)

(4) Capital Budget – Consolidation/Reallocation of Accounts for 1211 and 1181 John Counter Boulevard

THAT Council approve the consolidation/reallocation of \$205,000 of previous years' unspent funds from other Facilities and Information Systems capital accounts to the combined Consolidation of Offices/Data Centre account, for the completion of the 1211/1181 John Counter Boulevard facilities renovation project as follows:

95-054	Elevator Upgrade	\$ 30,000
96-134	Roof Repairs	80,000
96-126	Enterprise Resource Planning	25,000
96-127	Systems Administration Software	40,000
97-336	Master Accommodation Plan	\$30,000
		\$205,000

(The Report of the Commissioner of Corporate Services (07-169) is attached as Schedule Pages 92-98)

(File No. CSU-A19-000-2007)

(5) By-Law Amendment to Provide Partial Exemptions for Impost Fees

THAT Council be presented with and give three readings to a by-law to amend By-Law No. 2004-257, "A By-Law To Impose Water Rates And Sewer Rates To Recover The Capital Cost Of Installing Water And Sanitary Sewer Services Necessary To Benefit Users Of The System", substantially in the form attached to this report as Appendix A, including a partial exemption of Impost Fees at $\frac{2}{3}$ the current rate, effective June 1, 2007 and expiring December 31, 2007.

(The Report of the Commissioner of Finance and Corporate Performance (07-171) is attached as Schedule Pages 99-105)

(File No. CSU-C01-000-2007, CSU-E01-000-2007)

(See By-Law No. (1), 2007-112)

(6) Naming Policy for Heritage Places, Spaces and Structures

THAT Council confirm its April 17, 2007 direction to the Commissioner of Community Development Services to submit a report with recommendations for amending the City's Corporate Naming Policy for heritage places, spaces and structures on or before the end of July 2007.

(The Report of the Commissioner of Community Development Services (07-173) is attached as Schedule Pages 106-115)

(File No. CSU-A09-000-2007, CSU-R01-000-2007)

City Council Meeting No. 12
Agenda
Tuesday, May 15, 2007

REPORTS (CONTINUED)

REPORT NO. 52 OF THE CHIEF ADMINISTRATIVE OFFICER (RECOMMEND)

(7) **Front-end Financing of the Construction of Seawall Improvements at Block D**

THAT Council authorize the Mayor and Clerk to execute a front-end financing agreement with Homestead Land Holdings Limited and LAJJC Inc. whereby the costs of repairing and constructing a seawall around the perimeter of Block D adjacent to the City owned lands will be paid by Homestead Land Holdings Limited and LAJJC Inc. and reimbursed by the City no later than December 31, 2008, said agreement to be to the satisfaction of the Director of Legal Services;

- and further -

THAT Council approve a budget amendment in the amount of \$1,300,000 for this project with financing from the Municipal Capital Reserve Fund in 2008.

(The Report of the Commissioner of Public Works and Emergency Services (07-182) is attached as Schedule Pages 116-123)

(File No. CSU-D26-000-2007)

City Council Meeting No. 12
Agenda
Tuesday, May 15, 2007

Page 12

REPORTS (CONTINUED)

REPORT NO. 53 OF THE PLANNING COMMITTEE

Report No. 53

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

All items listed on the Planning Committee Report shall be the subject of one motion. Any member may ask for any item(s) included in the Committee Report to be separated from that motion, whereupon the Report of the Committee without the separated item(s) shall be put and the separated item(s) shall be considered immediately thereafter.

May 3, 2007

1. **Zoning By-Law Amendment to Add an 'H' Symbol to Prevent the Construction of any Buildings on Site until a Satisfactory Hydro-geological Report is Received**

THAT the application for Zoning By-Law Amendment (Planning File D14-088-2007) submitted by Susan Corcoran with respect to 2600 Unity Road being Part of Lot 11, Concession 6; (Parts 1 to 3 Plan 13R-2484) **BE APPROVED.**

AND BE IT FURTHER RESOLVED THAT Zoning By-Law No. 76-26 of the former Township of Kingston, as amended, be further amended as follows:

1. That Schedule 'A' of By-Law No. 76-26, as amended, is hereby further amended by changing to 'A2-8-H' General Agricultural Zone – Holding, the zone symbol for the lands located at 2600 Unity Road being Part of Lot 11, Concession 6; (Parts 1 to 3 Plan 13R-2484) and shown as "Subject Lands Rezoned from A2 to A2-8-H" on Schedule 'A' attached to the Agenda.
2. That the following new subsection be added to Section 10(3) following subsection (g):
“(h) Special Requirement 'A2-8'
Notwithstanding the provisions of Section 6(6) '-H' Holding Zone Provisions to the contrary, the Holding (-H) symbol shall not be removed until the following conditions have been satisfied:
 - a. A hydro-geological study that satisfactorily demonstrates that an adequate supply of potable water is available for the proposed development; and,
 - b. A noise and vibration impact study that satisfactorily demonstrates compliance with the guidelines for sensitive uses near a quarry.

No construction of structures or buildings and no site alterations, such as vegetation or tree removal or grading, shall take place until the Holding Symbol has been removed. Any alterations shall be restored to their pre-existing state before any required studies are conducted.”

AND BE IT FURTHER RESOLVED THAT the Amending By-Law be presented for three readings.
(See By-Law No. (2), 2007-113)

2. **Application for Zoning By-Law Amendment for 467 & 471 Johnson Street – Applicant M. & A. Kanellos and S.M. Kanellos**

THAT the application for Zoning By-Law Amendment (Our file No. D14-063-2006) submitted by M. & A. Kanellos and S.M. Kanellos, for the properties located at 467 and 471 Johnson Street **BE APPROVED.**

AND BE IT FURTHER RESOLVED THAT Zoning By-Law No. 8499, of the City of Kingston, as amended, be further amended as follows:

REPORTS (CONTINUED)

REPORT NO. 53 OF THE PLANNING COMMITTEE

1. That Zoning Schedule "A", Map 19 of Zoning By-Law No. 8499, as amended, is hereby further amended by changing the zone symbol to 'A.370-H' of the lands shown as "Subject Lands Rezoned from A to A.370-H" on Schedule "A" attached to the Agenda and forming part of amending By-Law No. 2007-114.
2. That the By-Law be amended by the addition of the following section to part VIII – EXCEPTIONS TO VARIOUS ZONE CLASSIFICATIONS:
"370-H On the approximately 515 square metre parcels of land known as 467 and 471 Johnson Street and zoned as 'A.370-H' on Zoning Map No. 19 attached to and forming part of amending By-Law No. 2007-114.
 1. Subject to the removal of the '-H' Symbol pursuant to the Planning Act, and notwithstanding any provisions of the By-Law to the contrary, the provisions of Section 6 for the 'A' One-Family Dwelling and Two-Family Dwelling Zone shall apply to the 'A.370' Zone except that:
 - i. Notwithstanding the provisions of Section 6.2 hereof to the contrary, the lands designated 'A.370' on Schedule "A" hereto may also be used for one (1) dwelling per lot containing a maximum of three (3) units. Within the 'A.370' Zone, a maximum of two (2) dwellings each containing three (3) units shall be permitted.
 - ii. MINIMUM LOT AREA: 84 square metres per dwelling unit
 - iii. MINIMUM FRONT YARD: 2.7 metres
 - iv. MINIMUM AGGREGATE SIDE YARD: 2.5 metres
 - v. MAXIMUM PERCENTAGE OF LOT COVERAGE: 43%
 - vi. MAXIMUM FLOOR SPACE INDEX: 1.7
 - vii. MINIMUM NUMBER OF PARKING SPACES: Within the 'A.370' Zone, a minimum three (3) parking spaces shall be provided.
 - viii. MAXIMUM NUMBER OF BEDROOMS PER UNIT: 4
 - ix. MAXIMUM NUMBER OF BEDROOMS: Within the 'A.370' Zone, the maximum number of bedrooms shall be 20.
 2. The '-H' Symbol shall only be removed once the following conditions have been complied with:
 - i. A Consent Application is approved, final and binding to adjust the property lines and create the right-of-way;
 - ii. Submission of a Record of Site Condition to the satisfaction of the City;
 - iii. All applicable Municipal and Agency requirements have been complied with;
 - iv. All necessary Agreements, including the Site Plan Control Agreement, have been registered on title; and
 - v. City Council has passed a further amendment to the Zoning By-Law to remove the '-H' Symbol to the Planning Act."

AND BE IT FURTHER RESOLVED THAT the Amending By-Law be presented for all three readings.

AND BE IT FURTHER RESOLVED THAT the properties located at 467 and 471 Johnson Street, **BE SUBJECT TO BY-LAW 2006-65 (Site Plan Control)**.
(See By-Law No. (3), 2007-114)



REPORTS (CONTINUED)

REPORT NO. 54 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)

Report No. 54

To the Mayor and Members of Council:

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

May 3, 2007

1. **Staff Direction Regarding 9 North Street**

THAT further to consideration of a staff information report regarding the stone building located at 9 North Street, that staff be directed to:

- a) make plans for the stabilization of the structure at 9 North Street pursuant to a budget allocation of \$100,000; and,
- b) review options for the preservation of the building;

- and further -

THAT the decision to retain or sell the building be the result of careful consideration and consultation.

(The Report of the Commissioner, Corporate Services (KMH-07-002) was distributed with the 07th May KMHC agenda.)

2. **Request for Retention of Ownership of 251 Ontario Street**

THAT further to consideration of a staff information report regarding the declaration of 251 Ontario Street as a surplus property with the intention of selling, that Council be requested to consider retaining ownership of the City's former Fire Hall as an example of good stewardship of a Heritage building;

- and further -

THAT the City be congratulated on an excellent extended lease of an active tenant.

(The Report of the Commissioner, Corporate Services (KMH-07-003) was distributed with the 07th May KMHC agenda.)

3. **Notice of Intent to Designate 1345 Woodbine Road**

WHEREAS 1345 Woodbine Road is a property of cultural heritage value; and,

WHEREAS Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18 authorizes the Council of a Municipality to enact by-laws to designate real property; and,

WHEREAS the Kingston Municipal Heritage Committee requested staff prepare a designation by-law for this property and is in agreement with pursuing the designation of this property;

THEREFORE BE IT RESOLVED THAT Council serve Notice of Intent to Designate 1345 Woodbine Road to be of Cultural Heritage Value under Part 4 of the Ontario Heritage Act and authorize City Staff to proceed with fulfilling the requirements of a Notice of Intent to Designate as defined in Section 29 (3) and (4) of the Ontario Heritage Act.

REPORTS (CONTINUED)

REPORT NO. 54 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)

4. **Notice of Intent to Designate 385 Bath Road**

WHEREAS 385 Bath Road is a property of cultural heritage value; and,

WHEREAS Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18 authorizes the Council of a Municipality to enact by-laws to designate real property; and,

WHEREAS the Kingston Municipal Heritage Committee requested staff prepare a designation by-law for this property and is in agreement with pursuing the designation of this property;

THEREFORE BE IT RESOLVED THAT Council serve Notice of Intent to Designate 385 Bath Road to be of Cultural Heritage Value under Part 4 of the *Ontario Heritage Act* and authorize City Staff to proceed with fulfilling the requirements of a Notice of Intent to Designate as defined in Section 29 (3) and (4) of the *Ontario Heritage Act*.

5. **Approval in Principle for a Site Plan for a 4-phase Kingston General Hospital Restructuring Project**

WHEREAS a Heritage Impact Assessment was received for a 4-phase Kingston General Hospital Restructuring Project, a long term plan to upgrade and expand the existing hospital buildings and operations;

THEREFORE BE IT RESOLVED THAT a site plan for a 4-phase Kingston General Hospital Restructuring Project **BE APPROVED IN PRINCIPLE** as presented.

6. **Approval of an Application for Restoration of a Cast Iron Fence on Earl Street, Fence Sections and Two Posts and Gates for 46 Sydenham Street and for Provisional Approval of a Heritage Property Grant Amount of \$2000**

THAT Application P18-360-030-2007 for a property located at 46 Sydenham Street requesting approval for the restoration of a cast iron fence on Earl Street, fence sections and two posts and gates **BE APPROVED** in accordance with a submission dated 16th April 2007 and with the understanding that all masonry work will be carried out in accordance with the City's Masonry Guidelines for the conservation of historic masonry, and that the condition of the stone wall will be assessed for work to be done, and that depending on the condition of the stone wall, that replacement stones, splicing or propriety masonry may be used for the required repairs;

- and further -

THAT Application HG-008-2007 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000;

- and further -

THAT this approval is provisional upon the eligible work being satisfactorily completed as outlined within By-Law No. 2005-258 'A By-Law To Establish A Heritage Grants Program', with the grant payable to the owner following a final inspection of the eligible work, a determination that the eligible work has been performed in accordance with the *Ontario Heritage Act* and any permit issued thereunder, and the final approval of Council.

7. **Approval of an Application for Masonry Repair, Chimneys 1 and 2, Roofing, Eavestroughs and Downspout for 68 Princess Street and for Provisional Approval of a Heritage Property Grant Amount of \$2000**

THAT Application P18- 032-032-2007 for a property located at 68 Princess Street requesting approval for masonry repair, chimneys 1 and 2, roofing, eavestroughs and downspout **BE APPROVED** in accordance with a submission dated 24th April 2007;

REPORTS (CONTINUED)

REPORT NO. 54 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)

- and further -

THAT Application HG-009-2007 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000;

- and further -

THAT this approval is provisional upon the eligible work being satisfactorily completed as outlined within By-Law No. 2005-258 'A By-Law To Establish A Heritage Grants Program', with the grant payable to the owner following a final inspection of the eligible work, a determination that the eligible work has been performed in accordance with the Ontario Heritage Act and any permit issued thereunder, and the final approval of Council;

- and further -

THAT as this property is protected by an agreement held by the Ontario Heritage Trust, that the applicant ensures that the Ontario Heritage Trust approves all proposed works.

8. **Approval of an Application for Masonry Repair, West Chimney, Roof Repair, Shingles, Eavestroughs and Downspout for 338 King Street East and for Provisional Approval of a Heritage Property Grant Amount of \$2000**

THAT Application P18-220-033-2007 for a property located at 338 King Street East requesting approval for masonry repair, west chimney, roof repair, shingles, eavestroughs and downspout **BE APPROVED** in accordance with a submission dated 24th April 2007;

- and further -

THAT Application HG-010-2007 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000;

- and further -

THAT this approval is provisional upon the eligible work being satisfactorily completed as outlined within By-Law No. 2005-258 'A By-Law To Establish A Heritage Grants Program', with the grant payable to the owner following a final inspection of the eligible work, a determination that the eligible work has been performed in accordance with the Ontario Heritage Act and any permit issued thereunder, and the final approval of Council.

9. **Approval of an Application for Repair/Replacement of Eavestroughs, Masonry Repairs for Chimneys, Downspouts and Dormers for 346 King Street East and for Provisional Approval of a Heritage Property Grant Amount of \$2000**

THAT Application P18-221-034-2007 for a property located at 346 King Street East requesting approval for masonry repair, west chimney, roof repair, shingles, eavestroughs and downspout **BE APPROVED** in accordance with a submission dated 24th April 2007;

- and further -

THAT Application HG-011-2007 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000;

- and further -

THAT this approval is provisional upon the eligible work being satisfactorily completed as outlined within By-Law No. 2005-258 'A By-Law To Establish A Heritage Grants Program', with the grant payable to the owner following a final inspection of the eligible work, a determination that the eligible work has been performed in accordance with the Ontario Heritage Act and any permit issued thereunder, and the final approval of Council;

REPORTS (CONTINUED)

REPORT NO. 54 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)

- and further -

THAT as this property is protected by an agreement held by the Ontario Heritage Trust, that the applicant ensures that the Ontario Heritage Trust approves all proposed works.

10. **Final Approval of a Heritage Property Grant for 145 James Street**

WHEREAS the owner 145 James Street has requested final approval for Heritage Grant Application HG-27-06; 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-27-06 for 145 James Street **BE APPROVED** for replacement of 3 windows and a front door;

- 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'.

11. **Approval of an Application for Front Steps and Removal of Existing Basement Entrance, Removal of Queen Street Cement Block Wall, Removal of Existing Rear Addition and Construction of New Rear Addition, Landscaping and Site Plan for 285 Queen Street**

THAT Application P18-316-004-2007 for a property located at 285 Queen Street requesting approval for front steps and removal of existing basement entrance, removal of Queen Street cement block wall, removal of existing rear addition and construction of new rear addition, landscaping and site plan **BE APPROVED** in accordance with a design and description within a submission dated 27th April 2007 and subject to the receipt of construction drawings.



REPORTS (CONTINUED)

REPORT NO. 55 OF THE ADMINISTRATIVE POLICIES COMMITTEE

Report No. 55

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.

May 8, 2007

1. **Updated Visual Identity Standards Policy**

THAT the City of Kingston's Visual Identity Standards Policy be adopted to include the technical specifications for printing.

(A coloured copy of the Visual Identity Standards Policy document was distributed separate from the Administrative Policies agenda on Friday, May 4th, 2007.)

2. **Options in Structuring a Conflict of Interest Policy**

WHEREAS at the regular meeting of Kingston City Council held on December 12th, 2006 a motion was approved regarding the structuring of a Conflict of Interest Policy which was to be brought back to Council no later than June 2007; and,

WHEREAS staff has been asked to provide further information to the Administrative Policies Committee for their July meeting;

THEREFORE BE IT RESOLVED THAT Council be advised that the recommendations from the Administrative Policies Committee on how Kingston may strengthen its Conflict of Interest and disclosure policies and guidelines will be brought forward from the Administrative Policies Committee to Council in September of 2007.



REPORTS (CONTINUED)

REPORT NO. 56 OF THE ARTS, RECREATION AND COMMUNITY POLICIES COMMITTEE

Report No. 56

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.

April 26, 2007

1. **Aquatic Feasibility Study**

THAT staff be directed to develop options and a work plan in consultation with the public and user groups for the development of an aquatic centre to be used for recreational and competitive purposes, with a 50 metre pool with a bulkhead.

(The Report of the Commissioner, Sustainability & Growth (ARCP-07-017) was distributed with the 26th April ARC agenda.)

2. **Lake Ontario Park Revitalization Study**

THAT Council endorse the following vision statement for Lake Ontario Park:

"Lake Ontario Park will be maintained and enhanced as a publicly owned parkland in support of its role as one of Kingston's primary waterfront open spaces."

THAT Council endorse the following eight planning principles for the park which will set the strategic direction for a master plan for Lake Ontario Park:

- 1) Waterfront access will be fostered and the waterfront conserved and rehabilitated;
- 2) The park will provide facilities suitable for both local and regional residents as well as visitors;
- 3) The contrast between the park's two main character areas, tableland and waterfront, will be celebrated;
- 4) The park will remain accessible to people of all means and backgrounds;
- 5) Vestiges of past uses will be conserved and interpreted;
- 6) All improvements of the park will support environmental enhancement through habitat restoration and sustainable development practices;
- 7) Revenue generating uses should be considered in support of ongoing park operation and improvement, but not as a primary focus;
- 8) In determining appropriate uses for the park, priority should be given to:
 - a) Family activities;
 - b) Cultural /community activities;
 - c) Activities that promote enjoyment of the natural environment.

THAT IT BE FURTHER RECOMMENDED that Council adopt the Lake Ontario Park Revitalization Study and endorse Phase 1 of the Project which sets the vision and eight planning principles for the park;

City Council Meeting No. 12
Agenda
Tuesday, May 15, 2007

Page 20

REPORTS (CONTINUED)

REPORT NO. 56 OF THE ARTS, RECREATION AND COMMUNITY POLICIES COMMITTEE

- and further -

THAT Council direct Culture and Recreation staff, based in the approved Capital Budget, to undertake Phase 2 of the Lake Ontario Park Revitalization Study, which is the development of the park master plan. Phase 3, to be undertaken in 2008, will be a feasibility analysis and an implementation strategy for the master plan.

(The Report of the Commissioner, Community Development Services (ARCP-07-015) was distributed with the 26th April ARC agenda.)



REPORTS (CONTINUED)

REPORT NO. 57 OF THE FOCUS KINGSTON STEERING COMMITTEE

Report No. 57

To the Mayor and Members of Council:

The FOCUS Kingston Steering Committee Reports and Recommends as follows:

May 3, 2007

1. **FOCUS Kingston Facilitated Session with the Kingston Roundtable on Quality of Life**

THAT Council support the Kingston Roundtable on Quality of Life;

- and further -

THAT the FOCUS Kingston Steering Committee offer to coordinate a facilitated session with the Kingston Roundtable on Quality of Life to define how the Committee and the Roundtable can best work together.



INFORMATION REPORTS

(1) **2007 Municipal Debt Limits**

This report provides Council with information with respect to the municipality's existing levels of long-term debt as well as the additional long term borrowings that could be available as per the provincial guidelines.
(The Report of the Commissioner of Finance and Corporate Performance (07-075) is attached as Schedule Pages 124-131)
(File No. CSU-F08-000-2007)

(2) **2006 Development Charges Reserve Fund and Impost Reserve Fund Statement**

The purpose of this report is to provide Council with a status report of the city's Development Charges (DC) Reserve Funds and Impost Reserve Funds as at December 31, 2006. This report also provides a summary of activity in the Impost Fee Reserve Fund, established to provide financing for new water and sewer infrastructure and related capacity expansion.
(The Report of the Commissioner of Finance and Corporate Performance (07-122) is attached as Schedule Pages 132-137)
(File No. CSU-F20-000-2007)

(3) **1st Quarter Operating Budget Report for 2007**

This report is to provide a financial status update of the general operating fund as at March 31, 2007, the end of the first fiscal quarter.
(The Report of the Commissioner of Finance and Corporate Performance (07-163) is attached as Schedule Pages 138-142)
(File No. CSU-F05-000-2007)

(4) **Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of April 2007**

This report is to advise Council of tenders/RFPs approved and contracts awarded greater than \$50,000 that meet the established criteria of delegated authority for the month of April 2007 and to report additional information on contracts awarded by senior staff between the \$20,000 and \$50,000 level for the same period.
(The Report of the Commissioner of Finance and Corporate Performance (07-170) is attached as Schedule Pages 143-147)
(File No. CSU-F18-000-2007)

(5) **2007 1st Quarter Report – Provincial Offences Court Administration, Legal Services Department**

This report has been prepared to provide information on the 1st Quarter (January 1 – March 31/07) fine revenues and expenditures of the Provincial Offences Court, as well as caseload volumes.
(The Report of the Commissioner of Corporate Services (07-172) is attached as Schedule Pages 148-153)
(File No. CSU-F10-000-2007)

INFORMATION REPORTS (CONTINUED)

(6) **Project Status Reports for the Grand Theatre Building Improvement Project, the Multiplex Community Centre and the Kingston Regional Sports and Entertainment Centre for April 2007**

In response to Council's request for monthly project status reports for each of the Group of Seven projects, staff in Sustainability & Growth has prepared status reports for the Grand Theatre Building Improvement Project, the Multiplex Community Centre Project and the Kingston Regional Sports & Entertainment Centre project for the month of April 2007.

(The Report of the Commissioner of Sustainability and Growth (07-177) is attached as Schedule Pages 154-233)

(File No. CSU-R05-000-2007, CSU-R05-001-2007, CSU-R05-002-2007)

(7) **Grounding of the Multiplex Community Centre**

The purpose of this report is to update Council regarding the grounding issue for the Multiplex Community Centre.

(The Report of the Commissioner of Sustainability and Growth (07-179) is attached as Schedule Pages 234-237)

(File No. CSU-R05-002-2007)



MISCELLANEOUS BUSINESS

Motions of Council are required:

- (1) **THAT**, as requested by Ms. Kim Leonard, Manager of Licensing and Enforcement, Council proclaim June 23rd, 2007 as "Kingston Public Market 206th Birthday".

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

(See Communication No. 12-307)

(Distributed to all Members of Council on May 4, 2007)

- (2) **THAT** the resignation of Ms. Emma Langdon from the Municipal Accessibility Advisory Committee be accepted with regret.

(File No. CSU-C12-000-2007)

(See Communication No. 12-310)

- (3) **THAT**, as requested by Mr. Harvey Starkman, President of Toronto Residents in Partnership, Council proclaim June 2007 as "Elder Abuse Awareness Month".

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

(See Communication No. 12-311)

(Distributed to all Members of Council on May 4, 2007)

- (4) **THAT**, as requested by Ms. Hladini Wilson on behalf of the Sri Chinmoy Marathon Team, Council proclaim May 25th, 2007 as "World Harmony Run Day".

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

(See Communication No. 12-312)

(Distributed to all Members of Council on May 4, 2007)

MISCELLANEOUS BUSINESS (CONTINUED)

- (5) **THAT**, at the request of the local sailing organizers, Council proclaim the week of July 13-20, 2007, "World Youth Sailing Week", "a time to celebrate sport and culture in Kingston, the Fresh Water Sailing Capital of the World", and in recognition of the City of Kingston hosting the 2007 Volvo Youth Sailing ISAF World Championship.
(File No. CSU-M10-000-2007)
(See Communication No. 12-331)
(Distributed to all Members of Council on May 11, 2007)
- (6) **THAT**, as requested by Ms. Bhavana Varma, President of the United Way serving KFL&A, Council proclaim the week of May 26th to June 1st, 2007 as "United Way's Success By 6 Week".
(File No. CSU-M10-000-2007)
(See Communication No. 12-345)
(Distributed to all Members of Council on May 11, 2007)



MOTIONS

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

WHEREAS excessive traffic speed is an issue of concern in our residential neighbourhoods; and,

WHEREAS the City of Kingston's traffic standards do not currently allow for the installation of additional stop signs at intersections on some streets where traffic speed is a serious safety issue;

THEREFORE BE IT RESOLVED THAT additional stop signs be installed at the following intersections in order to create a four-way stop:

1. McMichael St. and McMahan Ave.
2. McMichael St. and Glengarry Rd.
3. Kingscourt Ave. and Third Ave.
4. Glengarry Rd. and Indian Rd.

- and further -

THAT additional stop signs, and other appropriate signage to be determined by staff in consultation with the district councillor, be installed at the following intersections:

5. Kingscourt Ave. and Oak St.
6. Alfred St. and Carleton St./Fourth Ave.
7. Avenue Rd. and McMahan Ave.

- and further -

THAT these implementations be subject to review after a new traffic calming policy has been adopted by the City.

(Note: This Motion was deferred from the Council meeting on May 1, 2007 in order to allow the Traffic Engineer and the Director of Legal Services to be present.)

City Council Meeting No. 12
Agenda
Tuesday, May 15, 2007

Page 25

MOTIONS (CONTINUED)

- (2) Moved by Councillor Hector
Seconded by Deputy Mayor Schmolka

WHEREAS reports from the Sexual Assault Centre Kingston indicate that out of all incidents of sexual assault, 24% take place in the victim's home, 20% in the perpetrator's home, 10% in someone else's home, 25% in a car, and 21% in a public place; and,

WHEREAS of all women who are sexually assaulted, 69% are assaulted by men that they know and 80% of women with disabilities will be sexually assaulted during their lifetime;

THEREFORE BE IT RESOLVED THAT the City of Kingston declares May as Sexual Assault Awareness Month in support of the campaign to end sexual violence;

- and further -

THAT the City of Kingston thanks all workers and volunteers in Kingston who are dedicated to helping victims of violence.

- (3) Moved by Councillor Gerretsen
Seconded by Councillor Matheson

WHEREAS the Portsmouth Community Correctional Centre (PCCC) poses serious concerns to citizens throughout the city due to the types of offenders occupying the residence and the high number of children in the surrounding schools, daycare and parks; and,

WHEREAS in the fall of 2006 the Ontario Deputy Commissioner of the Correctional Service of Canada (CSC) and the Chief Administrative Officer (CAO) of Kingston formed a committee to begin the relocation process of the PCCC; and,

WHEREAS to-date no official information has been provided to the public from either City staff or Corrections Canada and/or the federal government; and,

WHEREAS according to a report by the Kingston Whig Standard on February 3, 2007, an increasing number of high-risk offenders are continually being placed in the PCCC; that number has increased from two in 2004-2005 to 11 in the past year; and,

WHEREAS in that same report, it was noted that since 2005 a total of 51 warrants have been issued for offenders who have walked away from the PCCC and not returned; and,

WHEREAS some of the residents of the PCCC have been in violation of their probation terms by the mere fact that their residency at the PCCC is in close proximity to the schools, daycare and parks in the area; and,

WHEREAS over six hundred concerned citizens throughout the City of Kingston have signed personal letters addressed to the Hon. Stockwell Day, Minister of Public Safety, and Mayor Harvey Rosen demanding an updated progress report on the relocation efforts;

THEREFORE BE IT RESOLVED THAT this City Council endorse the fact that relocation of the Portsmouth Community Correctional Centre (PCCC) be a top priority and that instruction is given to the CAO and the administration of the City of Kingston to work diligently and expeditiously with Corrections Canada to effectively relocate the PCCC;

- and further -

THAT the CAO and the administration of the City of Kingston be instructed to provide a report at the next Council meeting as to the status of the relocation efforts and to what extent they have assisted the efforts of Corrections Canada, to-date, to find a suitable alternative location;

City Council Meeting No. 12
Agenda
Tuesday, May 15, 2007

Page 26

MOTIONS (CONTINUED)

- and further -

THAT monthly reports be submitted to council updating the status of the relocation efforts;

- and further -

THAT the Clerk forward a copy of this resolution and copies of all the personally signed letters to The Hon. Stockwell Day, Minister of Public Safety;

- and further -

THAT at the same time an official request be made to The Hon. Stockwell Day, Minister of Public Safety, for a progress report on the current relocation efforts of the PCCC.

- (4) Moved by Councillor Glover
Seconded by Deputy Mayor Schmolka

BE IT RESOLVED THAT city staff be directed to include recommendations in the forthcoming Parks and Recreation Management Plan for:

1. Dog leash-free areas or times in city parks; and
2. Other places that may be suitable as leash-free areas.



NOTICES OF MOTION



MINUTES

THAT the Minutes of City Council Meeting No. 06-2007, held Tuesday, February 20, 2007 and completed on Tuesday, February 27, 2007, and City Council Meeting No. 11-2007, held Tuesday, May 1, 2007 be confirmed.
(Distributed to all Members of Council on Friday, May 11, 2007)



TABLING OF DOCUMENTS

2007-28 Downtown Kingston! BIA
Newsletter – “Contact” – April 2007
(File No. CSU-A01-001-2007)

2007-29 OMERS
Annual Report 2006
(File No. CSU-H02-000-2007)



City Council Meeting No. 12
Agenda
Tuesday, May 15, 2007

Page 27

COMMUNICATIONS

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

Filed

- 12-299 From the Association of Municipalities of Ontario (AMO), advising that the Ministry of Transportation (MTO) will work with the AMO to identify and implement appropriate exemptions from Regulation 555/06 "Hours of Service" of the *Highway Traffic Act* for municipalities.
(File No. CSU-L11-000-2007)
(Digitally distributed to all Members of Council on April 30, 2007)
- 12-300 From the Honourable Dalton McGuinty, Premier of Ontario, acknowledging receipt of Council's resolution regarding the adoption of the federal government's definition of veteran.
(File No. CSU-C10-000-2007)
- 12-301 From the Committee of Adjustment, a Notice of Decision for the following applications:

CONSENT – In respect of an application to sever the property at 5249 Leo Lake Road, that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is May 17, 2007.
(Note: there are two different applications for this address.)

CONSENT – In respect of an application to sever the property at 1365 Sunnyside Road, that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is May 17, 2007.

MINOR VARIANCE – In respect of an application for a minor variance from Zoning By-Law No. 76-26 for the property at 1365 Sunnyside Road, that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is May 15, 2007.
(File No. CSU-D19-000-2007)
- 12-302 From the Ontario Good Roads Association (OGRA), providing information regarding the recent meeting between the President and Executive Director and the Ministers of Transportation and Public Infrastructure Renewal to discuss key municipal issues.
(File No. CSU-A01-000-2007)
- 12-303 From Queen's University and DuPont Canada, providing information regarding a conference on the Mitigation and Utilization of Greenhouse Gases, which will be held from July 8th to 12th, 2007 at Queen's.
(File No. CSU-A04-000-2007)
- 12-304 From the Kingston Area Taxi Commission, a copy of their financial statements for the year ended December 31, 2006.
(File No. CSU-F10-000-2007)
- 12-314 From the Committee of Adjustment, a Notice of Decision for the following applications:

MINOR VARIANCE – In respect of an application for a minor variance from Zoning By-Law No. 8499 for the property at 815 Princess Street, that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is May 14, 2007.

City Council Meeting No. 12
Agenda
Tuesday, May 15, 2007

Page 28

COMMUNICATIONS (CONTINUED)

MINOR VARIANCE – In respect of an application for a minor variance from Zoning By-Law No. 76-26 for the property at 860 Norwest Road, that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is May 14, 2007.

MINOR VARIANCE – In respect of an application for a minor variance from Zoning By-Law No. 8499 for the property at 11 Aberdeen Street, that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is May 14, 2007.

(File No. CSU-D19-000-2007)

12-315 From the Ministry of Municipal Affairs and Housing, advising that the Ontario government has won a prestigious Environmental Planning National award for its Greenbelt Plan.
(File No. CSU-A16-000-2007)

12-316 From the County of Frontenac, endorsing a resolution requesting the Government of Canada to expand the eligibility criteria of the Eastern Ontario Development Program (EODP) to include the City of Kingston.
(File No. CSU-F11-000-2007)

12-318 From Bogdanowicz Consulting Engineering Inc., providing notification of an application by K-Rock 1057 Inc. for a proposed new FM radio broadcasting station in Kingston.
(File No. CSU-M06-000-2007)
(Digitally distributed to all Members of Council on May 1, 2007)

12-321 From the Committee of Adjustment, a Notice of Decision for the following applications:
CONSENT – In respect of an application to sever the property at 4226 Florida Road, that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is May 22, 2007.
(File No. CSU-D19-000-2007)

12-323 From the Association of Municipalities of Ontario (AMO), advising that the government has introduced legislation designed to make it easier for municipal fire services workers to receive compensation for cancer and cardiac injury, presumed to be work related.
(File No. CSU-L11-000-2007, CSU-P16-000-2007)
(Digitally distributed to all Members of Council on May 4, 2007)

12-331 From the Honourable Peter Milliken, MP, acknowledging receipt of Council's resolution regarding Community Futures Development Corporations (CFDC).
(File No. CSU-F11-000-2007)

12-332 From the Downtown Kingston! BIA Board of Management, providing an invitation to the Spring General Meeting, which will be held on Wednesday, May 16th, 2007 at the Radisson Hotel.
(File No. CSU-A01-001-2007)

City Council Meeting No. 12
Agenda
Tuesday, May 15, 2007

Page 29

COMMUNICATIONS (CONTINUED)

- 12-333 From the Waterfront Regeneration Trust, providing notice of the Waterfront Trail Conference and Partners Meeting, which will be held on September 19th and 20th, 2007 in Toronto.
(File No. CSU-A04-000-2007)
- 12-341 From the Association of Municipalities of Ontario (AMO), providing further details on the program for the 2007 AMO Conference to be held August 19th to 22nd in Ottawa.
(File No. CSU-A01-004-2007)
(Digitally distributed to all Members of Council on May 10, 2007)
- 12-342 From the Committee of Adjustment, a Notice of Public Hearing to be held May 22nd, 2007 at the Midland Avenue Office regarding the properties located at 648 Truman Drive, 369 Macdonnell Street, 1464 Pearl Road, and 1 Lappan's Lane.
(File No. CSU-D19-000-2007)

Referred to All Members of Council

- 12-305 From the Association of Municipalities of Ontario (AMO), providing information regarding two Canada Green Building Council Workshops which will be held on May 30th, 2007 in Woodbridge and June 21st, 2007 in Mississauga.
(File No. CSU-A04-000-2007)
(Digitally distributed to all Members of Council on April 30, 2007)
- 12-306 From the Association of Municipalities of Ontario (AMO), advising that Bill 184, the *Endangered Species Act* received Second Reading on Wednesday, April 25th and was referred immediately to the Standing Committee on General Government.
(File No. CSU-L11-000-2007)
(Digitally distributed to all Members of Council on April 30, 2007)
- 12-307 From Ms. Kim Leonard, Manager of Licensing and Enforcement, asking that Council proclaim June 23rd, 2007 as "Kingston Public Market 206th Birthday".
(File No. CSU-M10-000-2007)
(See Miscellaneous Business Item No. 1)
- 12-308 From the Association of Municipalities of Ontario (AMO), providing information and looking for municipal input regarding a discussion paper proposing changes to the *Waste Diversion Act* (WDA).
(File No. CSU-L11-000-2007)
(Digitally distributed to all Members of Council on April 30, 2007)
- 12-311 From Mr. Harvey Starkman, President of Toronto Residents in Partnership, asking that Council proclaim June 2007 as "Elder Abuse Awareness Month".
(File No. CSU-M10-000-2007)
(See Miscellaneous Business Item No. 3)

City Council Meeting No. 12
Agenda
Tuesday, May 15, 2007

Page 30

COMMUNICATIONS (CONTINUED)

- 12-312 From Ms. Hladini Wilson on behalf of the Sri Chinmoy Marathon Team, asking that Council proclaim May 25th, 2007 as "World Harmony Run Day".
(File No. CSU-M10-000-2007)
(See Miscellaneous Business Item No. 4)
- 12-317 From the Ministry of Citizenship and Immigration, providing information and a nomination form for the 2007 Lincoln M. Alexander Award which honours young Ontarians who have demonstrated exemplary leadership in contributing to the elimination of racial discrimination.
(File No. CSU-R08-000-2007)
- 12-319 From Safe Kids Canada, encouraging Council to advance child injury prevention through municipal planning by enacting 4-sided isolation pool fencing by-laws in the community.
(File No. CSU-P00-000-2007)
(Digitally distributed to all Members of Council on May 1, 2007)
- 12-320 From Mr. Joe Kuchta, providing information regarding the Trade, Investment and Labour Mobility Agreement (TILMA) and a related resolution passed by Yellowknife City Council opposing the agreement.
(File No. CSU-L04-000-2007)
(Digitally distributed to all Members of Council on May 1, 2007)
- 12-322 From Ms. L. Lorraine Payette, Regional Coordinator for Kingston for the United Nations Association in Canada, asking Council if the City of Kingston will be signing with the UNESCO Canadian Coalition of Municipalities Against Racism and Discrimination.
(File No. CSU-R08-000-2007)
- 12-325 From Mr. Alex Palilionis, Community Pool User Advisor, expressing his support for the need for a 50-metre pool in the City of Kingston.
(File No. CSU-R05-000-2007, CSU-R05-002-2007)
(Digitally distributed to all Members of Council by Mr. Palilionis on May 5, 2007)
- 12-326 From RitaSue and Curt Bolton, expressing their support for the need for a 50-metre pool in the City of Kingston.
(File No. CSU-R05-000-2007, CSU-R05-002-2007)
(Digitally distributed to all Members of Council by the Boltons on May 6, 2007)
- 12-327 From Mr. Jim Cannon, President of the Portsmouth Villagers Community Association, expressing their opposition regarding the proposed midway/amusement park at Lake Ontario Park.
(File No. CSU-R04-000-2007)
(Digitally distributed to all Members of Council by Mr. Cannon on May 6, 2007)

City Council Meeting No. 12
Agenda
Tuesday, May 15, 2007

Page 31

COMMUNICATIONS (CONTINUED)

- 12-328 From Mr. Kim Donovan, President of Kincore Holdings Limited, advising that they do not wish to participate in any further studies concerning the North Blocks.
(File No. CSU-T02-000-2007)
- 12-330 From Ms. Christine McMillan and Mr. Bob Ridsdale, expressing their support regarding the proposed midway/amusement park at Lake Ontario Park.
(File No. CSU-R04-000-2007)
(Digitally distributed to all Members of Council May 9, 2007)
- 12-331 From the local sailing organizers, asking that Council proclaim the week of July 13th to 20th, 2007 as "World Youth Sailing Week", a time to celebrate sport and culture in Kingston, the Fresh Water Sailing Capital of the World, and in recognition of the City of Kingston hosting the 2007 Volvo Youth Sailing ISAF World Championship.
(File No. CSU-M10-000-2007)
(See Miscellaneous Business Item No. 5)
- 12-334 From Ms. Helen Chadwick, Trustee for the Cataraqui, King's Town and Kingscourt/Strathcona Districts of the Limestone District School Board, providing information regarding the efforts of local citizens of the Kingscourt district to instigate some traffic-calming measures along Kingscourt Avenue and encouraging the City to consider the placement of traffic-calming measures along this route for the safety of all citizens.
(File No. CSU-T08-000-2007)
- 12-335 From Mr. William Giguere, expressing his opposition to the proposal for all-way stop intersections in Strathcona Park.
(File No. CSU-T08-000-2007)
- 12-336 From Ms. Nancy Marrello Druick, expressing her support for the proposal for all-way stop intersections in Strathcona Park.
(File No. CSU-T08-000-2007)
(Digitally distributed to all Members of Council May 9, 2007)
- 12-337 From Alison and Andrew Bonham, expressing their support for the proposal for all-way stop intersections in Strathcona Park.
(File No. CSU-T08-000-2007)
(Digitally distributed to all Members of Council May 9, 2007)
- 12-338 From Jennifer and Rob Storing, expressing their support for the proposal for all-way stop intersections in Strathcona Park.
(File No. CSU-T08-000-2007)
(Digitally distributed to all Members of Council May 9, 2007)

City Council Meeting No. 12
Agenda
Tuesday, May 15, 2007

Page 32

COMMUNICATIONS (CONTINUED)

- 12-339 From Mr. Dwight Druick, expressing his support for the proposal for all-way stop intersections in Strathcona Park.
(File No. CSU-T08-000-2007)
(Digitally distributed to all Members of Council May 9, 2007)
- 12-340 From Dr. A. Kenneth Wyllie, expressing his support for the proposal for a traffic signal or three-way stop at the corner of Avenue Road and McMahon Avenue.
(File No. CSU-T08-000-2007)
- 12-344 From Mr. Savas Kekkas, District Representative for the Ontario Soccer Association, providing information regarding the passing of Bill 201, *Protection of Minors in Amateur Sports Act, 2007*, which would require organizers of sports programs to obtain a copy of a criminal record from a police force for every person who acts in a position in the program that involves dealing with persons under 18 years of age on a regular basis, whether or not the position is for remuneration.
(File No. CSU-L11-000-2007)
- 12-345 From Ms. Bhavana Varma, President of the United Way serving KFL&A, asking that Council proclaim the week of May 26th to June 1st, 2007 as "United Way's Success By 6 Week".
(File No. CSU-M10-000-2007)
(See Miscellaneous Business Item No. 6)

Referred to the Commissioner of Corporate Services

- 12-309 From the Ontario Family Fishing Weekend Steering Committee, asking that Council proclaim July 6th to 8th, 2007 as "Ontario Family Fishing Weekend".
(File No. CSU-M10-000-2007)
- 12-313 From the Falun Dafa Association of Canada, asking that Council proclaim May 2007 as "Falun Dafa Month, Honouring Truthfulness, Compassion and Forbearance".
(File No. CSU-M10-000-2007)
- 12-324 From the Kingston and District Branch of the United Empire Loyalists' Association of Canada, asking that Council proclaim June 12th, 2007 as "Loyalist Day".
(File No. CSU-M10-000-2007)
- 12-329 From the Kingston Archaeological Centre, asking that Council proclaim the week of June 11th to 18th, 2007 as "Archaeology Week" in support of the Cataraqui Archaeological Foundation's 25th Anniversary year.
(File No. CSU-M10-000-2007)

COMMUNICATIONS (CONTINUED)

Referred to the Commissioner of Community Development Services

- 12-343 From the Minister Responsible for Seniors, providing promotional materials regarding 2007 Seniors' Month, reflecting this year's theme "Active Living: Share Your Experience".
(File No. CSU-S02-000-2007)

Referred to the Nominations Committee

- 12-310 From Ms. Emma Langdon, advising of her resignation from the Municipal Accessibility Advisory Committee.
(File No. CSU-C12-000-2007)
(See Miscellaneous Business Item No. 2)



BY-LAWS

- (A) **THAT** By-Laws (1) through (4) be given their first and second reading.
- (B) **THAT** Clause 8.9 of By-Law No. 98-1 be suspended for the purpose of giving By-Law (1) three readings.
- (C) **THAT** By-Laws (1) through (4) be given their third reading.



- (1) A By-Law To Amend By-Law No. 2004-257, "A By-Law To Impose Water Rates And Sewer Rates To Recover The Capital Cost Of Installing Water And Sanitary Sewer Services Necessary To Benefit Users Of The System" – to provide a partial exemption for specific industrial related construction for the period June 1, 2007 to December 31, 2007
THREE READINGS PROPOSED NO. 2007-112
(See Clause (5), Report No. 52)
- (2) A By-Law To Amend Zoning By-Law No. 76-26 "Former Kingston Township Zoning By-Law" – To Change The Zone From General Agricultural Zone 'A2' To Special Requirement 'A2-8-H' For A Lot Created By Severance; The Special Requirement Provisions Will Prevent The Removal Of The Holding Symbol And Development Until The Appropriate Studies Regarding Noise And Vibration And Potable Water Supply Are Implemented at 2600 Unity Road, Part Lot 11, Concession 6; Parts 1 to 3 Plan 13R-2484, Susan Corcoran, Applicant (File Nos. D14-088-2007 and D13-091-2007)
THREE READINGS PROPOSED NO. 2007-113
(See Clause (1), Report No. 53)
- (3) A By-Law To Amend Zoning By-Law No. 8499, "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston" (467 and 471 Johnson Street)
THREE READINGS PROPOSED NO. 2007-114
(See Clause (2), Report No. 53)

City Council Meeting No. 12
Agenda
Tuesday, May 15, 2007

Page 34

BY-LAWS (CONTINUED)

- (4) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, May 15, 2007
THREE READINGS PROPOSED NO. 2007-115
(City Council Meeting No. 12-2007)



ADJOURNMENT