



CITY COUNCIL MEETING NO. 10-2009

Tuesday, April 21, 2009 at 6:15 pm in the Council Chamber at City Hall.
Council will resolve into the Committee of the Whole "In Camera" and
will reconvene as regular Council at 7:30 pm.

ORDERS OF THE DAY

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ORDERS OF THE DAY

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(Council Chamber)

ROLL CALL



THE COMMITTEE OF THE WHOLE "IN CAMERA"

- (1) THAT Council resolve itself into the Committee of the Whole "In Camera" to consider the following item(s):
 - (a) Personal matters about an identifiable individual, including municipal or local board employees – CAO Goals - 2009
 - (b) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose –Clean - up of contaminated sites in the Inner Harbour
 - (c) A proposed or pending acquisition or disposition of land by the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose – 362 Montreal Street (Children's Aid Society)

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



DISCLOSURE OF PECUNIARY INTEREST



PRESENTATIONS



DELEGATIONS



BRIEFINGS



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 Mayor Rosen
Seconded by Councillor Meers

THAT the congratulations of Kingston City Council be extended to Zita Fisher, a long-time resident of Kingston and a "faithful City Council watcher", on the occasion of her 90th birthday, to be celebrated on April 25th, 2009.

Motions of Speedy Recovery

- (1) Moved by Deputy Mayor MacLeod-Kane
Seconded by Councillor Glover

THAT the best wishes of Kingston City Council be extended to Harry Hale, retired, City employee of 35 years, during his illness.

Motions of Condolence

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

THAT the sincere condolences of Kingston City Council be extended to the friends and family of Greg Napier, firefighter, on the death of his wife Susan Napier on April 10, 2009.



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REPORTS

REPORT NO. 44 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

Report No. 44

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) **Endorsement of the Water System Annual Compliance Reports**

WHEREAS the provision of high quality safe drinking water is a priority of the City of Kingston; and

WHEREAS the requirements of the Safe Drinking Water Act, 2002, requires Council to be informed of the matters regarding the operation of the water system and formally receive the Annual Compliance Reports for each of the Water Treatment Facilities;

NOW THEREFORE BE IT RESOLVED THAT Council receive the 2008 Annual Compliance Reports for: The Kingston Central Water Treatment Plant, The Kingston West Water Treatment Plant and the Cana Well Water Supply System as required by the terms and conditions outlined in the Certificate of Approvals for the above mentioned Treatment Facilities.

(The Report of the President and CEO of Utilities Kingston (09-119) is attached as Schedule Pages 1-95)
(File No. CSU-E05-000-2009)

REPORTS (CONTINUED)

REPORT NO. 44 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

(b) 2009 Final Tax Rates

THAT Council pass a by-law to:

1. set the tax rates to be levied upon the assessment in each property class to raise the amounts required by taxation:
 - a. General Municipal Levy \$ 133,952,739
 - b. Special Area Levies
 - i) Fire Central \$ 12,920,763
 - ii) Fire West \$ 6,459,763
 - iii) Fire East \$ 1,041,802
 - iv) Garbage Disposal \$ 1,281,665
 - c. Business Improvement Area Levies
 - i) Operating Levy \$ 928,415
 - ii) Capital Levies \$ 154,517
2. establish the necessary provisions to enable preparation and collection of 2009 final taxes.

(The Report of the Deputy Treasurer (09-109) is attached as Schedule Pages 96-116)
(File No. CSU-F22-000-2009)
(See By-Law No. (1), 2009-66)



REPORTS (CONTINUED)

REPORT NO. 45 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)

Report No. 45

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.

Note: There are no clauses within Report No. 45 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.

April 6, 2009

1. **Approval for the construction of an addition at 143 Union Street also known as the former Victoria School**

THAT Application P18-370-078-2008 for a property located at 143 Union Street also known as the former Victoria School requesting final approval for the construction of an addition **BE APPROVED** in accordance with details described within a submission which received Approval in Principle October 21, 2008, and in accordance with drawings dated February 6, 2009 and received March 19, 2009, and elevation drawings received April 6, 2009.

2. **Approval for the installation of a railing around the perimeter of the roof at 366 King Street East also known as 61-73 Princess Street**

THAT Application P18-285-010-2009 for a property located at 366 King Street East also known as 61-73 Princess Street requesting final approval for the installation of a railing around the perimeter of the roof **BE APPROVED** in accordance with details described within a submission filed February 19, 2009 and deemed complete by the Cultural Services Department March 5, 2009.

3. **Approval for the installation of a wood-framed shade structure/rooftop trellis with two wooden benches and nine wooden planters; concrete patio stones adjacent to the trellis; additional exterior rooftop door at the north stairwell and build out of penthouse wall for installation of fire rated wall at 366 King Street East also known as 61-73 Princess Street**

THAT Application P18-285-011-2009 for a property located at 366 King Street East also known as 61-73 Princess Street requesting final approval for the installation of: a wood-framed shade structure/rooftop trellis with two wooden benches and nine wooden planters; concrete patio stones (2' x 2') adjacent to the trellis; additional exterior rooftop door at the north stairwell and build out of penthouse wall for installation of fire rated wall **BE APPROVED** in accordance with details described within a submission filed February 19, 2009 and deemed complete by the Cultural Services Department March 5, 2009.

REPORTS (CONTINUED)

REPORT NO. 45 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)

4. **Approval for the replacement of a portion of the roof covering (black asphalt shingles to black asphalt shingles) at 106-108 Clergy Street East**

THAT Application P18-629-017-2009 for a property located at 106-108 Clergy Street East requesting final approval for the replacement of a portion of the roof covering (black asphalt shingles to black asphalt shingles) **BE APPROVED** in accordance with details described within a submission filed March 20, 2009 and deemed complete by the Cultural Services Department March 24, 2009,

- and further -

THAT consideration for the replacement of existing windows (wood windows with aluminum storms) with double hung vinyl windows **BE DEFERRED** to the May meeting to permit a site visit be undertaken.

5. **Approval for the replacement of deteriorated wood cladding, scraping and repainting of exterior elements, repair of eavestroughing, roof guttering and down piping, window frames as required at 135-139 Alfred Street**

THAT Application P18-369-020-2009 for a property located at 135-139 Alfred Street requesting final approval for the replacement of deteriorated wood cladding, scraping and repainting areas of peeling/failing paint on exterior walls, soffit and fascia, repair and repainting of eavestroughing, roof guttering and down piping, exterior window frames as required **BE APPROVED** in accordance with details described within a submission filed March 19, 2009 and deemed complete by the Cultural Services Department March 25, 2009.

6. **Approval for an addition to the west and north side of the existing dwelling, new double hung windows for the entire dwelling, replacement of roof covering with cedar shakes, new stone and brick cladding at 251 Main Street, Barriefield Village**

THAT Application P18-499-024-2009 for a property located at 251 Main Street, Barriefield Village requesting final approval for an addition to the west and north side of the existing dwelling, new double hung windows for the entire dwelling, replacement of roof covering with cedar shakes, new stone and brick cladding **BE APPROVED** in accordance with details described within a submission filed March 20, 2009 and deemed complete by the Cultural Services Department March 24, 2009,

- and further -

THAT should archaeological resources be found on the property during the construction activities, the Ministry of Culture and the City of Kingston's Heritage Planner shall be notified immediately,

- and further -

THAT in the event that human remains are encountered during the construction activities, the proponent must immediately contact the City of Kingston's Heritage Planner, the Ministry of Culture and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government Services (1-800-268-1142).

REPORTS (CONTINUED)

REPORT NO. 45 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)

7. **Approval for the installation of a new ramp along southern side of existing building at 72-74 Barrie Street**

THAT Application P18-059-025-2009 for a property located at 72-74 Barrie Street requesting final approval for the installation of a new ramp along southern side of existing building **BE APPROVED** in accordance with details described within a submission filed March 20, 2009 and deemed complete by the Cultural Services Department March 24, 2009,

- and further –

THAT should archaeological resources be found on the property during the construction activities, the Ministry of Culture and the City of Kingston's Heritage Planner shall be notified immediately,

- and further –

THAT in the event that human remains are encountered during the construction activities, the proponent must immediately contact the City of Kingston's Heritage Planner, the Ministry of Culture and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government Services (1-800-268-1142).

8. **Approval for a single storey framed rear addition to an existing single storey addition on the east side of stone dwelling at 99 Yonge Street**

THAT Application P18-690-026-2009 for a property located at 99 Yonge Street requesting final approval for a single storey framed rear addition to an existing single storey addition on the east side of stone dwelling **BE APPROVED** in accordance with details described within a submission filed March 20, 2009 and deemed complete by the Cultural Services Department March 24, 2009,

- and further –

THAT should archaeological resources be found on the property during the construction activities, the Ministry of Culture and the City of Kingston's Heritage Planner shall be notified immediately,

- and further –

THAT in the event that human remains are encountered during the construction activities, the proponent must immediately contact the City of Kingston's Heritage Planner, the Ministry of Culture and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government Services (1-800-268-1142).

9. **Approval for the replacement of two non-original front basement windows, repainting, the addition of wrought iron railings to window wells and small flower garden; replacement of a section of sidewalk, rerouting of the downspout; replacement of hut over rear basement entrance clad, addition of a door, cedar shingle roof, painting, installation of a small retaining wall, shed, cedar shingle roof, replacement of storm windows with wood replica windows at 226 King Street East**

THAT Application P18-647-027-2009 for a property located at 226 King Street East requesting final approval for the replacement of two non-original front basement windows with 1843 replica windows, repainting, the addition of wrought iron railings to window wells and small flower garden; replacement of a section of sidewalk in front of dwelling, rerouting of the downspout, replacement of hut over rear basement entrance clad with board & batten pine, addition of a door, cedar shingle roof, painting, installation of a small retaining wall, shed, cedar shingle roof, replacement of storm windows with wood replica windows **BE APPROVED** in accordance with details described within a submission filed March 20, 2009 and deemed complete by the Cultural Services Department March 24, 2009,

- and further-

THAT it be understood that the work will be done in accordance with Heritage masonry guidelines and details related to this work be submitted,

REPORTS (CONTINUED)

REPORT NO. 45 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)

- and further –

THAT should archaeological resources be found on the property during the construction activities, the Ministry of Culture and the City of Kingston's Heritage Planner shall be notified immediately,

- and further –

THAT in the event that human remains are encountered during the construction activities, the proponent must immediately contact the City of Kingston's Heritage Planner, the Ministry of Culture and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government Services (1-800-268-1142).

10. **Reaffirmation of Emergency Approval for the repair of a flat portion of roof with a membrane roofing system at 151 Earl Street**

THAT Application P18-633-009-2009 (EA) for a property located at 151 Earl Street which received an emergency approval for the repair of a flat portion of roof with a membrane roofing system **BE REAFFIRMED** in accordance with details described within a submission filed March 4, 2009 and deemed complete by the Cultural Services Department March 5, 2009.

11. **Approval for replacement of soffit fascia, dormer windows, scaffolding, and painting and Provisional Approval for a Heritage Grant Application for a property located at 112 Montreal Street**

THAT Application P18-657-013-2009 for a property located at 112 Montreal Street requesting approval for the replacement of soffit fascia, dormer windows, scaffolding, and painting **BE APPROVED** in accordance with details described within a submission filed February 27, 2009 and deemed complete by the Cultural Services Department March 11, 2009,

- and further –

THAT Application HG-01-2009 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,

- and further –

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

12. **Approval for the repointing of a limestone foundation as needed and Provisional Approval for a Heritage Grant Application for a property located at 52-56 Earl Street**

THAT Application P18-122-014-2009 for a property located at 52-56 Earl Street requesting approval for the repointing of a limestone foundation as needed **BE APPROVED** in accordance with the understanding that the work will be done in accordance with Heritage masonry guidelines and that the joints be flush in the stone, and with details described within a submission filed February 27, 2009 and deemed complete by the Cultural Services Department March 6, 2009,

- and further –

REPORTS (CONTINUED)

REPORT NO. 45 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)

THAT Application HG-02-2009 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,

- and further –

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

13. **Approval for the restoration of original wood frame windows and Provisional Approval for a Heritage Grant Application for a property located at 2 Beverley Street**

THAT Application P18-070-015-2009 for a property located at 2 Beverley Street requesting approval for the restoration of original wood frame windows **BE APPROVED** in accordance with details described within a submission filed February 27, 2009 and deemed complete by the Cultural Services Department March 6, 2009,

- and further –

THAT Application HG-03-2009 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,

- and further –

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

14. **Approval for the replacement of the roof, and painting of the dormer, fascia board and soffits and Provisional Approval for a Heritage Grant Application for a property located at 70 Montreal Street**

THAT Application P18-545-016-2009 for a property located at 70 Montreal Street requesting approval for the replacement of the roof, and painting of the dormer, fascia board and soffits **BE APPROVED** in accordance with details described within a submission filed February 27, 2009 and deemed complete by the Cultural Services Department March 11, 2009,

- and further –

THAT Application HG-05-2009 for this property **BE PROVISIONALLY APPROVED** for the costs of the work to be done but not to include the materials for the roof and the dormer a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,

- and further –

THAT it be understood that any roof repairs that may be necessary may also be completed,

- and further –

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

REPORTS (CONTINUED)

REPORT NO. 45 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)

15. **Approval for the replacement of roof flashing, and Provisional Approval for a Heritage Grant Application for a property located at 149 Earl Street**

THAT Application P18-134-012-2009 for a property located at 149 Earl Street requesting approval for the replacement of roof flashing, **BE APPROVED** in accordance with details described within a submission filed 04 March 2009 and deemed complete by the Cultural Services Department 11 March 2009,

- and further –

THAT Application HG-04-2009 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,

- and further –

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

16. **Approval for the replacement of damaged bricks and repointing and Provisional Approval for a Heritage Grant Application for a property located at 218 Green Bay Road, Barriefield Village**

THAT Application P18-481-018-2009 for a property located at 218 Green Bay Road, Barriefield Village requesting approval for the replacement of damaged bricks and repointing **BE APPROVED** in accordance with details described within a submission filed March 12, 2009 and deemed complete by the Cultural Services Department March 24, 2009,

- and further –

THAT Application HG-06-2009 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,

- and further –

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




INFORMATION REPORTS

- (1) **Council Priorities Status Matrix – Q1 Update**

This report is provided to Council as a report card on progress of Council's established priorities, specific initiatives, major projects and assignments from Council committees.

(The Report of the Chief Administrative Officer (09-138) is attached as Schedule Pages 117-124)
(File No. CSU-C08-000-2009)



MISCELLANEOUS BUSINESS

Motions of Council are required:

- (1) **THAT** at the request of Ann Blake, Executive Director, Marine Museum of the Great Lakes at Kingston, Council proclaim May, 2009 as "May Is Museum Month" in the City of Kingston.
(See Communication No. 10-204)



MOTIONS

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

THAT the City of Kingston hereby endorses the following resolution from the Municipality of South Bruce which reads as follows:

***WHEREAS** all citizens of Ontario benefit, value and continue to demand increased services from Ontario's thirty six (36) Conservation authorities in their mandated areas of water, source water and environmental protection;*

***AND WHEREAS** provincial funding to Ontario's Conservation Authorities has decreased by 87% since 1992 – (MNR funding transfer to C.A's – 1992 = \$58,900,000 – 2005 = \$7,600,000)*

***AND WHEREAS** due to the shortfall in provincial funding; member municipalities now are required to fund approximately 40% of the Ontario Conservation Authorities budgets;*

***AND WHEREAS** this results in an unfair per capita cost burden on property owners;*

***THEREFORE BE IT RESOLVED** that the Municipality of South Bruce request the following action:*

- 1. that Conservation Ontario implement and prioritize a major lobby effort against the Provincial Government and MNR to demand fair funding.*
- 2. that our MPP's support this mandate and demand the government significantly increase funding to the thirty six Ontario Conservation Authorities*

***AND THAT** this resolution be forwarded with a request for action to:*

- Conservation Ontario*
- Ontario Ministry of Natural Resources*
- Local MPP's*
- Saugeen Valley and Maitland Valley Conservation Authorities*
- Rural Ontario Municipalities Association (ROMA)*
- Association for Municipalities of Ontario (AMO)*

***AND FURTHER THAT** this resolution be circulated to all AMO member municipalities requesting their support;*

AND FURTHER THAT a copy of this resolution be forwarded to Cataraqui Region Conservation Authority (CRCA), the Honourable John Gerretsen, MPP Kingston and the Islands, the Honourable Donna Cansfield, Minister of Natural Resources, Municipality of South Bruce, and all of the individuals and agencies listed in the original resolution from South Bruce.

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MOTIONS (CONTINUED)

- (2) Moved by Councillor Gerretsen
Seconded by Councillor Osanic

WHEREAS the City of Kingston is committed to the concepts of sustainability; and

WHEREAS the Government of Ontario is promoting sustainability by encouraging community energy generation facilities; and

WHEREAS both the federal and provincial governments offer incentive programs to promote the installation and operation of energy generation facilities;

THEREFORE BE IT RESOLVED THAT City of Kingston staff, in conjunction with Utilities Kingston (Kingston Hydro), be directed to bring forward a proposal to construct an energy generation facility (or facilities) given the following criteria:

- 1) That the proposal consider solely renewable energies as defined by the Province of Ontario;
- 2) That the total generation of the facility (or facilities) be equal to or greater than the total amount of electrical consumption currently being used by all city-run buildings and facilities;
- 3) That considerable attention be given to provincial and federal government grants, rebates and other incentive programs including the Standard Offer Contract currently available through the Ontario Power authority;
- 4) That, it being understood that the implementation of a project of this scope could take several years to phase-in;

- and further -

THAT this proposal be brought forward to the Environment Infrastructure and Transportation Policy Committee no later than the January meeting of 2010.

- (3) Moved by Deputy Mayor MacLeod-Kane
Seconded by Councillor Osanic

WHEREAS, between 1953 and 1958 Victor and Jean Pierson donated several acres of land to the former Pittsburgh Township,

AND WHEREAS, during the Canadian Centennial Year the Pierson's donated additional land and through funding of Centennial projects a ball field was built including lighting for the field,

AND WHEREAS, it has been over forty years since these lights were installed,

AND WHEREAS, these lights reached the end of their operational life in 2007,

BE IT RESOLVED THAT the City of Kingston continues to support the concept of local sports fields as a way of encouraging and enabling our residents to live a healthier, more active lifestyle,

BE IT FURTHER RESOLVED THAT since the local residents have waited three seasons for these lights to be replaced, that Council approve that \$65,000 dollars in this year's budget be assigned to the replacements of lights in the Pierson sports field.



NOTICES OF MOTION



MINUTES

THAT the Minutes of City Council Meeting No. 09-2009, held Tuesday, April 7, 2009 be confirmed.
(Distributed to all Members of Council on April 17, 2009)



TABLING OF DOCUMENTS

2009-32 The Cataraqui Region Conservation Authority
Minutes – March 25, 2009 – Cataraqui Source Protection Authority (CSPA)
(File No. CSU-D03-000-2009)



COMMUNICATIONS

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

Filed

- 10-194 From the Honourable John Gerretsen, M.P.P., Kingston and The Islands, acknowledging receipt of Council's resolution relating to a provincial review of the property assessment system.
(File No. CSU-F22-000-2009)
- 10-195 From the Honourable Rob Merrifield, Minister of State (Transport), acknowledging receipt of Council's resolution regarding postal outlets in Kingston.
(File No. CSU-A08-000-2009)
- 10-196 From Bonnie McIsaac, Municipal Services Manager, Ministry of Community and Social Services, acknowledging receipt of Council's resolution calling on the Province of Ontario to continue to issue both the back to school and the winter clothing allowances.
(File No. CSU-S04-000-2009)
- 10-197 From the Township of South Frontenac, acknowledging support of Council's resolution regarding tax incentives which would encourage private sector investment in the rehabilitation of Heritage properties.
(File No. CSU-R01-000-2009)
- 10-198 From the Township of Leeds and the Thousand Islands, acknowledging support of Council's resolution regarding tax incentives to encourage private sector investment in rehabilitation of heritage properties.
(File No. CSU-R01-000-2009)
- 10-199 From P. Monteith, Executive Correspondence Officer, Office of the Prime Minister, acknowledging receipt of Council's resolution regarding wrapping paper.
(File No. CSU-E07-000-2009)

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COMMUNICATIONS (CONTINUED)

- 10-200 From Cheryl Rider, Finance Coordinator, Cataraqui Region Conservation Authority, providing a copy of the financial statements for the year ending December 31, 2008.
(File No. CSU-D03-000-2009)
- 10-201 From the Committee of Adjustment, a Notice of Decision for the following applications:

CONSENT – In respect of an application to create a right-of-way for pedestrian use for the property at 964 Swanfield Street, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is April 22, 2009.

CONSENT – In respect of an application to create a right-of-way for pedestrian use for the property at 966 Swanfield Street, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is April 22, 2009.

CONSENT – In respect of an application to create a right-of-way for pedestrian use for the property at 968 Swanfield Street, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is April 22, 2009.
(File No. CSU-D19-000-2009)
- 10-209 From Swiss Chalet Rotisserie and Grill, an application for a liquor licence from the Alcohol and Gaming Commission of Ontario for an establishment located at 1330 Bath Road.
(File No. CSU-P09-000-2009)
- 10-210 From the Association of Municipalities of Ontario (AMO), calling for submissions for the Peter J. Marshall 2009 Municipal Innovation Awards Competition. Entries must be received at (AMO) offices on or before Friday, May 15, 2009.
(File No. CSU-A01-004-2009)
(Digitally distributed to all Members of Council on April 3, 2009)
- 10-211 From the Association of Municipalities of Ontario (AMO), providing notice that the Standing Committee on General Government will meet to consider *Bill 150, An Act to enact the Green Energy Act, 2009 and to build a green economy*, in Toronto on April 6, 8, 20 and 22, 2009 and in London, Ottawa, and Sault Ste. Marie during the week of April 13, 2009.
(File No. CSU-L11-000-2009)
(Digitally distributed to all Members of Council on April 3, 2009)
- 10-213 From Robert Morrison, Chair, Cataraqui Source Protection Authority, announcing the appointment of Mr. Jacques Labelle to the membership of the Cataraqui Source Protection Committee.
(File No. CSU-C12-000-2009)
- 10-214 From the Honourable John Gerretsen, M.P.P., Kingston and The Islands, acknowledging receipt of Council's resolution relating to contributions to municipal candidates under the Municipal Elections Act, 1996.
(File No. CSU-C09-000-2009)
- 10-216 From the Committee of Adjustment, a Notice of Public Hearing to be held April 27th, 2009 in the Board Room, 1211 John Counter Boulevard regarding the property located at 2560 Highway #38.
(File No. CSU-D19-000-2007)

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COMMUNICATIONS (CONTINUED)

Referred to All Members of Council

- 10-193 From M. Aileen Carroll, Minister Responsible for Seniors, inviting Council to participate in the 2009 Senior of the Year Awards which was established to give each municipality in Ontario the opportunity to honour one outstanding local senior. Nominations must be received by April 30, 2009.
(File No. CSU-S02-000-2009)
(Distributed to all Members of Council on April 3, 2009)
- 10-204 From Ann Blake, Executive Director, Marine Museum of the Great Lakes at Kingston, asking that Council proclaim May, 2009 as "May Is Museum Month" in the City of Kingston.
(File No. CSU-M10-000-2009)
(See Miscellaneous Business Item No. 1)
- 10-205 From the Town of Lakeshore asking for Council's support of a resolution that the Department of Fisheries and Oceans, Ministry of Natural Resources, Essex Region Conservation Authority, Lower Thames Valley Conservation Authority and Conservation Ontario review each municipal drain project in a timely fashion and properly determine the appropriateness of applying the Ministry of Natural Resources fish spawning restriction window and the regulations contained within applicable Federal and Provincial Acts.
(File No. CSU-C10-000-2009)
- 10-206 From the Association of Municipalities of Ontario (AMO), providing notice that Ontario will be holding four invitation-only lake-by-lake meetings around the Great Lakes, as well as one Basin-focussed workshop, to discuss its draft Vision, Goals and Strategies for the Great Lakes.
(File No. CSU-A04-000-2009)
(Distributed to all Members of Council on April 3, 2009)
- 10-207 From the Tay Valley Township asking for Council's support of a resolution that the MNR Fishery Council of Zone 18 postpone implementing any limit on sunfish until further studies have been conducted to find out what the effects of a larger pan fish population could have on our Walleye and Bass. And further implement the involvement of the Ministry of Tourism to conduct a study to find out what type of impact a pan fish limit will have on the American tourism industry. We request that the pan fish regulation stay status quo.
(File No. CSU-C10-000-2009)
- 10-208 From George Stirrett-Wood, submitting a by-law proposal for Council's consideration in regards to inefficient use of artificial night lighting.
(File No. CSU-C01-000-2009)
- 10-212 From Wilf Garrah, Chair of the Board, Algonquin and Lakeshore Catholic District School Board, submitting a letter regarding the Kingston Community Track and Field Project stating that the Algonquin and Lakeshore Catholic District School Board is in full support of the proposed Invista Centre location as an ideal location where this track and field may both compliment and benefit from the existing community facilities at that location.
(File No. CSU-R05-000-2009)
- 10-217 From Norman Macintosh, Professor Emeritus Queen's University, urging Council to cancel the Poker Run.
(File No. CSU-E05-000-2009)

COMMUNICATIONS (CONTINUED)

Referred to the Chief Administrative Officer

- 10-215 From Brenda Russell, Manager, Municipal Law and Prosecution Services, City of Barrie, providing information regarding the 2009 Town and Gown Symposium "Working Together Today For A Better Tomorrow", being held in Barrie Ontario, May 13 – 14, 2009.
(File No. CSU-A04-000-2009)

Referred to the City Clerk

- 10-202 From Linda Marks, Frontenac Lennox & Addington Chapter, MS Society of Canada, asking that Council proclaim the month of May as "May is MS Awareness Month" in the City of Kingston.
(File No. CSU-M10-000-2009)

Referred to the Awards Committee

- 10-203 From Michael Chan, Minister, Ministry of Citizenship and Immigration, providing information with respect to the Lincoln M. Alexander Award 2009 nominations process in order to honour young Ontarians who have demonstrated exemplary leadership in contributing to the elimination of racial discrimination.
(File No. CSU-R08-000-2009)



BY-LAWS

- (A) THAT By-Laws (1) and (2) be given their first and second reading.
- (B) THAT Clause 8.9 of By-Law No. 98-1 be suspended for the purpose of giving By-Law (1) three readings.
- (C) THAT By-Laws (1) through (11) be given their third reading.



- (1) A By-Law To Establish General Municipal, Fire, Garbage, And Special Tax Rates For The Year 2009 To Provide For A Final Tax Levy; To Provide For Late Payment Charges To Be Charged On Unpaid Taxes; And To Provide For Payment Of Taxes By Instalment.
THREE READINGS PROPOSED NO. 2009-66
(See Clause (b), Report No. 44)
- (2) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, April 21, 2009
THREE READINGS PROPOSED NO. 2009-67
(City Council Meeting No. 10-2009)

City Council Meeting No. 10-2009

Agenda

Tuesday, April 21, 2009

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BY-LAWS (CONTINUED)

- (3) A By-Law To Amend By-Law No. 2003-209, "A By-Law For Regulating Traffic In The Highways Of The City Of Kingston, Subject To The Provisions Of The Highway Traffic Act", (Amend Speed Limit – Bath Road)
THIRD READING PROPOSED NO. 2009-55
(See Clause (c), Report No. 41)
- (4) A By-Law To Repeal By-Law No. 98-290 A By-Law To Amend By-Law No. 90-77, Of The Former Township Of Kingston "Traffic", (Prohibition Of Parking On School Days Only Between 8:30 A.M. To 4:30 P.M. – Both Sides Of Waterloo Drive In Front Of St. Marguerite Bourgeoys Catholic School)
THIRD READING PROPOSED NO. 2009-56
(See Clause (d), Report No. 41)
- (5) A By-Law To Amend By-Law No. 24 "A By-Law For Regulating Traffic In The Highways Of The City Of Kingston, Subject To The Provisions Of The Highway Traffic Act", (Amend Parking Restrictions –Waterloo Drive – St. Marguerite Bourgeoys Elementary School)
THIRD READING PROPOSED NO. 2009-57
(See Clause (d), Report No. 41)
- (6) A By-Law To Amend By-Law No. 99-166, "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board" (Add Spencer Garrett, Dave Giroux, Clinton Guild, Greg Higgs, Steven Laidlaw, Matt Lau, Sean McCullough, Shawn Mustard, Sue Ogilvie, Rechele Paquette, Joe Phelan, Greg Ritchie, Bob Shields, Laura Walsh, Brad White, and Michael Revenboer; Delete Matt Botsford, Tyler Bruce, Marc Alain Charette, Laura Ellis, Jordan Kelly, Jennifer Knechtel, Becky Miller, Matt Murdock, Dustin Nizman, Brad Normand, Celine Patenaude, Chris Raposo, Alec Rhodes, Martin Stewart, John Tsonos – Providence Manor at 275 Sydenham Street and Community Support Services, Providence Care, Mental Health Services at 525 Montreal Street)
THIRD READING PROPOSED NO. 2009-58
(See Communication No. 09-184)
- (7) A By-Law To Amend By-Law No. 99-166, "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board" (Add Spencer Garrett, Dave Giroux, Clinton Guild, Greg Higgs, Steven Laidlaw, Matt Lau, Sean McCullough, Shawn Mustard, Sue Ogilvie, Rechele Paquette, Joe Phelan, Greg Ritchie, Bob Shields, Laura Walsh, Brad White, and Michael Revenboer; Delete Adam Manlow, Marcy Mundt, Lindy Beauvais, Jonathon Marconi, Jennifer Massey, Becky Miller, Jaimie Clarke, Adam Nitschmann, Mike Oddie, Scott Conway, Celine Patenaude, Lindsey Delaney, Sarah Paterson, Pete Phillip, Laura Ellis, Chris Raposo, Craig Revell, Brian Roscher, Sidney Salomons, Vien Ha, Andrew Schick, Patrick Hurley, Lindsey Steinmiller, Patricia Jackson, Kris Sutherland, Jordan Kelly, John Tsonos, Shawntel Tucker, Tom Wilson, Mike Long, Tom A Davis, John MacMillan – St. Mary's of the Lake Hospital)
THIRD READING PROPOSED NO. 2009-59
(See Communication No. 09-184)

BY-LAWS (CONTINUED)

- (8) A By-Law To Amend By-Law No. 99-166, "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board" (Add Kevin Andress, Sam Asseistine, Natalie Baker, Jeff Bolton, Falin Brygman, Lisa Cavanaugh, John Mahoney, Mark Chandler, Justin Colburn, Chris Darling, Chris Delima, Dan Dempster, Nicole Dufault, Spencer Garrett, Bruce Gibb, Dave Giroux, Brad Gleeson, Allan Good, Ashley Gow, Clinton Guild, Greg Higgs, Amanda Holland, Chris Howe, Megan Howell, Tracy Hughes, Walter Kennedy, Marion Koch, Steven Laidlaw, Julie Lalonde-Savard, Matt Lau, Alexandra Lewis, Sean McCullough, Rodrigo Meneses, Dennis Mercer, Ian Mercer, Barry Mohan, Shawn Mustard, Zach Offord, Sue Ogilvie, Cory Palmer, Rechele Paquette, Joe Phelan, Nick Pilon, Michael Revenboer, Greg Ritchie, Dan Roff, Mike Seeley, Chris Shaw, Bob Shields, Melanie Sutherland, Ryan Tremblay, Laura Walsh, and Brad White ; Delete Rob Mcglasha, Tom Bell, Tracy Huntley, Sean Neglia, Jessica McGill, Melissa Shaver-Lewis, Shawntel Lepage, Joe Jantzen, Richard Chance, William Babcock, Corey Bowesl, James Haryell, Julie Kastner, Alastair McLellan, Emily Shaw, Thomas Wilson, Lindsay England, Angela Hogle, Peter Pacheco, Alan Pike, Don Kirk, Kyle Ruttan and Paulo Silverstre – Hotel Dieu Hospital)

THIRD READING

PROPOSED NO. 2009-60

(See Communication No. 09-184)

- (9) A By-Law To Amend By-Law No. 99-166, "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board" (Add Tom Bell, Lisa Cavanagh, Chris Delima, Dan Dempster, Nicole Dufault, Spencer Garrett, Dave Giroux, Clinton Guild, Greg Higgs, Amanda Holland, Megan Howell, Steven Laidlaw, Julie Lalonde-Savard, Matt Lau, Sean McCullough, Rodrigo Meneses, Terry Millar, Barry Mohan, Shawn Mustard, Sue Ogilvie, Cory Palmer, Rechele Paquette, Joe Phelan, Nick Pilon, Michael Revenboer, Greg Ritchie, Dan Roff, Bob Shields, Melanie Sutherland, Laura Walsh, and Brad White; Delete Tom Wilson, Mike Long, Phil Palmer, Brian Roscher, Gary Stojak, Scott Thompson, Lindsay England, Tom Davis, Craig Revell, Laura Ellis, Sidney Salomons, Vien Ha, Scott Conway, Celine Patenaude, Mike Oddie, Becky Miller, Tomas Bell, Marcy Mundt, Johnathan Marconi, Jennifer Massey, Jamie Clarke, Adam Nitschmann, Andrew Schick, Lindsey Steinmiller, Patrick Hurley, John Tsonos, Tim Walsh, Kristopher Sutherland, Lindy Beauvais, Matthew Colby, Jordan Pike, Keenan Radcliffe, Sara Patterson, Scott Conway, Lindsey Delaney, Pete Phillip, Chris Raposa, Craig Revell, Patricia Jackson, Shawntel Tucker, Jordan Kelly, John MacMillan, and Adam Manlow – Kingston General Hospital)

THIRD READING

PROPOSED NO. 2009-61

(See Communication No. 09-184)

- (10) A By-Law To Amend By-Law No. 99-166, "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board" (Add Tom Bell, Lisa Cavanagh, Chris Delima, Dan Dempster, Nicole Dufault, Spencer Garrett, Dave Giroux, Clinton Guild, Greg Higgs, Amanda Holland, Megan Howell, Steven Laidlaw, Julie Lalonde-Savard, Matt Lau, Sean McCullough, Rodrigo Meneses, Terry Millar, Barry Mohan, Shawn Mustard, Sue Ogilvie, Cory Palmer, Rechele Paquette, Joe Phelan, Nick Pilon, Michael Revenboer, Greg Ritchie, Dan Roff, Bob Shields, Melanie Sutherland, Laura Walsh, and Brad White; Delete Tom Wilson, Mike Long, Brian Roscher, Tom Davis, Craig Revell, Laura Ellis, Sidney Salomons, Vien Ha, Scott Conway, Celine Patenaude, Mike Oddie, Becky Miller, Marcy Mundt, Johnathan Marconi, Jennifer Massey, Jamie Clarke, Adam Nitschmann, Andrew Schick, Lindsey Steinmiller, Patrick Hurley, John Tsonos, Tim Walsh, Kristopher Sutherland, Lindy Beauvais, Matthew Colby, Sara Patterson, Pete Phillip, Patricia Jackson, Shawntel Tucker, Jordan Kelly, John MacMillan, and Adam Manlow – Mental Health Services 752 King Street West)

THIRD READING

PROPOSED NO. 2009-62

(See Communication No. 09-184)

BY-LAWS (CONTINUED)

- (11) A By-Law To Amend By-Law No. 99-166, "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board" (Add Jody Riddle; Delete Mary Woodley, Martha Beach – Kingston & Frontenac Housing Corporation)
THIRD READING PROPOSED NO. 2009-63
(See Communication No. 09-192)



ADJOURNMENT