



CITY COUNCIL MEETING NO. 02-2008

Tuesday, December 18, 2007 at 6:00 pm in the Council Chambers at City Hall.
 Council will resolve into the Committee of the Whole "In Camera" and
 will reconvene as regular Council at 7:30 pm.

There will be a public meeting at 7:30 pm to discuss the Water and Sewer Rates for 2008.

Pursuant to Ontario Regulation 244-02 of the *Municipal Act, S.O. 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.

ORDERS OF THE DAY

	Page No.
Roll Call	4
Committee of the Whole "In Camera"	4
Disclosure of Pecuniary Interest	4
Presentations	4
Delegations.....	4
Briefings	4-5
Petitions	5
Motions of Congratulations/Condolences/Speedy Recovery.....	5-6
Report No. 4 of the CAO (Consent)	7-9
(a) License Agreement with Ahoy Rentals Ltd.	schedule pages 1-10
(b) Approval of Rates for 2008, 2009, and 2010 for the Water and Sewer Utilities	schedule pages 11-20
(c) Declare Surplus Lands Adjacent to 1033 John Counter Boulevard for John Counter Boulevard Widening Land Acquisition	schedule pages 21-27
(d) Amendment of Fees and Charges By-Law No. 2005-10	schedule pages 28-59
(e) Contract Amendment with Nav Canada to Provide Preventative and Corrective Maintenance of the Instrument Landing System at the Kingston (Norman Rogers) Airport	schedule pages 60-61

ORDERS OF THE DAY

	Page No.
Report No. 5 of the CAO (Recommend)	10-12
(1) Poverty Roundtable Interim Funding for 2007	schedule pages 62-66
(2) Authorization for Spatial Separation Agreements for the YMCA/Homestead Land Holdings Ltd./City of Kingston; Final Lap Performance and Sound Inc./ Golden Mile Property Development Corporation/City of Kingston; Peter Splinter/ City of Kingston and Delegation of Authority for Execution of Future Spatial Separation Agreements	schedule pages 67-79
(3) 2008 Operational Budget for the Kingston Regional Sports and Entertainment Centre	schedule pages 80-85
(4) Kingston City Council Priority Planning Report 2008-2010	schedule pages 86-90
(5) City of Kingston 2008 Accessibility Report-Plan	schedule pages 91-129
(6) Employment Land Strategy	schedule pages 130-139
Report No. 6 of the Planning Committee	13-15
Report No. 7 of the Administrative Policies Committee	16
Report No. 8 of the Kingston Municipal Heritage Committee	17-22
Report No. 10 of the Environment, Infrastructure & Transportation Policies Committee	23
Information Reports	24
(1) Project Status Reports for the Grand Theatre Building Improvement Project, the Multiplex Community Centre Project, and the Kingston Regional Sports and Entertainment Centre Project	schedule pages 224-262
(2) Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of November 2007	schedule pages 263-267
Miscellaneous Business	24
Motions	24
Notices of Motion	25

ORDERS OF THE DAY

	Page No.
Report No. 9 of the Committee of the Whole.....	25-27
Minutes.....	27
Tabling of Documents.....	28
Communications.....	28-30
By-Laws.....	30-32
Adjournment.....	32

(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) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose – CaraCo Development – 982 Nottinghill Avenue – OMB Appeal
 - (b) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Catarauqui West Secondary Plan – OMB Appeal
 - (c) A proposed or pending acquisition or disposition of land by the municipality or local board – John Counter Blvd.

2. THAT Council rise from the Committee of the Whole "In Camera", that the rules of By-Law No. 98-1 be waived and the Chair report on Items (a) and (b).



DISCLOSURE OF PECUNIARY INTEREST



PRESENTATIONS

- (1) Mayor Rosen will present a print to Mr. Peter Kraus, Site Manager for INVISTA, in recognition of their 10 million hours, which represents over five years, without a lost time work injury. Also representing INVISTA are Mr. Mark Sheridan, Environmental Health and Safety Manager, Ms. Janet Jackson, Technician, and Ms. Janet Lloyd, Technician.

- (2) Mayor Rosen will provide Council with an update regarding the recent City of Kingston delegation to Cienfuegos, Cuba, Kingston's sister city.



DELEGATIONS



BRIEFINGS

- (1) Mr. Barry Kaplan, Accessibility Project Coordinator, will brief Council on the 2008 Accessibility Report. (See Clause (5), Report No. 5, Page No. 11)

BRIEFINGS (CONTINUED)

- (2) Mr. Jim Keech, President and CEO of Utilities Kingston will brief Council on the lead testing program being conducted by Utilities Kingston.



PETITIONS



MOTIONS OF CONGRATULATIONS/CONDOLENCES/SPEEDY RECOVERY

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

Motions of Congratulations

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

THAT the congratulations of Kingston City Council be extended to INVISTA for achieving 10 million hours without a lost time work injury. This is a significant milestone to which each and every staff member of INVISTA has contributed.

- (2) Moved by Councillor Meers
Seconded by Councillor Foster

THAT the congratulations of Kingston City Council be extended to Mr. Paul Price, Senior Stormwater Technologist, Engineering Department, on his upcoming retirement after 33.5 years of employment with the City of Kingston.

Motions of Condolences

- (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 Irene Mooney, well-known City Council watchdog.

Motions of Speedy Recovery

- (1) Moved by Mayor Rosen
Seconded by Deputy Mayor Glover

THAT the best wishes of Kingston City Council be extended to Joe deMora, Chief Executive Officer of Kingston General Hospital, for a speedy recovery.

MOTIONS OF CONGRATULATIONS/CONDOLENCES/SPEEDY RECOVERY (CONTINUED)

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

THAT the best wishes of Kingston City Council be extended to Mike Lamarche, a well-known, community fundraiser and volunteer, for a speedy recovery.

Motions of Thanks

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

THAT the City of Kingston extend its thanks to Pam Havery for her significant contribution to women's shelters in Kingston, beginning over 20 years ago. She has been the Executive Director of Dawn House Women's Shelter for the last eight years, and is leaving to take on new challenges. We appreciate all her work helping others and wish her well.



City Council Meeting No. 02
Agenda
Tuesday, December 18, 2007

REPORTS

REPORT NO. 4 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

Report No. 4

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 with Ahoy Rentals Ltd.

THAT, provided that Ahoy Rentals Ltd. is able to obtain all necessary permits and approvals to erect a new non-permanent building on the site as shown in Exhibit A, on or before April 1, 2008, Council authorize the Mayor and Clerk to execute a new license agreement with Ahoy Rental Ltd., in a form satisfactory to the Director of Legal Services, for a term of five years, commencing November 1, 2007, with an option to renew for an additional five years to allow the operation of a seasonal, small, non-motorized, recreational watercraft and bicycle rental business on the City's waterfront as identified in Exhibit A in accordance with the following fee schedule:

November 1, 2007 – March 31, 2008	\$ 500
April 1, 2008 – March 31, 2009	\$5,500
April 1, 2009 – March 31, 2010	\$6,000
April 1, 2010 – March 31, 2011	\$6,500
April 1, 2011 – March 31, 2012	\$7,000
April 1, 2012 – October 31, 2012 (\$7,500 annual fee pro-rated)	\$4,375

(The Report of the Commissioner of Corporate Services (08-013) is attached as Schedule Pages 1-10)
(File No. CSU-P09-000-2008)

(b) Approval of Rates for 2008, 2009, and 2010 for the Water and Sewer Utilities

THAT Council approve the following and that the by-laws be given three readings:

- 1) The proposed water and sewer rates, effective January 1, 2008 to December 31, 2008, the proposed water and sewer rates effective January 1, 2009 to December 31, 2009, and the proposed water and sewer rates effective January 1, 2010 as detailed in the attached rate schedules.
- 2) By-Law No. 2008-11, "A By-Law To Impose Water & Wastewater Rates (Utilities Kingston)" to reflect the approved rates for 2008, 2009, and 2010, attached as Exhibit A.
- 3) The repeal of By-Law No. 2007-68, "A By-Law To Impose Water & Waste Water Rates And Miscellaneous Charges (Utilities Kingston)" at the effective date of By-Law No. 2008-11.

(The Report of the President & CEO of Utilities Kingston (08-022) is attached as Schedule Pages 11-20)
(File No. CSU-E06-000-2008)

(See By-Law No. (4), 2008-11 and By-Law No. (5), 2008-12)

REPORTS (CONTINUED)

REPORT NO. 4 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

(c) **Declare Surplus Lands Adjacent to 1033 John Counter Boulevard for John Counter Boulevard Widening Land Acquisition**

THAT Council give two readings to the by-law attached as Exhibit C to declare Parts 3, 4, 5 and 6 of Plan 13R-18948 as shown in Exhibit A as surplus to municipal needs;

- and further -

THAT Council authorize and direct the City Clerk, in accordance with the City of Kingston By-Law No. 2003-15, to give notice of Council's intention to declare surplus Parts 3, 4, 5 and 6 of Plan 13R-18948 as identified in Exhibit A and B;

- and further -

THAT Council give third reading and approve the by-law as Exhibit C to declare surplus to municipal need Parts 3, 4, 5 and 6 of Plan 13R-18948 as identified in Exhibit A upon providing the prescribed public notice of Council's intent.

(The Report of the Commissioner of Sustainability and Growth (08-025) is attached as Schedule Pages 21-27)

(File No. CSU-L18-000-2008, CSU-L19-000-2008)

(See By-Law No. (1), 2008-8)

(d) **Amendment to Fees and Charges By-Law No. 2005-10**

1. **THAT** a by-law be presented for three readings to amend By-Law No. 2005-10, "A By-Law To Establish Fees And Charges To Be Collected By The Corporation Of The City Of Kingston", as amended, by updating Schedule A with 2008 information;

2. **THAT** a by-law be presented for three readings to amend By-Law No. 2004-144, "A By-Law To Regulate Animals", by repealing Schedule A (fees), it being understood that these fees are included in By-Law No. 2005-10;

3. **THAT** a by-law to presented for three readings to amend By-Law No. 2006-118, "A By-Law Respecting The Kingston Public Market" by repealing Schedule C (Rate Structure – Leases and Daily Permits Kingston Public Market), it being understood that these fees are included in By-Law No. 2005-10;

4. **THAT** a by-law be presented for three readings to amend By-Law No. 2006-213, "A By-Law To License, Regulate And Govern Certain Businesses", by repealing various sections relating to fees, it being understood that these fees are included in By-Law No. 2005-10.

(The Report of the Commissioner of Finance and Corporate Performance (08-029) is attached as Schedule Pages 28-59)

(File No. CSU-C01-000-2008, CSU-F21-000-2008)

(See By-Law No. (6), 2008-13, By-Law No. (7), 2008-14, By-Law No. (8), 2008-15 and By-Law No. (9), 2008-16)

REPORTS (CONTINUED)

REPORT NO. 4 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

- (e) **Contract Amendment with Nav Canada to Provide Preventative and Corrective Maintenance of the Instrument Landing System at the Kingston (Norman Rogers) Airport**

THAT the Mayor and Clerk be authorized to enter a contract amendment with Nav Canada for preventative and corrective maintenance of the Instrument Landing System at the Kingston (Norman Rogers) Airport;

- and further -

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

(The Report of the Commissioner of Corporate Services (08-035) is attached as Schedule Pages 60-61)

(File No. CSU-T11-000-2008)



REPORTS (CONTINUED)

REPORT NO. 5 OF THE CHIEF ADMINISTRATIVE OFFICER (RECOMMEND)

Report No. 5

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

(1) Poverty Roundtable Interim Funding for 2007

THAT Council authorize the reallocation of \$25,000 from the appropriate Ontario Works allowance and benefits budget lines to provide one-time interim funding for the Mayor's Task Force on Poverty to complete its work of establishing a community roundtable on poverty; it being understood that this funding request is separate and distinct from the request for ongoing operating funds for the roundtable once established.

(The Report of the Commissioner of Community Development Services (08-018) is attached as Schedule Pages 62-66)

(File No. CSU-S04-000-2008)

(2) Authorization for Spatial Separation Agreements for the YMCA/Homestead Land Holdings Ltd./City of Kingston; Final Lap Performance and Sound Inc./Golden Mile Property Development Corporation/City of Kingston; Peter Splinter/City of Kingston and Delegation of Authority for Execution of Future Spatial Separation Agreements

1. **THAT** the Mayor and Clerk be authorized to execute the following spatial separation agreements, to the satisfaction of the Director of Legal Services:

- a) Between the YMCA, Homestead Land Holdings Ltd. and the City of Kingston, to allow for an addition to the existing YMCA building with a reduction in the required fire resistance rating on the west wall and the use of a pre-manufactured wall panel;
- b) Between Final Lap Performance and Sound Inc. (FLP&S), Golden Mile Property Development Corporation and the City of Kingston to permit the creation of an opening for vehicle use in the west wall of the FLP&S building at 672 Golden Mile Road; and
- c) Between Peter Splinter and the City of Kingston to permit the construction of a commercial building at 2435 Princess Street to allow for a reduction in the required fire ratings and increased unprotected openings.

2. **THAT** a by-law be presented authorizing the Director of Building & Licensing, or his/her designate, to sign Spatial Separation Agreements pursuant to the Ontario Building Code Act, between the City and the affected property owners where:

- a) The spatial separation agreement has been prepared and/or reviewed by the City of Kingston's Legal Services Group;
- b) The Building Section has received a written request by the two property owners affected by the agreement; and,
- c) All calculations necessary in determining the required distances to be used in the terms of the agreement have been provided by the applicant and reviewed by the Building Section to confirm compliance with the Ontario Building Code.

(The Report of the Commissioner of Community Development Services (08-023) is attached as Schedule Pages 67-79)

(File No. CSU-D22-000-2008)

(See By-Law No. (2), 2008-9)

REPORTS (CONTINUED)

REPORT NO. 5 OF THE CHIEF ADMINISTRATIVE OFFICER (RECOMMEND)

(3) **2008 Operational Budget for the Kingston Regional Sports and Entertainment Centre**

THAT Council receive the Arcturus/SMG 2008 operating budget submission showing net profit from operations in the amount of \$922,380 which exceeds a 10 month prorated operator's contractual requirement and incorporate the same in its 2008 operating budget estimates.

(The Report of the Commissioner of Corporate Services (08-036) is attached as Schedule Pages 80-85)

(File No. CSU-R05-001-2008)

(4) **Kingston City Council Priority Planning Report 2008-2010**

THAT Council approve the attached document, "Kingston City Council Priority Planning Report 2008-2010", which includes the overall themes of:

- Sustainability: Economic, Environment, Social and Cultural factors
- Environmentally Friendly
- Promotion of Neighbourhoods
- Promote Quality of Life Enhancing Activities
- Social Consciousness
- Creating a Progressive and Dynamic City

(The Report of the Commissioner of Sustainability and Growth and the Commissioner of Finance and Corporate Performance (08-027) is attached as Schedule Pages 86-90)

(File No. CSU-C08-000-2008)

(5) **City of Kingston 2008 Accessibility Report-Plan**

THAT Council endorse the attached City of Kingston "2008 Accessibility Report-Plan" which includes the goals and recommendations of the 2008 Accessibility Report-Plan as noted hereunder:

Goal 1: Develop recommendations for Council that support the City in complying with the Province's "Customer Service" standards, in particular the need for accessibility training for City staff.

Goal 2: Produce recommendations for Council that establish the City's role in providing, or supporting the provision of, "accessible taxis" to the community.

Goal 3: Develop and implement an "awards program" for the local private sector celebrating progressive accessibility practices.

Goal 4: Establish new administrative structures for ensuring corporate compliance with all five Provincial accessibility standards.

Goal 5: Develop guidelines addressing "heritage" and "accessibility".

(The Report of the Commissioner of Community Development Services (08-028) is attached as Schedule Pages 91-129)

(File No. CSU-S14-000-2008)

REPORTS (CONTINUED)

REPORT NO. 5 OF THE CHIEF ADMINISTRATIVE OFFICER (RECOMMEND)

Staff Briefing – Ms. Cynthia Beach, Commissioner of Sustainability and Growth will brief Council regarding the Employment Land Strategy.

(6) **Employment Land Strategy**

THAT the impost fee exemption set out in schedule A of By-Law No. 2004-257, "A By-Law To Impose Water Rates And Sewer Rates To Recover The Capital Costs Of Installing Water And Sanitary Sewer Services Necessary To Benefit Users Of The System", as amended, expiring on December 31, 2007, not be extended for industrial zoned properties.

(The Report of the Commissioner of Sustainability and Growth and the Commissioner of Finance and Corporate Performance (08-002) is attached as Schedule Pages 130-139)

(File No. CSU-E01-000-2008)



REPORTS (CONTINUED)

REPORT NO. 6 OF THE PLANNING COMMITTEE

Report No. 6

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.

December 6, 2007

1. **Final Report Dated December 6, 2007 – Downtown and Harbour Area Architectural Guidelines Study**

BE IT RESOLVED THAT the Downtown and Harbour Area Architectural Guidelines Study Final Report, prepared by Baird Sampson Neuert Architects, dated December 6, 2007, be received in fulfillment of the Study's Terms of Reference (RFP No. CDS-PD-1- 2006); and,

BE IT FURTHER RESOLVED THAT the recommendations of the Downtown and Harbour Architectural Guidelines Study Final Report be considered as part of the Official Plan Review and Zoning By-Law Review; and,

BE IT FURTHER RESOLVED THAT the Downtown and Harbour Architectural Guidelines Final Report be referred to other City staff for consideration of the non-planning recommendations.

2. **Application for Zoning By-Law amendment for Property at 2649 Highway #15**

BE IT RESOLVED THAT the Application for Zoning By-Law Amendment (Our File No. D14-099-2007) submitted by Sherry Gibbs and Bruce West for the property municipally known as 2649 Highway # 15, **BE APPROVED**.

AND BE IT FURTHER RESOLVED THAT the former Township of Pittsburgh Zoning By-Law No. 32-74, as amended, be further amended as follows:

1. That the following Section 23(3)(ww) be amended as follows:

“(ww) A1-49 2649 Highway #15 (Amending By-Law 2008-17)

Notwithstanding the provisions of Sections 23(1)(a), 23(1)(b), 23(2)(a) and 23(2)(e) hereof to the contrary, the lands zoned as "A1-49" on Schedule 'A' attached hereto, shall be used for no other purpose than one or more of the following uses: a single detached dwelling house, a semi-detached dwelling house, a home occupation, and a public use in accordance with the following provisions:

(i) Lot Area (minimum) - 2 hectares”

AND BE IT FURTHER RESOLVED THAT the Amending By-Law be presented for all three readings.
(See By-Law No. (10), 2008-17)

3. **Approval of an Application for Official Plan and Zoning By-Law Amendment for the Property Located at 84 Stephen Street**

BE IT RESOLVED THAT the application for Official Plan Amendment (Our File No. D09-030-2007) submitted by Rogers and Trainor, for the property located at 84 Stephen Street, **BE APPROVED**.

REPORTS (CONTINUED)

REPORT NO. 6 OF THE PLANNING COMMITTEE

AND BE IT FURTHER RESOLVED THAT the City of Kingston Official Plan be amended as follows:

1. The Official Plan for the City of Kingston, as amended, is hereby further amended by the following map change which shall constitute **Amendment No. 37** to the Official Plan for the City of Kingston.
 - a) **AMEND** Schedule 'C', 'Site and Area Specific Policies', of the City of Kingston Official Plan, so as to designate the property located at 84 Stephen Street, as shown on Schedule 'A' to By-Law No. 2008-18, as 'Site Specific Policy Area No. 36'.
2. That the Official Plan for the City of Kingston, as amended, be further amended by adding the following new Site Specific Policy as Section 4.8(r):

"(r) 84 Stephen Street (Amending By-Law No. 2008-18)

It is recognized that 84 Stephen Street is located within the Residential designation, however, the existing building was constructed as an office in 1968 and has historically been used as such. The site and building have been appropriately developed for office use and therefore, it shall be the policy of Council to permit professional office use within the existing building on this property.

At the time this property is redeveloped, development shall be subject to the Residential designation policies."

AND BE IT FURTHER RESOLVED THAT the application for Zoning By-Law Amendment (Our File No. D14-97-2007) submitted by Rogers and Trainor, for the property located at 84 Stephen Street, **BE APPROVED**.

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

1. That Zone Map No. 17 of Zoning By-Law No. 8499, as amended, is hereby further amended by changing the zone symbol of the lands known municipally as 84 Stephen Street from 'A' to 'A.375' as shown on Schedule 'A' to By-Law No. 2008-19.
2. By adding the following as Part VIII-Exceptions to the Various Zone Classifications, Section 375:

"375. 84 Stephen Street

On the approximately 3199 square metre parcel of land known as 84 Stephen Street and zoned as 'A.375' on Zoning Map No. 17 attached to and forming part of amending By-Law 2008-19, the following provisions shall apply:

- i) The following use shall also be permitted:
Professional office use within the building existing as of the date of the passing of this By-Law.
- ii) Outdoor Storage/Outdoor Display
Outdoor storage and outdoor display associated with a professional office use shall not be permitted.
- iii) Deemed to comply
The building and site development existing as of the date of the passing of this By-Law shall be deemed to comply with the regulations of this Zoning By-Law.
- iv) In the event that the existing building on the site is removed, any new development shall be subject to the regulations of Section 6 of this By-Law."

AND BE IT FURTHER RESOLVED THAT the Amending By-Laws be presented for all three readings.
(See By-Law No. (11), 2008-18 and By-Law No. (12), 2008-19)

REPORTS (CONTINUED)

REPORT NO. 6 OF THE PLANNING COMMITTEE

4. **Approval of an Application for Zoning By-Law Amendment-Technical Amendment Initiated by the City of Kingston to Clarify Front Yard Depth Provisions – Westbrook Meadows Subdivision**

BE IT RESOLVED THAT the Application for Zoning By-Law Amendment (File No. D14-096-2007) initiated by the City of Kingston to clarify the front yard depth provisions in the 'R1-58' Zone, **BE APPROVED.**

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

1. Section 12(3)(be)(c) is hereby amended by replacing the existing text in its entirety with the following:

"(c) Front Yard Depth (main structure, excluding any attached garage)

Minimum	3.5m
Maximum	6.5m

Notwithstanding the foregoing Front Yard Depth regulations, for Lots 1, 2, 3, 4, 5, 6, 18, 19, 21, 22, 26, 27, 32, 37, 42, 43, 44, 45, 46, 47, 50, 52, 53, 56, 57, 59, 60, 61, 62, 62, 66, 67, 70, 75, 76, 77, 78, 79 and 81 of Registered Plan 13M-67 only, the front yard depth shall be defined as the least horizontal dimension between the front lot line and the closest portion of the main structure, including any attached garage.

(Amending By-Law 2008-20)"

AND BE IT FURTHER RESOLVED THAT the Amending By-Law be presented for three readings.
(See By-Law No. (13), 2008-20)

5. **2008 Fees Review**

BE IT RESOLVED THAT the proposed fees for planning applications, as set out in Exhibit "A" attached, be adopted for 2008 on the understanding that further adjustments to the Fee Schedule may be required once the broader fees review process is complete and Council has established its policy on cost recovery levels; and,

BE IT FURTHER RESOLVED THAT Planning & Development Staff be directed to conduct an updated survey in 2008 of other Ontario Municipalities to determine their fee structure for planning applications together with the level of cost recovery that has been incorporated into their fee structure model.

(Note: A copy of the Comparison of 2007 and 2008 City of Kingston Planning Application Fees is attached as Schedule Pages 140-143)



REPORTS (CONTINUED)

REPORT NO. 7 OF THE ADMINISTRATIVE POLICIES COMMITTEE

Report No. 7

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.

December 11, 2007

1. New Mandatory Policies Required Under The Municipal Act, 2001

THAT the following policies be adopted:

- 1) The Human Resources policy, as amended, regarding the hiring of employees;
- 2) Policies for accountability and transparency, as amended, as well as delegation of powers and duties.

(Note: Copies of the policies are attached as Schedule Pages 144-159. The documents show the tracked changes requested by the Administrative Policies Committee.)

2. The Hiring of a Rural Development and Affairs Coordinator and the Adoption of the Rural Development Plan

THAT the Rural Affairs Advisory Committee recommend to Council the adoption of the attached Rural Development Plan for the City of Kingston and the hiring of a Rural Development and Affairs Coordinator.

(Note: The Rural Development Plan is attached as Schedule Pages 160-190)



REPORTS (CONTINUED)

REPORT NO. 8 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)

Report No. 8

To the Mayor and Members of Council:

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

All items listed on the Kingston Municipal Heritage 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.

December 10, 2007

1. **Approval of an Application for Replacement of Windows, Doors and Restoration of the Building's Façade for a Property Located at 37-43 Brock Street**

THAT Application P18-074-017-2007 for a property located at 37-43 Brock Street requesting approval for replacement of windows, doors and restoration of the building's façade **BE APPROVED** in accordance with a submission dated 23rd November with the understanding that:

- Blind glazing be considered rather than solid materials in the upper transom areas rather than sheet metal;
- The same sheet metal material be used in the panels below the glazing and that any work not compromise the stone under the windows at street level;
- The masonry at street level be repaired and restored;
- That it is the understanding of the Committee that the owner will investigate this work being completed in wood with historically appropriate materials and details instead of the metal.

2. **Approval of an Application for the Installation of a Railing to a Roof Parapet at a Property Located at 366 King Street East also known as 61-73 Princess Street**

THAT Application P18-285-001-2008 for a property located at 366 King Street East requesting approval for the installation of a railing to a roof parapet **BE APPROVED** in accordance with a submission dated 08th November 2007.

3. **Approval of an Application for a One Storey Extension to a Two-Storey Dwelling at a Property Located at 420 Regent Street, Barriefield**

THAT Application P18-571-004-2008 for a property located at 420 Regent Street, Barriefield requesting approval for a one-storey extension to a two-storey dwelling **BE APPROVED** in accordance with a submission dated 05th December 2007.

4. **Approval in Principle of an Application for the Installation of Two Windows or French Doors, Fascia and Frieze with Returns for a Property Located at 96 Wellington Street and 70 William Street**

THAT Application P18-388-005-2008 for a property located at 96 Wellington Street and 70 William Street requesting approval [for the installation of two windows or French doors, fascia and frieze with returns] to add the appropriate trim to the frieze and soffit returns, and to create two masonry openings **BE APPROVED IN PRINCIPLE** in accordance with a submission dated 05th December 2007 with the understanding that full working drawings will be brought back to the committee for review and consideration.

REPORTS (CONTINUED)

REPORT NO. 8 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)

5. **Approval in Principle of an Application for a Two-Storey Rear Addition for a Property Located at 89 Clarence Street**

THAT Application P18-101-003-2008 for a property located at 89 Clarence Street requesting approval for a two-storey rear addition **BE APPROVED IN PRINCIPLE** in accordance with a submission dated 04th December 2007 with the understanding that full working drawings will be brought back to the committee for review and consideration.

6. **Approval of an Application for Façade Improvements for a Property Located at 678-680 King Street West**

THAT Application P18-364-070-2007 for a property located at 678-680 King Street West requesting approval for façade improvements **BE APPROVED** in accordance with a submission dated 02nd November 2007 with the understanding that:

- Any stone remaining in the column between the window and the door to the upper level will not be covered in stucco treatment;
- A cement board and stucco coating be applied to the remainder of the shop front that is not stone;
- Detailing of the stucco should also permit water to escape along the sill stone;
- Pointing be done in accordance with the Historic Masonry guidelines and include a soft lime based mortar mix;
- A chemical cleaner be used to remove the sign painted on the side of the building and sand blasting is not an option.

7. **Approval of an Application for the Installation of Internal Storm Windows for a Property Located at 2360 Middle Road known as St. John's Presbyterian Church**

THAT Application P18-364-071-2007 for a property located at 2360 Middle Road known as St. John's Presbyterian Church requesting approval for the installation of internal storm windows **BE APPROVED** in accordance with a submission dated 02nd November 2007 with the understanding that some will be full storm windows, and some will have a lower half removable storm window.

8. **Final Approval for Masonry Repair, Chimney 1 and 2, Roofing, Eavestroughs, Downspout for a Heritage Grant Application for a Property Located at 68 Princess Street**

WHEREAS the owner of 68 Princess Street has requested final approval for Heritage Grant Application HG-009-2007; 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;

THEREFORE BE IT RESOLVED THAT Heritage Property Grant HG-009-2007 for 68 Princess Street **BE APPROVED** for masonry repair, chimneys, and roofing;

- 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'.

REPORTS (CONTINUED)

REPORT NO. 8 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)

9. **Final Approval for Heritage Grant Application for Masonry Repair, West Chimney, Shingles, and Roof Repair for a Property Located at 338-342 King Street East**

WHEREAS the owner of 338-342 King Street East has requested final approval for Heritage Grant Application HG-010-2007; 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 RESOLVED THAT Heritage Property Grant HG-010-2007 for 338-342 King Street East **BE APPROVED** for masonry repair, west chimney, shingles and roof repair;

- 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. **Final Approval for a Heritage Grant Application for Masonry Repairs, Chimneys, Dormers for a Property Located at 346-352 King Street East**

WHEREAS the owner of 346-352 King Street East has requested final approval for Heritage Grant Application HG-011-2007; 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;

THEREFORE BE IT RESOLVED THAT Heritage Property Grant HG-011-2007 for 346-352 King Street East **BE APPROVED** for masonry repair, and roof repair;

- 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. **Final Approval for a Heritage Property Grant Application Requesting Approval for Repair and Repointing and Masonry for a Property Located at 2 Beverly Street**

WHEREAS the owner of 2 Beverly Street has requested final approval for Heritage Grant Application HG-002-2007; 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;

THEREFORE BE IT RESOLVED THAT Heritage Property Grant HG-002-2007 for 2 Beverly Street **BE APPROVED** for masonry repair, and roof repair;

- 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'.

REPORTS (CONTINUED)

REPORT NO. 8 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)

12. **Final Approval for a Heritage Property Grant Application for Pointing of Foundations and Repairs or Reflashing of the Chimney, Replacement of Windowsills and Wood Surrounding Some Windows for a Property Located at 248 Division Street**

WHEREAS the owner of 248 Division Street has requested final approval for Heritage Grant Application HG-005-2007; 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;

THEREFORE BE IT RESOLVED THAT Heritage Property Grant HG-005-2007 248 Division Street **BE APPROVED** for pointing of foundations and repairs or reflashing of the chimney, replacement of windowsills and wood surrounding some 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'.

13. **Final Approval for a Heritage Property Grant Application for Roof and Chimney Repairs for a Property Located at 2551 Hwy 2 East**

WHEREAS the owner of 2551 Hwy 2 East has requested final approval for Heritage Grant Application HG-04-2006; 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;

THEREFORE BE IT RESOLVED THAT Heritage Property Grant HG-04-2006 for 2551 Hwy 2 East **BE APPROVED** for roof and chimney repairs;

- 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'.

14. **Final Approval for a Heritage Property Grant Application for Restoration of Bell Tower Masonry for a Property Located at 268 Main Street, Barriefield known as St. Mark's Church**

WHEREAS the owner of 268 Main Street, Barriefield known as St. Mark's Church has requested final approval for Heritage Grant Application HG-10-2006; 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;

THEREFORE BE IT RESOLVED THAT Heritage Property Grant HG-10-2006 for 268 Main Street, Barriefield known as St. Mark's Church **BE APPROVED** for roof and chimney repairs;

- 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'.

REPORTS (CONTINUED)

REPORT NO. 8 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)

15. **Approval of a By-Law to Designate 80 Gore Road (914 Highway 15) also known as 'Ruttan House, MacLean Park, The Hawthorns, and Hawthorn Cottage' to be of Cultural Heritage Value Pursuant to the Provisions of the Ontario Heritage Act**

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, including all buildings and structures thereon, to be of cultural heritage value or interest; and,

WHEREAS Council has consulted with its Municipal Heritage Committee and has approved the designation of a property located at CON EGCR 10 PT LOT 6.76A and CON EGCR 10 PT LOT 11.05A (80 Gore Rd. and 914 Highway 15) on September 4, 2007; and,

WHEREAS notice of the designating by-law was published in the Kingston Whig Standard, which is a newspaper having general circulation in the municipality, on September 15, 2007; and,

WHEREAS no notice of objection to the proposed designation was served to the Clerk of the Corporation of the City of Kingston;

THEREFORE, the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. To designate as being of cultural heritage value and interest the following property:
 - (a) 80 Gore Road (914 Highway 15), also known as Ruttan House, MacLean Park, The Hawthorns, and Hawthorn Cottage
2. The above mentioned property is more particularly described in Schedule "A" attached hereto.
3. A copy of the designating by-law shall be registered against the property affected in the proper land registry office. The City Clerk is hereby authorized to cause a copy of this by-law to be served on the owner of the land described in Schedule "A" hereto and on The Ontario Heritage Trust and to cause notice of the passing of this by-law to be published in the Kingston Whig Standard.
4. For the purpose of interpretation, 'Maintenance' on this property will include the following works:

Maintenance is considered routine, cyclical, non-destructive actions, necessary to slow the deterioration of a historic place. It entails the following actions: periodical inspection; general property cleanup; general gardening and repair of landscape features; replacement of glass in broken windows; minor exterior repairs (including replacement of individual asphalt shingles where there is little or no change in colour or design); repointing areas of wall space under 1.5 square metres; works on the historic gardens; environmental protection and enhancement work, and all works undertaken in the rear portion of the property on the lower plateau.
5. This By-Law shall come into force and take effect on the date of its passing.
(Note: The draft by-law and Schedule "A" are attached as Schedule Pages 191-202)
(See By-Law No. (3), 2007-166)

16. **Amended Approval for Skylights and a Dormer for a Property Located at 86 Sydenham Street**

THAT Clause 4 of Report No. 120 approved by Council 20th November 2007 be amended to replace 'dormers' with 'skylights' to read:

THAT Application P18-364-069-2007 for a property located at 86 Sydenham Street requesting approval for skylights and a dormer **BE APPROVED** in accordance with a submission dated 30th October 2007 with the understanding that the skylight match the existing skylights if possible.

REPORTS (CONTINUED)

REPORT NO. 8 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)

17. **Request for Protection of the Building at 9 North Street**

THAT the Kingston Municipal Heritage Committee anticipate the protection of the building at 9 North Street in accordance with previous discussions during the 2008 budget deliberations.



REPORTS (CONTINUED)

REPORT NO. 10 OF THE ENVIRONMENT, INFRASTRUCTURE AND TRANSPORTATION POLICIES COMMITTEE

Report No. 10

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.

The Environment, Infrastructure and Transportation Policies Committee meeting was held on Thursday evening and therefore there was insufficient time to include on the agenda. This report will be distributed separately from the agenda.

- a. Revised Pesticide By-Law
- b. Kingston Regional Sports and Entertainment Centre (KRSEC) Transportation Operation Plan



INFORMATION REPORTS

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

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 and Entertainment Centre project for the month of November 2007.

(The Report of the Commissioner of Sustainability and Growth (08-034) is attached as Schedule Pages 224-262)
(File No. CSU-R05-000-2008, CSU-R05-001-2008, CSU-R05-002-2008)

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

The purpose of 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 November 2007 and to report additional information on contracts awarded by senior staff between the \$20,000 and \$50,000 level for the month of November 2007.

(The Report of the Commissioner of Finance and Corporate Performance (08-038) is attached as Schedule Pages 263-267)
(File No. CSU-F18-000-2008)



MISCELLANEOUS BUSINESS

Motions of Council are required:

- (1) **THAT** a member of Council be appointed to sit on the Municipal Accessibility Advisory Committee (MAAC).
(Note: Councillor Schmolka advised she was unable to serve on this Committee due to work-related commitments.)



MOTIONS

- (1) Moved by Councillor Matheson
Seconded by Councillor Schmolka

WHEREAS the current water and sewer rates may not encourage conservation to the extent desirable by Council;
and,

WHEREAS it is environmentally responsible to minimize the amount of water intake from Lake Ontario and to minimize the amount of chemicals used and energy required to treat water and wastewater; and,

WHEREAS it is desirable that the City of Kingston be a leader in conservation;

THEREFORE BE IT RESOLVED THAT Utilities Kingston be directed:

1. to research the most effective way through rates or other means of achieving such conservation;
- and further -
2. to recommend to Council not later than its second meeting in October 2008, proposals for achieving conservation and a time line for the implementation of such measures.



NOTICES OF MOTION



REPORTS (CONTINUED)

REPORT NO. 9 OF THE COMMITTEE OF THE WHOLE

Report No. 9

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

December 11, 2007

1. **Approval of the Three Year Plan for Roads Related Infrastructure**
THAT the three year plan for roads related infrastructure, as presented in the budget documentation by the Engineering Division, be approved.

2. **Matching Municipal Contribution to the Delivering Opportunities for Ontario Rents (DOOR) Housing Program in the amount of \$5,000,000**
THAT the matching Municipal Contribution to the Delivering Opportunities for Ontario Rents (DOOR) Housing Program, in the amount of \$5,000,000. be referred to the Arts, Recreation and Community Policies Committee to consider along with the Ministry of Municipal Affairs and Housing contribution that the City provisionally received.

3. **Approval of the 2008 Operating Budgets and Approval of the 2008, 2009 and 2010 Capital Budgets for the Sewer, Water, Gas and Appliance Rental Business**
THAT Council approve the 2008 Operating Budget and the 2008, 2009 and 2010 Capital Budgets for the Sewer, Water, Gas and Appliance Rental Business, in the amounts noted below:

	2008
SEWER	
Capital Budget	<u>\$9,310,000</u>
Operating Budget	\$9,240,000
Debt Costs	\$2,698,802
Transfer to Capital Reserve Fund	<u>\$8,626,060</u>
Total Revenue	<u>\$20,564,862</u>
 WATER	
Capital Budget	<u>\$15,694,500</u>
Operating Budget	\$8,740,583
Debt Costs	\$571,636
Transfer to Capital Reserve Fund	<u>\$3,779,166</u>
Total Revenue	<u>\$13,091,385</u>

REPORTS (CONTINUED)

REPORT NO. 9 OF THE COMMITTEE OF THE WHOLE

GAS

Capital Budget	<u>\$2,295,950</u>
Operating Budget	\$3,510,000
Purchase & Transportation	\$35,000,000
Debt Costs	\$605,596
Transfer to Capital Reserve Fund	\$2,280,214
Transfer to City General Capital Fund	<u>\$2,000,000</u>
Total Revenue	<u>\$43,395,810</u>

APPLIANCE RENTAL BUSINESS

Capital Budget	<u>\$500,000</u>
Operating Budget	\$249,084
Transfer to Capital Reserve Fund	\$350,916
Transfer to City Environment Fund	<u>\$750,000</u>
Total Revenue	<u>\$1,350,000</u>

2009

- and further -

THAT Council approve the 2009 Capital Budgets as noted below:

Sewer	\$10,863,184
Water	\$56,216,875
Gas	\$2,094,727
Appliance Rental Business	\$500,000

2010

- and further -

THAT Council approve the 2010 Capital Budgets as noted below:

Sewer	\$14,792,556
Water	\$13,994,300
Gas	\$2,106,438
Appliance Rental Business	\$425,000

4. Approval of Local Distribution Rate Changes for 2008 for the Gas Utility

THAT Council approve:

- 1) The proposed Gas Rate changes effective January 1, 2008;
- 2) By-Law No. 2008-21, "A By-Law To Impose Gas Rates (1425445 Ontario Limited Operating As Utilities Kingston)" to reflect the approved Gas Rates effective January 1, 2008;
- 3) The repeal of By-Law No. 2007-69, "A By-Law To Impose Gas Rates (1425445 Ontario Limited Operating As Utilities Kingston)", effective January 1, 2008.

(Note: The draft by-law is attached as Schedule Pages 203-205)

(See By-Law No. (14), 2008-21 and By-Law No. (15), 2008-22)

REPORTS (CONTINUED)

REPORT NO. 9 OF THE COMMITTEE OF THE WHOLE

5. Approval of Rate Changes for 2008 for Miscellaneous Charges and the Appliance Rental Business

THAT Council approve:

- 1) The proposed Miscellaneous Charges and Appliance Rental rates adjustments as detailed in this report, effective January 1, 2008;
- 2) By-Law No. 2008-23, "A By-Law To Impose Miscellaneous Charges And Appliance Rental Rates (Utilities Kingston)" to reflect the approved rates for 2008 effective January 1, 2008;
- 3) The repeal of By-Law No. 2007-68, "A By-Law To Impose Water & Wastewater Rates And Miscellaneous Charges (Utilities Kingston)" effective January 1, 2008.

(Note: The draft by-law is attached as Schedule Pages 206-213)

(See By-Law No. (16), 2008-23 and By-Law No. (17), 2008-24)

6. Approval of the 2008 Capital Budget for the City of Kingston

THAT a by-law be presented for all three readings to approve the 2008 Municipal Capital Budget for the City of Kingston, as amended, in the amount of \$66,687,550; the 2009 Roads and Utility Capital Budgets in the amount of \$85,202,786; and the 2010 Roads and Utility Capital Budgets in the amount of \$49,068,294, with funding as follows:

Reserve Funds (pay as you go)	\$ 125,278,870
Grants	1,471,960
Donations/Other	4,157,800
Long-term debt	70,050,000
Total	\$ 200,958,630

- and further -

THAT Council approve the issuance of long term debt of \$ 7,500,000 (2008), \$28,800,000 (2009), and \$33,750,000 (2010) as financing;

- and further -

THAT Council receive the capital works-in-progress, 10 year (2008-2017) capital expenditure forecasts, and reserve fund continuity models, provided as part of the budget documentation.

(Note: The draft by-law is attached as Schedule Pages 214-223)

(See By-Law No. (18), 2008-25)

MINUTES

THAT the Minutes of City Council Meeting No. 23-2007, held Tuesday, November 20, 2007 and Meeting No. 01-2008, held Tuesday, December 4, 2007 be confirmed.

(Distributed to all Members of Council on Friday, December 14, 2007)

TABLING OF DOCUMENTS

- 2008-03 The Cataraqui Source Protection Authority
Meeting Minutes – November 7th, 2007
(File No. CSU-D03-000-2008)



COMMUNICATIONS

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

Filed

- 02-021 From the Committee of Adjustment, a Notice of Decision for the following applications:
CONSENT – In respect of an application to sever the property at Brewers Mills Road and Pine Grove Road, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is December 20, 2007.
(File No. CSU-D19-000-2008)
- 02-022 From The Spaghetti Is Ready, located at 185 Division Street, an application for a liquor licence from the Alcohol and Gaming Commission of Ontario.
(File No. CSU-P09-000-2008)
- 02-023 From Bogdanowicz Consulting Engineering Inc., providing notification of a Change of Facilities of FM radio broadcasting station CKXC-FM (K-Rock 1057) in Kingston.
(File No. CSU-A12-000-2008)
- 02-024 From Ontario Good Roads Association (OGRA)/Rural Ontario Municipal Association (ROMA), providing information regarding the 2008 Combined Conference, "The Municipal Climate – Adapting to Change", which will be held in Toronto on February 24th to 27th, 2008
(File No. CSU-A04-000-2008)
- 02-025 From the Committee of Adjustment, a Notice of Technical Consent Application for consent to sever the property located at 2555 Highway #38.
(File No. CSU-D19-000-2008)
- 02-027 From the Association of Municipalities of Ontario (AMO), providing information regarding upcoming AMO/LAS Energy Management Workshops to be held in various locations in January and March, 2008.
(File No. CSU-A04-000-2008)
(Digitally distributed to all Members of Council on December 4, 2007)

COMMUNICATIONS (CONTINUED)

- 02-028 From the Association of Municipalities of Ontario (AMO), providing information regarding the meeting of the Large Urban Mayors' Caucus of Ontario (LUMCO), including the pressing need for permanent, sustainable federal infrastructure investment.
(File No. CSU-A02-000-2008)
(Digitally distributed to all Members of Council on November 30, 2007)
- 02-029 From the Association of Municipalities of Ontario (AMO), providing information regarding upcoming technical consultation sessions on the proposed Canadian Council of Environment Ministers' (CCME) Draft Canada-Wide Strategy for the Management of Municipal Wastewater Effluent.
(File No. CSU-E08-000-2008)
(Digitally distributed to all Members of Council on November 30, 2007)
- 02-031 From the Kingston Regional Sports and Entertainment Centre, located at 1 Barrack Street, an application for a liquor licence from the Alcohol and Gaming Commission of Ontario.
(File No. CSU-P09-000-2008)
- 02-032 From the Municipal Property Assessment Corporation (MPAC), providing an update on its activities to date for 2007.
(File No. CSU-F22-000-2008)

Referred to All Members of Council

- 02-026 From the Town of Caledon, asking for Council's support of a resolution requesting that the Province of Ontario consider increasing the fees and royalties charged to aggregate operators and use this additional revenue exclusively for providing the Ministry of Natural Resources (MNR) with resources to effectively staff an enforcement branch that will be able to adequately ensure the long term viability of the aggregate industry as well as ensure the responsible protection of the long-term environmental and human health of the community surrounding these aggregate extraction operations.
(File No. CSU-C10-000-2008)
- 02-030 From Mr. Brian Taylor, expressing his opinion that the Harold Harvey arena should be drastically updated or closed and that the Church Athletic League (CAL) should move to play in the new multiplex next season.
(File No. CSU-R05-000-2008)
(Digitally distributed to all Members of Council on December 5, 2007)
- 02-033 From the Ontario Small Urban Municipalities (OSUM), providing information regarding the 2008 Conference and Trade Show, which will be held in Collingwood from April 30th to May 2nd, 2008.
(File No. CSU-A04-000-2008)

COMMUNICATIONS (CONTINUED)

Referred to the President and CEO of Utilities Kingston

- 02-034 From McCormick Rankin Corporation, advising that they have been retained by the Ministry of Transportation (MTO) to undertake a Detail Design Study for safety and operational improvements of approximately 6.0 km of Highway 401 from west of Sydenham Road to west of Montreal Street.
(File No. CSU-T05-000-2008)



BY-LAWS

- (A) THAT By-Laws (1) and (2) and (4) through (20) 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 (4) to (9) and (14) to (18) three readings.
- (C) THAT By-Laws (3) through (20) be given their third reading.



- (1) A By-Law To Declare Surplus To Municipal Need And Sell Parts 3, 4, 5 And 6 On Plan 13R-18948
FIRST AND SECOND READINGS PROPOSED NO. 2008-8
(See Clause (c), Report No. 4)
(To be held for Third Reading pending the Notice Provisions By-Law)
- (2) A By-Law To Delegate The Authority To The Director Of Building & Licensing For Execution Of Spatial Separation Agreements Under The Ontario Building Code, As Amended
FIRST AND SECOND READINGS PROPOSED NO. 2008-9
(See Clause (2), Report No. 5)
- (3) A By-Law To Designate 80 Gore Road (914 Highway 15) Also Known As Ruttan House, MacLean Park, The Hawthorns, And Hawthorn Cottage To Be Of Cultural Heritage Value Pursuant To The Provisions Of The Ontario Heritage Act (R.S.O. 1990, Chapter 0.18)
THIRD READING PROPOSED NO. 2007-166
(See Clause (15), Report No. 8)
- (4) A By-Law To Impose Water & Wastewater Rates (Utilities Kingston)
THREE READINGS PROPOSED NO. 2008-11
(See Clause (b), Report No. 4)
- (5) A By-Law To Repeal By-Law No. 2007-68, "A By-Law To Impose Water & Waste Water Rates And Miscellaneous Charges (Utilities Kingston)"
THREE READINGS PROPOSED NO. 2008-12
(See Clause (b), Report No. 4)

City Council Meeting No. 02
Agenda
Tuesday, December 18, 2007

Page 31

BY-LAWS (CONTINUED)

- (6) A By-Law To Amend By-Law No. 2005-10, "A By-Law To Establish Fees And Charges To Be Collected By The Corporation Of The City Of Kingston" (to update Schedule A with 2008 information)
THREE READINGS PROPOSED NO. 2008-13
(See Clause (d), Report No. 4)
- (7) A By-Law To Amend By-Law No. 2004-144, "A By-Law To Regulate Animals" (delete fee schedule)
THREE READINGS PROPOSED NO. 2008-14
(See Clause (d), Report No. 4)
- (8) A By-Law To Amend By-Law No. 2006-118, "A By-Law Respecting The Kingston Public Market" (delete fee schedule)
THREE READINGS PROPOSED NO. 2008-15
(See Clause (d), Report No. 4)
- (9) A By-Law To Amend By-Law No. 2006-213, "A By-Law To License, Regulate And Govern Certain Businesses" (delete reference to fees)
THREE READINGS PROPOSED NO. 2008-16
(See Clause (d), Report No. 4)
- (10) A By-Law To Amend By-Law No. 32-74, "A By-Law To Regulate The Use Of Lands And The Character, Location And Use Of Buildings And Structures In The Township Of Pittsburgh" (Zone modification of 'A1-49', 2649 Highway #15)
THREE READINGS PROPOSED NO. 2008-17
(See Clause (2), Report No. 6)
- (11) A By-Law To Amend The Official Plan For The City Of Kingston Planning Area (Amendment No. 37, known municipally as 84 Stephen Street)
THREE READINGS PROPOSED NO. 2008-18
(See Clause (3), Report No. 6)
- (12) A By-Law To Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston" (Zone Amendment From 'A' to 'A.375', 84 Stephen Street)
THREE READINGS PROPOSED NO. 2008-19
(See Clause (3), Report No. 6)
- (13) A By-Law To Amend By-Law No. 76-26 "A By-Law To Regulate The Use Of Lands And The Character, Location And Use Of Buildings And Structures In The Township Of Kingston" (Text change to 'R1-58' Zone (Site Specific Residential Type 1) to clarify front yard depth provisions, Westbrook Meadows Subdivision)
THREE READINGS PROPOSED NO. 2008-20
(See Clause (4), Report No. 6)

BY-LAWS (CONTINUED)

- (14) A By-Law To Impose Gas Rates (1425445 Ontario Limited Operating As Utilities Kingston)
THREE READINGS PROPOSED NO. 2008-21
(See Clause (4), Report No. 9)
- (15) A By-Law To Repeal By-Law No. 2007-69, "A By-Law To Impose Gas Rates (1425445 Ontario Limited Operating As Utilities Kingston)"
THREE READINGS PROPOSED NO. 2008-22
(See Clause (4), Report No. 9)
- (16) A By-Law To Impose Miscellaneous Charges And Appliance Rental Rates (Utilities Kingston)
THREE READINGS PROPOSED NO. 2008-23
(See Clause (5), Report No. 9)
- (17) A By-Law To Repeal By-Law No. 2007-68, "A By-Law To Impose Water & Wastewater Rates And Miscellaneous Charges (Utilities Kingston)"
THREE READINGS PROPOSED NO. 2008-24
(See Clause (5), Report No. 9)
- (18) A By-Law To Approve The 2008 Capital Budget
THREE READINGS PROPOSED NO. 2008-25
(See Clause (6), Report No. 9)
- (19) A By-Law To Establish Parts 1, 3 And 4 On Reference Plan 13R-5644 As Part Of The Public Highway Known As Dalton Avenue, 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. 2008-26
(Delegated Authority)
- (20) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, December 18, 2007
THREE READINGS PROPOSED NO. 2008-27
(City Council Meeting No. 02-2008)



ADJOURNMENT