



## ORDERS OF THE DAY

	<b>Page No.</b>
Report No. 35 of the Planning Committee .....	11-19
Report No. 36 of the Environment, Infrastructure & Transportation Policies Committee .....	20
Report No. 37 of the Arts, Recreation & Community Policies Committee .....	21-22
Report No. 38 of the Kingston Municipal Heritage Committee .....	23
Report No. 39 of the Municipal Accessibility Advisory Committee.....	24-25
Report No. 40 of the Citizen Committee To Review Council Remuneration.	26
<b>Information Reports .....</b>	<b>27</b>
(1) 2009 Municipal Debt Limits	<b>schedule pages 89-95</b>
(2) Statement of Remuneration and Expenses Paid to Council Members	<b>schedule pages 96-99</b>
(3) Update on Rodden Park Barn Building	<b>schedule pages 100-103</b>
(4) City/Queens Shared Solutions	<b>schedule pages 104-109</b>
Miscellaneous Business.....	28
Motions.....	29-31
Notices of Motion .....	31
Minutes.....	32
Tabling of Documents.....	32
Communications .....	33-37
By-Laws .....	38-39
Adjournment.....	39

(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) A proposed or pending acquisition or disposition of land by the municipality or local board – Municipal Accommodation
  - (b) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose – 11 Queen St.
- (2) THAT Council rise from the Committee of the Whole "In Camera" without reporting.



## DISCLOSURE OF PECUNIARY INTEREST



## PRESENTATIONS



## DELEGATIONS



## BRIEFINGS

- (1) Gerard Hunt, CAO, City of Kingston, will brief Council on the Kingston Hydro "Environmental Excellence Award"
- (2) Hal Linscott, City Solicitor & Director of Legal Services, will brief Council on the City/Queens Shared Solutions. See Information Reports, Clause (4)



## PETITIONS



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**MOTIONS OF CONGRATULATIONS/CONDOLENCES/SPEEDY RECOVERY**

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

**Motions of Congratulations**

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

**THAT** the congratulations of Kingston City Council be extended to Jim and Beryl McAllister, life-long residents of Kingston, on the occasion of their 60<sup>th</sup> wedding anniversary, to be celebrated on April 2, 2009.

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

**THAT** the congratulations of Kingston City Council be extended to Arcturus/SMG and staff on the occasion of the K-Rock Centre being named the "Major Facility of the Year" in the venues 8,000 seats or less category at the Canadian Music Industry and Broadcast Awards event on March 12, 2009. This is an excellent and noteworthy achievement in its first year of operation.



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**REPORTS**

**REPORT NO. 33 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)**

**Report No. 33**

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) **North Frontenac Non-Profit Housing Corporation's Request for Loan for Capital Repairs**

**THAT** Council approve the loan in the amount up to \$48,500 from the Social Housing Capital Reserve Fund to North Frontenac Non-Profit Housing Corporation for health and safety repairs to its 18 family units in Sharbot Lake; the terms of said loan agreement will be approved by the City Solicitor and as set out in By-Law 2003-88 as amended.

(The Report of the Commissioner of Community Development Services (09-077) is attached as Schedule Pages 1-2)  
(File No. CSU-S13-000-2009)

(b) **Issuance of Parking Tickets on Private Property Owned by Inside & Out at 772 Princess Street**

**THAT** a by-law be presented to amend By-Law No. 99-166, "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or Local Board", to appoint David Hatt, Jennifer Osmond and Sandy Latchford for the purpose of issuing parking violation tickets and to enforce the provisions of By-law 99-166 on the property at 772 Princess Street and,

**THAT** this approval is subject to the applicant entering into an agreement in a form satisfactory to the City Solicitor to indemnify and save harmless the City from all claims and actions that might arise, and subject further to providing proof of sufficient insurance in a form satisfactory to the City Solicitor.

(The Report of the Commissioner of Community Development Services (09-095) is attached as Schedule Pages 3-5)  
(File No. CSU-T02-000-2009)  
(See By-Law No. (1), 2009-50)

**REPORTS (CONTINUED)**

**REPORT NO. 33 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)**

(c) **Request to Amend Encroachment Agreement for 326 Bagot Street**

**WHEREAS** Kingston City Council passed resolution on December 2, 2008 to amend the Encroachment Agreement for 326 Bagot Street and;

**WHEREAS** the Licensee, operating as Queen Bagot Inc., has requested a further extension of the deadline requiring the property owner to backfill and level the property if building construction has not commenced by December 31, 2009.

**THEREFORE BE IT RESOLVED THAT** the amending agreement extend the deadline requiring the property owner to backfill and level the property if building construction has not commenced on or before April 30, 2010.

(The Report of the President and CEO of Utilities Kingston (09-099) is attached as Schedule Pages 6-9)  
(File No. CSU-D16-000-2009)

(d) **Request for Approval for a Spatial Separation Agreement with Frontenac Condominium Corporation # 26**

**THAT** the Mayor and Clerk be authorized to execute spatial separation agreements, to the satisfaction of the Director of Legal Services, for the property at 20 Gore Street owned by Frontenac Condominium Corporation # 26 and for the property at 61 Ontario Street owned by the City of Kingston, to allow existing unprotected openings to remain in place without the need for major changes within the parking structure at 20 Gore Street; and

**THAT** a By-Law be presented to Council to approve the Spatial Separation Agreement between Frontenac Condominium Corporation #26 and the City of Kingston; and

**THAT** the By-Law receive three readings.

(The Report of the Commissioner of Community Development Services (09-104) is attached as Schedule Pages 10-22)  
(File No. CSU-L04-000-2009)

(e) **Appointment of Alternate Acting City Clerk Pro Tem**

**THAT** a by-law be presented to Council to amend By-Law 98-8, as amended, being a By-law to appoint Statutory Officials of the Corporation of the City of Kingston", to appoint James C. Thompson as Alternate Acting Clerk, Pro Tem when the City Clerk and Deputy City Clerk are absent or unable to carry on the duties of the Clerk through illness or otherwise; and

**THAT** the by-law receive three readings.

**(See By-Law No. (2), 2009-49)**

(The Report of the City Clerk (09-098) is attached as Schedule Pages 23-25)  
(File No. CSU-H00-000-2009)

City Council Meeting No. 08-2009  
Agenda  
Tuesday, March 24, 2009

Page 7

**REPORTS (CONTINUED)**

**REPORT NO. 33 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)**

(f) **Coffee Shop Renovation – Rideaucrest Home**

**THAT** Council approves:

1. Awarding the Rideaucrest Home coffee shop renovation tender to Rockwood Design, the only bid submitted, for a total cost of \$110,000 and authorizes the Mayor and Clerk to execute a contract with Rockwood Design in a form that is satisfactory to the Director of Legal Services;
2. Amending the approved capital budget for the coffee shop renovation from \$85,000 to \$110,000, with the sources of funding for the additional \$25,000 being split 50/50 between the City of Kingston (\$12,500) and the Rideaucrest Auxiliary/Volunteers (\$12,500); and
3. Reallocating funds from approved Rideaucrest capital projects that have been completed under budget for the City's share (\$12,500) noted in 2. above.

(The Report of the Commissioner of Community Development Services (09-089) is attached as Schedule Pages 26-29)

(File No. CSU-A20-000-2009)

(g) **Provincial Grand Orange Lodge Of Ontario East - Celebration of Their 150<sup>th</sup> Meeting**

1. **THAT** a dedication tree or commemorative bench, as requested by Provincial Grand Orange Lodge of Ontario East, be located in City Park; it being clearly understood that Public Works staff will be responsible for site selection in consultation with the Orange Lodge; that said tree be of a suitable species in the Park; that said bench, if any, be located to the satisfaction of Public Works staff; and that all associated costs be borne by the Orange Lodge.
2. **THAT** the Orange Standard Flag be flown in the City of Kingston on April 30<sup>th</sup>, May 1<sup>st</sup> and 2<sup>nd</sup>, 2009; it being clearly understood that Corporate Assets / Facilities Management staff will be responsible for site selection in consultation with the Orange Lodge.
3. **THAT** no action be taken on The Provincial Grand Orange Lodge of Ontario East request to place an appropriate plaque in Kingston City Hall National Historic Site to mark their return visit.
4. **THAT** no action be taken on The Provincial Grand Orange Lodge of Ontario East request for financial assistance / fee waiver to offset some of their costs for their 150<sup>th</sup> Meeting of their Provincial Grand sessions April 30<sup>th</sup> to May 2<sup>nd</sup>, 2009 in the City of Kingston.
5. **THAT** staff be directed to report back to the Administrative Policies Committee, in the fourth quarter of 2009, with an update on a comprehensive policy with respect to: requests for proclamations; the raising of flags at City Hall and elsewhere in the city; the planting of dedication trees on City property; the placement of commemorative benches on City property; and the placement of dedication plaques on City facilities.

(The Report of the City Clerk (09-117) is attached as Schedule Pages 30-37)

(File No. CSU-M02-000-2009)

City Council Meeting No. 08-2009  
 Agenda  
 Tuesday, March 24, 2009

**REPORTS (CONTINUED)**

**REPORT NO. 33 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)**

(h) **Funding Agreement Ministry of Citizenship and Immigration**

THAT Council supports the development of a web portal that will provide newcomer access to community services and promote the municipality as a destination for newcomers to Canada;  
 - and further -

THAT Council authorize the Mayor and Clerk to sign a funding agreement, satisfactory to the Legal Services Department, in the amount of \$300,652.00 with the Ontario Ministry of Citizenship and Immigration under the Connecting Newcomers to Canada with Ontario's Municipalities Program in order to implement this program.

(The Report of the Commissioner of Sustainability and Growth (09-100) is attached as Schedule Pages 38-40)  
 (File No. CSU-L04-000-2009)

(i) **Capital Project Status Report – Fourth Quarter 2008**

1. THAT Council approve the financing of capital projects or (return of funds), as outlined in Appendix A of this report as follows:

<u>Source of Financing</u>	
<b>Municipal Capital Reserve Fund</b>	<b>\$(71,403)</b>
Technology	\$4,398
Facilities Repair	\$(15,457)
Rideaucrest Capital	\$18,616
Municipal Equipment Replacement	\$(13,071)
Utility Equipment Replacement	\$(26,000)
Transit	\$(386,103)
Kingston Access Services	\$(147,404)
Library Capital	\$140,443
Fire Capital	\$(7,158)
Environment	\$(3,747)
Arenas	\$11,904
Marinas	\$289
Development Charges	\$(38,000)
<b>Other Reserve Sub-Total</b>	<b>\$(461,290)</b>
<b>Total Reserve Funds</b>	<b>\$(532,693)</b>

2.

City Council Meeting No. 08-2009  
Agenda  
Tuesday, March 24, 2009

**REPORTS (CONTINUED)**

**REPORT NO. 33 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)**

2. **THAT** Council approve the reduction of approved debenture financing with reference to specific projects as outlined in Appendix A of this report as follows:

<b>Source of Financing</b>	
Municipal Capital Reserve Fund	\$(16,988)
Fire Capital	\$(14,127)
<b>Total Reduction of Approved Debenture Financing</b>	<b>\$(31,115)</b>

(The Report of the Deputy Treasurer (09-102) is attached as Schedule Pages 41-58)  
(File No. CSU-F08-000-2009)

(j) **Interim Capital Budget Approval – Fleet Purchases – Boards & Agencies**

**THAT** Council approve a 2009 capital budget amount of \$320,000 for fleet purchases for Kingston Police Services;  
and

**THAT** Council approve a 2009 capital budget amount of \$300,000 for fleet purchases for Kingston Access Services.

(The Report of the Chief Administrative Officer (09-118) is attached as Schedule Pages 59-62)  
(File No. CSU-F09-000-2009)



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**REPORTS (CONTINUED)**

**REPORT NO. 34 OF THE CHIEF ADMINISTRATIVE OFFICER (RECOMMEND)**

**Report No. 34**

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

(1) **Provincial Funding Request In Support Of The 2009 Senior I Standard International DanceSport Federation World Championships**

**THAT** the Mayor and Clerk be authorized to enter into an agreement, indemnifying the City from liability and financial responsibility, with Canada DanceSport Community Organization, Inc. in a form satisfactory to the Director of Legal Services; and

**THAT** Council direct staff to submit a formal written request, in partnership with Canada DanceSport Community Organization, Inc., to the Ministry of Health Promotion for financial support under the Government of Ontario's International Amateur Sport Hosting Policy subject to the above noted agreement being finalized.

(The Report of the Commissioner of Sustainability and Growth (09-106) is attached as Schedule Pages 63-88)  
(File No. CSU-L04-000-2009)



**REPORTS (CONTINUED)**

**REPORT NO. 35 OF THE PLANNING COMMITTEE**

**Report No. 35**

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.

March 5, 2009

(1) **Amendments to Site Plan Control By-law No. 2006-65  
Section 7-Financial Securities**

**THAT** By-law No. 2006-65 be amended as follows:

(a) By deleting Section 7(7) Financial Securities and replacing it with the following new Section 7(7):

(7) Financial Securities

Where an agreement is required pursuant to Section 7 of this By-law, and said agreement requires the submission of financial securities to ensure the satisfactory completion / maintenance of the works required by the Agreement and approved plan listed therein, the amount of the financial security shall be calculated as follows:

100% of on site improvements (paving, grading, stormwater management, landscaping; includes all hard and soft landscaping, walkways, retaining walls; and fencing), exclusive of buildings or structures is required as part of the Site Plan Control Agreement; and

Where a proposed development covers 100% of the site, the method for calculating securities shall be as follows:

- 10% of the first \$500,000.00 of the total value of construction; plus
- 1% of the balance of the value of construction in excess of \$500,000.00.

For all works on municipal property, 100% of the cost of the works is required.

(See By-Law No. (4), 2009-52)

**REPORTS (CONTINUED)**

**REPORT NO. 35 OF THE PLANNING COMMITTEE**

(2) **Zone Amendment Application – Referred Back to Planning Committee  
Woodhaven Subdivision**

THAT the Application for Zoning By-Law Amendment (File No. D14-130-2008) submitted by Tamarack (Catarqui West 1) Corporation for the property municipally known as 1135 Maria Avenue, **BE APPROVED.**

- and further -

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

- 1.1. Map 3 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from Development 'D' Zone to Open Space 'OS' Zone, Development 'D' Zone to Special Residential Type 2 'R2-32-H' Zone, Development 'D' Zone to Special Residential Type 2 'R2-33-H' Zone, Development 'D' Zone to Special Residential Type 4 'R4-34-H' Zone, Development 'D' Zone to Holding Special Residential Type 4 'R4-35-H' Zone as shown on Schedule "A" attached to and forming part of By-Law No. 2009-53;
- 1.2. By **Adding** a new subsection 13(3)(ff) thereto as follows:

**"Woodhaven Subdivision**

Notwithstanding the provisions of Section 13 hereof to the contrary, the lands designated 'R2-32-H' on Schedule 'A' hereto, the following provisions shall apply:

(a) **PERMITTED USES:**

i. **RESIDENTIAL USES:**

- Single Detached Dwelling House;
- Semi Detached Dwelling House;
- Three and Four Unit Row Dwelling House.

ii. **NON-RESIDENTIAL USES:**

- Home Occupation
- A public use in accordance with the provisions of Section 5(18) hereof

(b) <b>LOT FRONTAGE (minimum)</b>	<b>Corner Lot</b>	<b>Other Lot</b>
Single Detached Dwelling House	12.7m	10.0 m
Semi Detached Dwelling House	19m	15.0 m
Semi-detached dwelling unit	11.5 m	7.5 m
Row Dwelling House	11.5m	6.1 m

The Lot Frontage shall be measured along a line which is parallel to the front lot line and distant from the lot line 6.0 metres.

(c) **GARAGE LOCATION**

The front wall of a private garage, whether attached or detached from the main dwelling, containing the opening for vehicular access shall be setback a minimum of 6m from the lot line abutting the public street that the driveway crosses to access the private garage.

**REPORTS (CONTINUED)**

**REPORT NO. 35 OF THE PLANNING COMMITTEE**

**(d) FRONT YARD**

- i. Minimum setback from front lot line 4.5 metres
- ii. Maximum setback from front lot line 7.0 metres
- iii. Notwithstanding subsections (i) and (ii) where a dwelling includes a covered front porch the front wall of the main dwelling may be set back a maximum of 9.2 metres from the front lot line provided the dwelling includes a covered porch with a minimum width of 2.5 metres and a minimum depth of 2.0 metres.
- iv. Notwithstanding subsections (i), (ii) and (iii) where the front wall of an attached private garage containing the opening for vehicular access is located not more than 6.2 metres from the front lot line and where a dwelling includes a covered front porch, the front wall of the main dwelling may be set back 3.0 metres from the front wall of the garage.

- (e) **EXTERIOR SIDE YARD (minimum)** 4.5 metres on arterial and collector roads  
3.0 metres on local roads

**(f) INTERIOR SIDE YARD (minimum)**

- Single Family Dwelling House 1.2 metres, except where there is a dwelling unit without an attached garage, then one of the side yards must be 3.0 metres
- Semi Detached Dwelling House 1.2 metres, for a side that is not attached to another dwelling house except where there is a dwelling unit without an attached garage, then one of the side yards must be 3.0 metres
- Row Dwelling House 1.2 metres, for a side that is not attached to another dwelling house except where there is a dwelling unit without an attached garage, then the side yards must be 3.0 metres

- (g) **REAR YARD (minimum)** 6.75 metres;

- (h) **MINIMUM LOT AREA** Not applicable

- (i) **MINIMUM LOT COVERAGE** Not applicable

**(j) DRIVEWAYS**

Maximum driveway width as measured at the lot line shall be 6.0 metres or 50% of lot frontage, whichever is less.

**(k) PARKING**

Parking is permitted in the front yard, interior side yard and rear yard. Notwithstanding any provisions herein to the contrary, front yard parking is prohibited except where it is a driveway leading to a permitted parking area.

**REPORTS (CONTINUED)**

**REPORT NO. 35 OF THE PLANNING COMMITTEE**

(l) **SIGHT TRIANGLES**

Two sight triangles are required on a corner lot.

The location of the first sight triangle shall be located by drawing a line between a point on the exterior side lot line that is 4.5 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 8.5 metres from the intersection of the front lot line and the exterior side lot line.

The location of the second sight triangle shall be located by drawing a line between a point on the exterior side lot line that is 8.5 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 4.5 metres from the intersection of the front lot line and the exterior side lot line.

Where the exterior side lot line and the front lot line do not intersect at a point, the hypothetical point of intersection of the two lot lines shall be deemed to be the intersection of the two lot lines.

1.3. By **Adding** a new subsection 13(3)(gg) thereto as follows:

**“Woodhaven Subdivision**

Notwithstanding the provisions of Zoning By-Law No. 76-26, as amended, hereof to the contrary, the lands designated ‘R2-33-H’ on Schedule ‘A’ hereto, the following provisions shall apply:

(a) **PERMITTED USES:**

i. **RESIDENTIAL USES:**

- Single Detached Dwelling House;
- Semi Detached Dwelling House;
- Three and Four Unit Row Dwelling House.

ii. **NON-RESIDENTIAL USES:**

- Home Occupation

(b) **LOT FRONTAGE (minimum)**

	<b>Corner Lot</b>	<b>Other Lot</b>
Single Detached Dwelling House	12.7m	10.0 m
Semi Detached Dwelling House	19m	15.0 m
Three and Four Unit Row Dwelling House	11.5m	6.1 m

The Lot Frontage shall be measured along a line which is parallel to the front lot line and distant from the lot line 6.0 metres.

(c) **GARAGE LOCATION**

The front wall of a private garage, whether attached or detached from the main dwelling, containing the opening for vehicular access shall be setback a minimum of 6m from the lot line abutting the public street that the driveway crosses to access the private garage.

**REPORTS (CONTINUED)**

**REPORT NO. 35 OF THE PLANNING COMMITTEE**

**(d) FRONT YARD**

- i. Minimum setback from front lot line 4.5 metres
- ii. Maximum setback from front lot line 7.0 metres
- iii. Notwithstanding subsections (i) and (ii) where a dwelling includes a covered front porch the front wall of the main dwelling may be set back a maximum of 9.2 metres from the front lot line provided the dwelling includes a covered porch with a minimum width of 2.5 metres and a minimum depth of 2.0 metres.
- iv. Notwithstanding subsections (i), (ii) and (iii) where the front wall of an attached private garage containing the opening for vehicular access is located not more than 6.2 metres from the front lot line and where a dwelling includes a covered front porch, the front wall of the main dwelling may be set back 3.0 metres from the front wall of the garage.

- (e) **EXTERIOR SIDE YARD (minimum)** 4.5 metres on arterial and collector roads  
3.0 metres on local roads

**(f) INTERIOR SIDE YARD (minimum)**

- Single Family Dwelling House 1.2 metres, except where there is a dwelling unit without an attached garage, then one of the side yards must be 3.0 metres
- Semi Detached Dwelling House 1.2 metres, for a side that is not attached to another dwelling house except where there is a dwelling unit without an attached garage, then one of the side yards must be 3.0 metres
- Row Dwelling House 1.2 metres, for a side that is not attached to another dwelling house except where there is a dwelling unit without an attached garage, then the side yards must be 3.0 metres

- (g) **REAR YARD (minimum)** 6.75 metres;  
Those lots backing onto the buffer strip adjacent to the Collins Creek wetland shall have a minimum rear yard of 12.0 metres. No accessory uses are permitted within 12.0 metres of the rear lot line abutting the buffer strip adjacent to the Collins Creek wetland.

- (h) **MINIMUM LOT AREA** Not applicable

- (i) **MINIMUM LOT COVERAGE** Not applicable

**(j) DRIVEWAYS**

Maximum driveway width as measured at the lot line shall be 6.0 metres or 50% of lot frontage, whichever is less.

**(k) PARKING**

Parking is permitted in the front yard, interior side yard and rear yard. Notwithstanding any provisions herein to the contrary, parking in the front yard is prohibited except where it is a driveway leading to a permitted parking area.

**REPORTS (CONTINUED)**

**REPORT NO. 35 OF THE PLANNING COMMITTEE**

(l) **SIGHT TRIANGLES**

Two sight triangles are required on a corner lot.

The location of the first sight triangle shall be located by drawing a line between a point on the exterior side lot line that is 4.5 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 8.5 metres from the intersection of the front lot line and the exterior side lot line.

The location of the second sight triangle shall be located by drawing a line between a point on the exterior side lot line that is 8.5 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 4.5 metres from the intersection of the front lot line and the exterior side lot line.

Where the exterior side lot line and the front lot line do not intersect at a point, the hypothetical point of intersection of the two lot lines shall be deemed to be the intersection of the two lot lines.

1.4. By **Adding** a new subsection 15(3)(hh) thereto as follows:

**"Woodhaven Subdivision**

Notwithstanding the provisions of Zoning By-Law No. 76-26, as amended, hereof to the contrary the lands zoned 'R4-34-H' on Schedule "A" hereto may be used in accordance with the following provisions:

(a) <b>LOT FRONTAGE (minimum):</b>	Corner Lot	Other Lot
Single-family dwelling house	12.7 metres	10.0 metres
Semi-detached dwelling house	19 metres	15.0 metres
Row dwelling house	11.5 metres	6.1 metres

The Lot Frontage shall be measured along a line which is parallel to the front lot line and distant from the front lot line 6.0 metres.

(b) **GARAGE LOCATION**

The front wall of a private garage, whether attached or detached from the main dwelling, containing the opening for vehicular access shall be setback a minimum of 6m from the lot line abutting the public street that the driveway crosses to access the private garage.

(c) **FRONT YARD**

- i. Minimum setback from front lot line 4.5 metres
- ii. Maximum setback from front lot line 7.0 metres
- iii. Notwithstanding subsections (i) and (ii) where a dwelling includes a covered front porch the front wall of the main dwelling may be set back a maximum of 9.2 metres from the front lot line provided the dwelling includes a covered porch with a minimum width of 2.5 metres and a minimum depth of 2.0 metres.
- iv. Notwithstanding subsections (i), (ii) and (iii) where the front wall of an attached private garage containing the opening for vehicular access is located not more than 6.2 metres from the front lot line and where a dwelling includes a covered front porch, the front wall of the main dwelling may be set back 3.0 metres from the front wall of the garage.

**REPORTS (CONTINUED)**

**REPORT NO. 35 OF THE PLANNING COMMITTEE**

- (d) **EXTERIOR SIDE YARD WIDTH (minimum):** 4.5 metres on arterial and collector roads  
3.0 metres on local roads
- (e) **INTERIOR SIDE YARD WIDTH (minimum):**
- |                              |  |
|------------------------------|--|
| Single-family dwelling house | 1.2 metres, except where there is a dwelling unit without an attached garage, then one of the side yards must be 3.0 metres  |
| Semi-detached dwelling house | 1.2 metres, for a side that is not attached to another dwelling house except where there is a dwelling unit without an attached garage, then the side yards must be 3.0 metres |
| Row dwelling house           | 1.2 metres for a side that is not attached to another dwelling house except where there is a dwelling unit without an attached garage, then the side yards must be 3.0 metres  |
- (f) **REAR YARD DEPTH (minimum):** 6.75 metres
- (g) **MINIMUM LOT AREA** Not applicable
- (h) **MINIMUM LOT COVERAGE** Not applicable
- (i) **DRIVEWAYS**  
Maximum driveway width measured at the lot line shall be 6.0 metres or 50% of lot frontage, which is less.
- (j) **PARKING**  
Parking is permitted in the front yard, interior side yard and rear yard. Notwithstanding any provisions herein to the contrary, parking in the front yard is prohibited except where it is a driveway leading to a permitted parking area.
- (k) **SIGHT TRIANGLES**  
Two sight triangles are required on a corner lot.

The location of the first sight triangle shall be located by drawing a line between a point on the exterior side lot line that is 4.5 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 8.5 metres from the intersection of the front lot line and the exterior side lot line.

The location of the second sight triangle shall be located by drawing a line between a point on the exterior side lot line that is 8.5 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 4.5 metres from the intersection of the front lot line and the exterior side lot line.

Where the exterior side lot line and the front lot line do not intersect at a point, the hypothetical point of intersection of the two lot lines shall be deemed to be the intersection of the two lot lines.

**REPORTS (CONTINUED)**

**REPORT NO. 35 OF THE PLANNING COMMITTEE**

1.5. By **Adding** a new subsection 15(3)(ii) thereto as follows:

**"Woodhaven Subdivision**

Notwithstanding the provisions of Zoning By-Law No. 76-26, as amended, hereof to the contrary the lands designated 'R4-35-H' on Schedule "A" hereto may be used in accordance with the following provisions:

(a) **PERMITTED USES:** Row Dwelling House  
Semi-detached dwelling house

Row Dwelling houses on the property existing as of the date of passing of this By-law are considered to be a legal complying use within this zone.

(b) <b>LOT FRONTAGE (minima):</b>	Corner Lot	Other Lot
Row dwelling house	10m metres	6.1 metres
Semi Detached Dwelling House	19m	15.0 m
Semi-detached dwelling unit	11.5 m	7.5 m

The Lot Frontage shall be measured along a line which is parallel to the front lot line and distant from the front lot line 6.0 metres.

(c) **GARAGE LOCATION**

The front wall of a private garage, whether attached or detached from the main dwelling, containing the opening for vehicular access shall be setback a minimum of 6m from the lot line abutting the public street that the driveway crosses to access the private garage.

(d) **FRONT YARD**

- i. Minimum setback from front lot line 4.5 metres
- ii. Maximum setback from front lot line 7.0 metres
- iii. Notwithstanding subsections (i) and (ii) where a dwelling includes a covered front porch the front wall of the main dwelling may be set back a maximum of 9.2 metres from the front lot line provided the dwelling includes a covered porch with a minimum width of 2.5 metres and a minimum depth of 2.0 metres.
- iv. Notwithstanding subsections (i), (ii) and (iii) where the front wall of an attached private garage containing the opening for vehicular access is located not more than 6.2 metres from the front lot line and where a dwelling includes a covered front porch, the front wall of the main dwelling may be set back 3.0 metres from the front wall of the garage.

(e) **EXTERIOR SIDE YARD WIDTH (minimum):** 4.5 metres on arterial and collector roads  
3.0 metres on local roads



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**REPORTS (CONTINUED)**

**REPORT NO. 36 OF THE ENVIRONMENT, INFRASTRUCTURE AND TRANSPORTATION POLICIES COMMITTEE**

**Report No. 36**

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.

March 12, 2009

**1. On-Road Bikeway Implementation Plan**

**THAT** the 2 year on-road bikeway implementation plan be approved in principle; and

**THAT** the draft protocol for signage and maintenance of on-road bikeways be approved; and

**THAT** staff incorporate funding for implementation of the 2 year on-road bikeway implementation plan as part of the 2009 and 2010 capital budget submissions.



City Council Meeting No. 08-2009  
Agenda  
Tuesday, March 24, 2009

Page 21

**REPORTS (CONTINUED)**

**REPORT NO. 37 OF THE ARTS, RECREATION AND COMMUNITY POLICIES COMMITTEE**

**Report No. 37**

To the Mayor and Members of Council:

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

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

February 26, 2009

1. **License Agreement with Frontenac Condominium Corporation No. 20 Seawall Adjacent to Anglin Bay**

**WHEREAS** Council at its meeting held July 15<sup>th</sup>, 2008 deferred and referred to the Arts, Recreation and Community Policies Committee the following recommendation:

*THAT Council authorize the Mayor and City Clerk to execute a license agreement, in a form satisfactory to the Director of Legal Services, between the City and Frontenac Condominium Corporation No. 20 for a term of one year commencing on June 1, 2008, and expiring on March 31, 2009, for the berthing of pleasure boats owned by members of the corporation at a rate which represents 25% of the basin rate (\$13.18) as opposed to 15% (\$7.89), plus Goods and Services Tax (GST) per linear foot per year; and*

**WHEREAS** the Arts, Recreation & Community Policies Committee at its meeting held February 26<sup>th</sup>, 2009 considered a comprehensive staff report, including a review of the 2008 linear foot rate at various city marinas to determine the nature and amount of adjustments required in order for it to be comparable to the Anglin Bay seawall.

**NOW THEREFORE BE IT RESOLVED THAT** the recommendation be amended to read as follows and adopted:

**THAT** the City enter into a License Agreement with the Frontenac Condominium Corporation No. 20, in a form satisfactory to the Director of Legal Services, for the use of the Anglin Bay Seawall for a term of three (3) years commencing June 1, 2008 and expiring May 31, 2011, adjusted based on city-owned marinas costs, which for the period June 1, 2008 to May 31, 2009 is determined to be equivalent to a rate of \$8.98 per linear foot, and further;

**THAT** the minimum liability insurance coverage required to be maintained by the Frontenac Condominium Corporation No. 20 relating to the docking at the Anglin Bay Seawall be reduced from \$5,000,000 to \$2,000,000.

The Report of the Commissioner of Corporate Services (ARCP-09-013) was attached to the ARC agenda as Schedule Pages 1-10.

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**REPORTS (CONTINUED)**

**REPORT NO. 37 OF THE ARTS, RECREATION AND COMMUNITY POLICIES COMMITTEE**

2. **City Marinas Sustainable Strategy and Business Plan**

**THAT** the sustainability strategy and business plan for City owned and operated marinas, as outlined in the attached report entitled "Kingston Marinas Sustainability and Development Strategy & Business Plan", prepared by The Tourism Company and TSH Associates be approved; and

**THAT** staff incorporate funding to initiate the planning and design phase for the improvements and changes to the marinas as part of the 2009 capital budget submissions,

- and further –

**THAT** the recommendation for the relocation of the Coast Guard at Portsmouth Olympic Harbour be exempted from the above clauses, and that it be referred back to staff for review and reconsideration in light of the community concerns raised within correspondence and through a delegation to the Committee on behalf of the Portsmouth Villagers Community Association.

The Report of the Commissioner of Sustainability and Growth (ARCP-09-011) was attached to the ARC agenda as Schedule Pages 11-178. An amended report was distributed with addendum.

3. **Aquatic Study – Interim Report**

**THAT** Council direct staff to proceed with the completion of a business plan and economic impact study for both the 25 metre and 50 metre pool options based on the facility components provided in the Interim Report which have the most public benefit.

The Report of the Commissioner of Sustainability and Growth (ARCP-09-016) was attached to the ARC agenda as Schedule Pages 179-213.



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**REPORTS (CONTINUED)**

**REPORT NO. 38 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)**

**Report No. 38**

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.

March 2, 2009

To The Mayor and Members of Council:

**Note:** There are no clauses within Report No. 38 which must be dealt with this evening in order to meet the requirements of the Ontario Heritage Act, which states that a decision must be made regarding each application within 90 days of notice of receipt being served on the applicant.

1. **Approval for a Heritage Property Tax Refund for a Property Located at 86 Beverley Street**

**THAT** Application HT-01-2009 for a property located at 86 Beverley Street **BE APPROVED** for a Heritage Property Tax Refund as described within By-Law No. 2005-257, 'A By-law to Establish a Heritage property Tax Refund Program'.



**REPORTS (CONTINUED)**

**REPORT NO. 39 OF THE MUNICIPAL ACCESSIBILITY ADVISORY COMMITTEE**

**Report No. 39**

To the Mayor and Members of Council:

The Municipal Accessibility Advisory Committee reports and recommends as follows:

March 13, 2009

1. **Approval of a Report regarding Invista Centre Accessibility Tour #2**

**WHEREAS** the Municipal Accessibility Advisory Committee (MAAC), supported by City of Kingston staff, sought to evaluate the level of accessibility at the Invista Centre after their submission of the first accessibility tour in May 2008; and

**WHEREAS** the MAAC members of the evaluation group of the second assessment conducted on February 16, 2009, have prepared comments and recommendations for City of Kingston staff and third party contractors associated with the design and construction of the Invista Centre;

**THEREFORE BE IT RESOLVED THAT** Council receive the report entitled 'Invista centre, Accessibility Tour #2 – February 16, 2009' for discussion and endorsement; and

**BE IT FURTHER RESOLVED THAT** Council be requested to ask the appropriate staff to develop and implement a plan for addressing the high priority deficiencies identified in this report, at the earliest possible time.

The Invista Centre, Accessibility Tour #2 February 16, 2009 report is attached to the agenda as schedule pages 110-120.

2. **Approval of a Report regarding Sidewalk Ramps**

**WHEREAS** Mr. Bob Baird, the principal researcher and author of this report, has completed and presented a report on sidewalks in response to a request by the Physical Accessibility and Site Plan Review Working Group (PASPR) and the Municipal Accessibility Advisory Committee (MAAC) ; and

**WHEREAS** the MAAC has received Mr. Baird's report and acknowledged the high quality of the report;

**THEREFORE BE IT RESOLVED THAT** Council receive the Physical Accessibility and Site Plan Review Working Group report on "Sidewalk Ramps" dated January 22, 2009 for discussion and endorsement; and

**BE IT FURTHER RESOLVED THAT** Council be requested to ask the City's Engineering Department and Public Works to review the report by the Physical Accessibility and Site Plan Review Working Group report on "Sidewalk Ramps" dated January 22, 2009 and provide comments to the Municipal Accessibility Advisory Committee by the end of June, potentially leading to testing of tactile alerting tiles in one or more locations across the City, at the earliest possible time.

The report on "Sidewalk Ramps" is attached to the agenda as schedule pages 121-130.

**REPORTS (CONTINUED)**

**REPORT NO. 39 OF THE MUNICIPAL ACCESSIBILITY ADVISORY COMMITTEE**

**3. Approval of a Report regarding Recommendations for Planning Accessible Outdoor Events**

**WHEREAS** Ms. Lorraine Farrar, the principal researcher and author of this report, has completed and presented a report in response to a request by the Physical Accessibility and Site Plan Review Working Group (PASPR) and Communications working groups and the Municipal Accessibility Advisory Committee (MAAC) , and;

**WHEREAS** MAAC received Ms. Farrar's report and acknowledged the high quality of the report;

**THEREFORE BE IT RESOLVED THAT** Council receive Ms. Farrar's report entitled 'Recommendations for Planning Accessible Outdoor Events' dated September 2008 for discussion and endorsement; and

**BE IT FURTHER RESOLVED THAT** the recommendations of this report be considered by all City of Kingston departments when planning, or facilitating third party planning of special events. In particular, that the following departments be requested to integrate the report recommendations into their everyday business practice:

- i) Culture and Recreation
- ii) Facilities & Asset Management
- iii) Public Works
- iv) Communications

The Recommendations for Planning Accessible Outdoor Events September 2008 report is attached to the agenda as schedule pages 131-141.

**4. Members Terms of Appointment**

**WHEREAS** the terms of appointment for the Municipal Accessibility Advisory Committee are staggered one and two-year appointments,

**THEREFORE BE IT RESOLVED THAT** the following Municipal Accessibility Advisory Committee members terms of appointment be recommended as follows:

- Mr. Robert Baird, Ms. Mary Margaret Dauphinee, Ms. Eleanor Hands, Mr. William Hendry, Mr. Gary Larson, Mr. Albert Mezetta and Mr. Hugh Wiley for a term ending 30 November 2009;
- Mr. Kevin Curry, Ms. Susie Edgecombe, Ms. Lorraine Farrar, Mr. Randy Fisher, Mr. Michael McNeely, Ms. Elizabeth Moore, Mr. Mike Murphy, Mr. J.R. Glenn Outhwaite for a term ending 30 November 2010.



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**REPORTS (CONTINUED)**

**REPORT NO. 40 OF THE CITIZEN COMMITTEE TO REVIEW COUNCIL REMUNERATION**

**Report No. 40**

To the Mayor and Members of Council:

The Citizen Committee to Review Council Remuneration Reports and Recommends as follows:

March 16, 2009

**1. Appointments to the Citizen Committee to Review Council Remuneration**

**THAT** the following citizens be ratified for appointment to the Citizen Committee to Review Council Remuneration:

- Dianna Bristol, representing the community-at-large
- Kathleen Moulton, representing the community-at-large
- George Sutherland, former Councillor.



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## INFORMATION REPORTS

(1) **2009 Municipal Debt Limits**

The purpose of this report is to provide 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 Deputy Treasurer (09-081) is attached as Schedule Pages 89-95)  
(File No. CSU-F10-000-2009)

(2) **Statement of Remuneration and Expenses Paid to Council Members**

The purpose of this report is to provide Council with an itemized statement on remuneration and expenses paid in the previous year to "each member of council in respect of his or her services as a member of the council or any other body, including a local board, to which the member has been appointed by council or on which the member holds office by virtue of being a member of council".

(The Report of the Deputy Treasurer (09-082) is attached as Schedule Pages 96-99)  
(File No. CSU-F09-000-2009)

(3) **Update on Rodden Park Barn Building**

The purpose of this report is to provide Council with an update on the Rodden Park Barn Building. It is anticipated that staff will be in a position to report at the May Arts, Recreation & Community Policies Committee meeting after the conclusion of both a building condition assessment and an enhanced designated substance review.

(The Report of the Commissioner of Corporate Services (09-101) is attached as Schedule Pages 100-103)  
(File No. CSU-C11-000-2009)

(4) **City/Queens Shared Solutions**

The purpose of this report is to provide Council with an update on the progress of the various working groups organized to address issues raised in Council's motion of November 20, 2007. The report provides status of the work to date and identifies current initiatives and next steps for work in 2009.

(The Report of the Chief Administrative Officer (09-108) is attached as Schedule Pages 104-109)  
(File No. CSU-D00-000-2009)



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**MISCELLANEOUS BUSINESS**

Motions of Council are required:

- (1) **THAT** the City of Kingston Council establish the dates for Council meetings in July, 2009 and August, 2009.  
(File No. CSU-C00-000-2009)  
**Note: The 2009 Annual AMO Conference is being held August 16-19, 2009**
  
- (2) **THAT** Council accept the resignation of Dr. Christopher Knapper from the Kingston Environmental Advisory Forum (KEAF) with regret;  

- and further-

**THAT** Council extends their appreciation to Dr. Christopher Knapper for his time and effort on KEAF.  
(File No. CSU-C00-000-2009)  
**(See Communication No. 08-163)**
  
- (3) **THAT**, as requested by the Ukrainian Canadian Club of Kingston, Council designate the Lviv, Ukraine pavilion at Regiopolis Notre Dame High School, 130 Russell Street, in conjunction with Folklore 2009 on June 12<sup>th</sup> to 14<sup>th</sup>, as a Community Festival of Municipal Significance to which special occasion permits may be issued by the Liquor Licence Board.  
(File No. CSU-P09-000-2008)  
**(See Communication No. 08-164)**



City Council Meeting No. 08-2009  
Agenda  
Tuesday, March 24, 2009

Page 29

**MOTIONS**

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

**WHEREAS** Parks Canada is undertaking, at its expense, a Rideau Corridor Landscape Strategy to identify cultural and heritage character and values along the Rideau system and has invited Rideau corridor municipalities to participate in this project; and

**WHEREAS** working with Parks Canada and other municipalities on this project will be valuable to the City of Kingston.

**THEREFORE BE IT RESOLVED THAT** Council support the concept of a Parks Canada Rideau Corridor Landscape Strategy and direct staff to participate in meetings to contribute to and stay informed about this work.

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

**WHEREAS** the federal government has announced its intentions to close the remaining prison farms across the country including the farms at Joyceville and Collins Bay; and

**WHEREAS** the farms have great rehabilitation value for the prisoner farmers giving them a sense of responsibility and self-esteem; and

**WHEREAS** the farms produce food for use in prisons which is a significant contribution to sustainability; and

**WHEREAS** the abattoir at Joyceville is one of the only remaining abattoirs in the region and is very important to the economic opportunities for farmers here; and

**WHEREAS** Kingston City Council supports farmers and supports the local production of food and recognizes the importance of farming here to our goal of becoming Canada's most sustainable City,

**THEREFORE BE IT RESOLVED THAT** the City of Kingston communicate to the Solicitor General its disappointment over the plan to close the prison farms and urge him to keep them operating; and

**BE IT FURTHER RESOLVED THAT** the City of Kingston notify the federal government that should it proceed with its plans to close the prison farms and decide to declare the land surplus that the City of Kingston requests it be given the first opportunity to acquire the land before it is put on the open market.

City Council Meeting No. 08-2009  
Agenda  
Tuesday, March 24, 2009

Page 30

**MOTIONS (CONTINUED)**

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

**WHEREAS** the K-Rock Centre did not meet its operational targets for 2008; and

**WHEREAS** the City of Kingston Suite is underutilized due to agencies that it is being provided to, not being able to take advantage of the City's generosity, due to their own financial constraints and resulting inability to purchase tickets to the various events being hosted,

**THEREFORE BE IT RESOLVED THAT** the appropriate staff of the City of Kingston make necessary preparations and proceed to auction off to the highest bidder our Suite at the K-Rock Centre, until such time as the K-Rock's operational revenues are sufficient to meet the targets set, and the facility pay for itself,

**BE IT FURTHER RESOLVED THAT** once these operational revenue targets are met, that the City of Kingston undertake a review of whether the City of Kingston Suite should continue to be rented and or return it to being ours to be used by our community and various service agencies;

-and further-

**THAT** City staff through Kingston Economic Development Corporation (KEDCO) and Arcturus seek out potential partners to help with sponsorship of the use of the Suite during actual events, to enable our community partners and service agency volunteers and workers to be able to attend events when they are granted use of the City of Kingston Suite.

- (4) Moved by Councillor Glover  
Seconded by Councillor Gerretsen

**THAT** the City of Kingston hereby endorses the following resolution from the Town of Ajax which reads as follows:

**WHEREAS** the Municipal Elections Act, 1996 enables individuals normally resident in Ontario, corporations that carry on business in Ontario and unions that hold bargaining rights for employees in Ontario to make contributions of up to \$750 in total to any candidate for all municipal offices, with the exception of candidates for Mayor of Toronto who are permitted to accept maximum individual contributions of \$2,500; and,

**WHEREAS** the Municipal Elections Act, 1996 [S. 70.1(1)] provides that the City of Toronto alone "may by by-law prohibit a corporation that carries on business in Ontario or a trade union that holds bargaining rights for employees in Ontario from making a contribution to or for any candidate for an office on city council."; and,

**WHEREAS** a recent study by Prof. Robert MacDermid, titled "Funding City Politics", examined financial contributions to municipal election campaigns in the Greater Toronto Area and, in particular, raised issues with respect to the amount and potential influence of contributions from land and property development corporations; and,

**WHEREAS** no corporate or trade union contributions to municipal candidates and parties have been permitted in Quebec since 1980; both Quebec and Manitoba have banned corporate and union contributions to Provincial candidates and parties; and all such contributions were prohibited from federal electoral politics prior to the last Canadian election;

**MOTIONS (CONTINUED)**

**BE IT RESOLVED THAT** the Government of Ontario be requested to amend the Municipal Elections Act, 1996 to provide all municipalities in the Province with the authority to pass a by-law that would prohibit a corporation that carries on business in Ontario or a trade union that holds bargaining rights for employees in Ontario from making a contribution to or for any candidate for an office on the respective municipal council.

**THAT** the City of Kingston circulate this resolution to our local Member of Provincial Parliament (MPP), The Honourable Jim Watson, Minister of Municipal Affairs and Housing, Association of Municipalities of Ontario (AMO), and The Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO).

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

**WHEREAS** City Council approved applying for funding for candidate projects under senior government infrastructure investment initiatives as identified in Report No. 09-062, particularly for the Water Master Plan and John Counter Boulevard; and

**WHEREAS** it will be very difficult to accommodate all the proposed capital spending identified in Report No. 09-062 and under the capital spending and debt schedule presented by staff to Council on June 17, 2008, and there will be opportunity costs that will be incurred when a few projects are prioritized ahead of others,

**THEREFORE BE IT RESOLVED THAT** staff be requested to report back to Council at the last Council meeting in May, 2009 in advance of the capital budget deliberations with a capital expenditure and debt schedule projection that accommodates over time all of the current and proposed capital projects presently being undertaken or considered by Council under the following principles:

- a cautionary overall City debt limit in the range of \$425 million
- considering the possibility of phasing in certain projects
- considering the opportunity costs involved in delaying projects or prioritizing certain projects ahead of other projects
- fulfills the strategic principles identified by Council and prioritizes projects by the number of strategic principles a project fulfills.



**NOTICES OF MOTION**



City Council Meeting No. 08-2009  
Agenda  
Tuesday, March 24, 2009

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**MINUTES**

THAT the Minutes of City Council Meeting No. 07-2009, held Tuesday, March 3, 2009 be confirmed.  
(Distributed to all Members of Council on March 20, 2009)



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**TABLING OF DOCUMENTS**

- 2009-24     The Cataraqui Source Protection Committee  
Minutes of Meeting #14 – January 22, 2009  
(File No. CSU-C06-000-2009)
- 2009-25     The Cataraqui Region Conservation Authority  
Minutes of Annual Full Authority Meeting – February 4, 2009  
(File No. CSU-C06-000-2009)
- 2009-26     The Cataraqui Source Protection Committee  
Agenda – March 12, 2009  
(File No. CSU-C05-000-2009)
- 2009-27     The Cataraqui Region Conservation Authority  
Full Authority Meeting Minutes – February 25, 2009  
(File No. CSU-C06-000-2009)



City Council Meeting No. 08-2009  
Agenda  
Tuesday, March 24, 2009

Page 33

**COMMUNICATIONS**

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

Filed

- 08-147 From the Association of Municipalities of Ontario (AMO), announcing that the Government has released the initial draft Employment Standard under the Accessibility for Ontarians with Disabilities Act, 2005 for public review and comment until April 15, 2009.  
(File No. CSU-S14-000-2009)  
**(Digitally distributed to all Members of Council on March 2, 2009)**
- 08-148 From the Association of Municipalities of Ontario (AMO), announcing that the Federal Finance Minister, Jim Flaherty, presented the 2009 Budget which includes new and accelerated investment in municipal infrastructure, new funding for social housing construction and repairs, and an extension to Employment Insurance (EI) benefits that will reduce pressure on municipally cost-shared Ontario Works benefits.  
(File No. CSU-S00-000-2009)  
**(Digitally distributed to all Members of Council on March 2, 2009)**
- 08-149 From Mayor Bob Kilger, City of Cornwall, providing information in regards to the 56<sup>th</sup> Annual Ontario Small Urban Municipalities (OSUM) Conference and Trade Show being held in Cornwall from May 6 to 8, 2009.  
(File No. CSU-A04-000-2009)
- 08-150 From Steve Knechtel, General Manager/Secretary-Treasurer, Cataraqui Region Conservation Authority (CRCA), providing a breakdown of the Cataraqui Region Conservation Authority 2009 Municipal Levy – City of Kingston.  
(File No. CSU-E00-000-2009)
- 08-151 From the Committee of Adjustment, a Notice of Decision for the following applications:  
  
MINOR VARIANCE – In respect of an application to request permission for a minor variance to Zoning By-Law No. 32-74 for the property at 1678 Jackson Boulevard, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is March 17, 2009.  
(File No. CSU-D19-000-2009)
- 08-152 From the Association of Municipalities of Ontario (AMO), informing municipalities that were not in attendance at the OGRA/ROMA Annual Conference of the updates provided by Minister Smitherman in regards to the Infrastructure Investment and the Green Energy Act.  
(File No. CSU-A04-000-2009)  
**(Digitally distributed to all Members of Council on February 27, 2009)**
- 08-166 From the Association of Municipalities of Ontario (AMO), and the Ontario Municipal Social Services Association (OMSSA) releasing their joint paper on poverty reduction: "Government Makes a Difference: Working Together Towards Poverty Reduction".  
(File No. CSU-S00-000-2009)  
**(Digitally distributed to all Members of Council on March 13, 2009)**
- 08-167 From Gord Giffin, Superintendent, Rideau Canal, Parks Canada, sending his congratulations for Kingston's recent honour of receiving the 2008 Lieutenant Governor's Ontario Heritage Award for Community Leadership.  
(File No. CSU-C00-000-2009)

City Council Meeting No. 08-2009  
Agenda  
Tuesday, March 24, 2009

Page 34

**COMMUNICATIONS (CONTINUED)**

**Filed**

- 08-168 From the Honourable Dalton McGuinty, Premier of Ontario, acknowledging receipt of a letter regarding the proposal by Colleges Ontario to build the Colleges Ontario Network for Industry Innovation.  
(File No. CSU-D00-000-2009)
- 08-169 From the Honorable Peter Milliken, M.P. for Kingston and the Islands, acknowledging receipt of Council's resolution requesting that Federal Ministers of Finance and Environment establish tax incentives to encourage private sector investment in rehabilitation of heritage properties.  
(File No. CSU-F00-000-2009)
- 08-170 From the County of Wellington, acknowledging support of Council's resolution regarding the "Mining Act".  
(File No. CSU-C09-000-2009)
- 08-171 From Donna Cellini, Project Secretary, Source Water Protection, providing information regarding the Source Protection Workshop being held on March 25, 2009 at the Cataraqui Creek Conservation Area.  
(File No. CSU-A04-000-2009)  
**(Digitally distributed to all Members of Council on March 17, 2009)**
- 08-172 From the Association of Municipalities of Ontario (AMO), providing information on behalf of the Ministry of the Environment regarding a workshop on Renewable Energy Approvals Process Proposed in Bill 150 (Green Energy Act).  
(File No. CSU-E00-000-2009)  
**(Digitally distributed to all Members of Council on March 13, 2009)**
- 08-173 From the Association of Municipalities of Ontario (AMO), providing information regarding the 2009 Urban Symposium being held April 6<sup>th</sup> and 7<sup>th</sup> in Brampton, Ontario.  
(File No. CSU-A04-000-2009)  
**(Digitally distributed to all Members of Council on March 13, 2009)**
- 08-174 From the Local Authority Services Ltd. (LAS), inviting all municipalities to participate in the Municipal Energy Performance Benchmarking Project.  
(File No. CSU-A04-000-2009)  
**(Digitally distributed to all Members of Council on March 13, 2009)**
- 08-175 From the Association of Municipalities of Ontario (AMO), providing information regarding a series of workshops to assist municipal officials in creating walkable communities.  
(File No. CSU-A04-000-2009)  
**(Digitally distributed to all Members of Council on March 13, 2009)**
- 08-176 From the Association of Municipalities of Ontario (AMO), providing information regarding the Pesticides Ban which will prohibit the sale and use of pesticides for cosmetic purposes on lawns, gardens, parks and school yards.  
(File No. CSU-E00-000-2009)  
**(Digitally distributed to all Members of Council on March 16, 2009)**

City Council Meeting No. 08-2009  
Agenda  
Tuesday, March 24, 2009

Page 35

**COMMUNICATIONS (CONTINUED)**

**Referred to All Members of Council**

- 08-153 From the Honourable David C. Onley, Lieutenant Governor of Ontario, asking for nominations for the Order of Ontario, the province's highest honour. Deadline for nominations is March 16, 2009.  
(File No. CSU-A16-000-2009)
- 08-154 From the Corporation of the City of Cambridge, asking for Council's support of a resolution that requires all public schools and libraries in Ontario to be required to install internet filtering software on computers to avoid viewing of sites with inappropriate, explicit sexual content.  
(File No. CSU-C10-000-2009)
- 08-177 From the Municipality of Middlesex Centre, asking for Council's support of a resolution that petitions the Department of Fisheries and Oceans to review and shorten the time frame required for approval of drainage maintenance and construction and bridge reconstruction requests to allow for a more flexible and reasonable construction/maintenance season, especially where weather conditions warrant an extended season and to delegate their authority for such matters to the local Conservation Authorities given their existing in-depth knowledge of these issues and mandate to protect the environment.  
(File No. CSU-E00-000-2009)
- 08-178 From Anne Marie-DeCicco-Best, Mayor, Corporation of the City of London, providing a copy of a letter that was sent to the Honourable Dalton McGuinty, Premier of Ontario, in regards to EI Reform and Ontario Works Eligibility Requirements.  
(File No. CSU-S00-000-2009)  
**(Digitally distributed to all Members of Council on March 13, 2009)**
- 08-163 From Theodore Hsu, advising that Dr. Christopher Knapper has resigned from the Kingston Environmental Advisory Forum (KEAF) effective March 10, 2009.  
(File No. CSU-C00-000-2009)  
**(See Miscellaneous Business Item No. 2)**

**Referred to City Clerk**

- 08-155 From Ray Havelock, President, Toronto Residents In Partnership, asking that Council proclaim June, 2009 as "Elder Abuse Awareness Month" in the City of Kingston.  
(File No. CSU-M10-000-2009)
- 08-161 From Elaine Goraj, Fundraising & Program Development, Child Find Ontario, asking that Council proclaim May, 2009 as "Missing Children's Month" in the City of Kingston.  
(File No. CSU-M10-000-2009)
- 08-158 From Shillane Labbett, Ontario East Transplant Support Group, asking that Council proclaim the week of April 19<sup>th</sup> to 25<sup>th</sup>, 2009 as "Organ and Tissue Donation Awareness Week" in the City of Kingston.  
(File No. CSU-M10-000-2009)
- 08-157 From Gerry Minard, asking the Council proclaim March 27-29, 2009 as "Kids For Kids Hockey Tournament Weekend" in the City of Kingston.  
(File No. CSU-M10-000-2009)

City Council Meeting No. 08-2009  
Agenda  
Tuesday, March 24, 2009

Page 36

**COMMUNICATIONS (CONTINUED)**

**Referred to City Clerk**

- 08-156 From Sara Lawson, Community Development Coordinator, Parkinson Society Canada Central & Northern Ontario, asking the Council proclaim April, 2009 as "Parkinson's Disease Awareness Month" in the City of Kingston.  
(File No. CSU-M10-000-2009)
- 08-162 From Sharon Partridge, Public Affairs Specialist, Kingston General Hospital, asking that Council proclaim May 11-17, 2009 as "Nursing Week" in the City of Kingston.  
(File No. CSU-M10-000-2009)
- 08-165 From Bhavana Varma, President, United Way serving KFL&A, asking that Council proclaim the week of May 9<sup>th</sup> as "United Way Success By 6 Week" in the City of Kingston.  
(File No. CSU-M10-000-2009)

**Referred to the Commissioner of Corporate Services**

- 08-164 From Nadia Luciuk, President, Ukrainian Canadian Club of Kingston, asking that Council proclaim the week of June 8<sup>th</sup> to 14<sup>th</sup>, 2009 as "Folklore Week" in the City of Kingston.  
(File No. CSU-M10-000-2008)  
(See Miscellaneous Business Item No. 3)

**Referred to the Commissioner of Sustainability and Growth**

- 08-146 From Caulette McBride, Chair, Regiopolis – Notre Dame School Council and Brian Evoy, Vice Chair, Regiopolis – Notre Dame School Council, asking that the City consider converting the Memorial Centre, and its grounds, to support the sport tourism initiative that was proposed by Kingston Economic Development Corporation (KEDCO) and that there is a place to provide adequate recreational activities to the Kids in the North End.  
(File No. CSU-R05-000-2009)  
(Distributed to all Members of Council on February 27, 2009)

**Referred to the Environment, Infrastructure and Transportation Policies Committee**

- 08-160 From Joe Cressy, Polaris Institute, encouraging Council to consider supporting public water by actively providing alternatives to bottled water.  
(File No. CSU-E00-000-2009)  
(Distributed to all Members of Council on March 6, 2009)

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**COMMUNICATIONS (CONTINUED)**

**Referred to the Commissioner of Community Development Services**

- 08-159 From Bryan Sears, Water Resources Coordinator, Ministry of Natural Resources, providing the Ministry of Natural Resources Peterborough District Emergency Response Overview, outlining objectives as well as resources available and (MNR) contact information.  
(File No. CSU-E00-000-2009)  
**(Distributed to all Members of Council on March 6, 2009)**



City Council Meeting No. 08-2009  
Agenda  
Tuesday, March 24, 2009

**BY-LAWS**

- (A) THAT By-Law (1) be given first and second reading.
- (B) THAT Clause 8.9 of By-Law No. 98-1 be suspended for the purpose of giving By-Law (2) three readings.
- (C) THAT By-Laws (2) through (7) be given their third reading.



- (1) A By-Law To Amend By-Law 99-166 "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board" To Appoint David Hatt, Jennifer Osmond And Sandy Latchford For The Purpose Of Issuing Parking Violation Tickets And To Enforce The Provisions Of By-Law 99-166 On The Property At 772 Princess Street.  
FIRST AND SECOND READINGS PROPOSED NO. 2009-50  
(See Clause (b), Report No. 33)
- (2) A By-Law To Amend By-Law No. 98-8, "A By-Law To Appoint Statutory Officials Of The Corporation Of The City Of Kingston" (To Appoint James C. Thompson As Alternate Acting Clerk Pro Tem).  
THREE READINGS PROPOSED NO. 2009-49  
(See Clause (e), Report No. 33)
- (3) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, March 24, 2009  
THREE READINGS PROPOSED NO. 2009-51  
(City Council Meeting No. 08-2009)
- (4) A By-Law To Amend By-Law No. 2006-65 "A By-Law To Designate The Whole Of The City Of Kingston As A Site Plan Control Area, Pursuant To Section 41 Of The Planning Act, R.S.O. 1990, Chapter P.13, As Amended, And To Adopt Certain Procedures For The Processing Of Site Plan Control Applications, And To Exempt Certain Classes Of Development From Approval Of Plans And Drawings" (Administrative Amendments – Financial Securities)  
THREE READINGS PROPOSED NO. 2009-52  
(See Clause (1), Report No. 34)
- (5) 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" (Zone Change from Development 'D' Zone to Holding Special Residential 'R2-32-H' Zone, Development 'D' Zone to Holding Special Residential 'R2-33-H' Zone, Development 'D' Zone to Holding Special Residential 'R4-34-H' Zone, Development 'D' Zone to Holding Special Residential 'R4-35-H' Zone and Development 'D' Zone to an Open Space 'OS' Zone 1135 Maria Avenue (Woodhaven Subdivision)  
THREE READINGS PROPOSED NO. 2009-53  
(See Clause (2), Report No. 34)

City Council Meeting No. 08-2009  
Agenda  
Tuesday, March 24, 2009

Page 39

**BY-LAWS (CONTINUED)**

- (6) A By-Law To Repeal By-Law No. 2007-32, Being A By-Law To Appoint Members To The Committee Of Adjustment (Rural Panel) For 2007 – 2010 and By-Law No. 2007-33, Being A By-Law To Appoint Members To The Committee Of Adjustment (Urban Panel) For 2007 – 2010  
THIRD READING PROPOSED NO. 2009-40  
(See Clause (3), Report No. 32)

- (7) A By-Law To Appoint Members To The Committee Of Adjustment For The Term April 1, 2009 And Ending November 30<sup>th</sup>, 2010.  
THIRD READING PROPOSED NO. 2009-41  
(See Clause (3), Report No. 32)



**ADJOURNMENT**