



**CITY COUNCIL MEETING NO. 19-2010**

Tuesday, August 24, 2010 at 7:00 pm in the Council Chamber at City Hall.  
 Council will resolve into the Committee of the Whole "Closed Meeting" and  
 will reconvene as regular Council at 7:30 pm.

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| Call Meeting to Order .....   | 4                           |
| Roll Call .....   | 4                           |
| Committee of the Whole "Closed Meeting" .....   | 4                           |
| Approval of Addeds .....  | 4                           |
| Disclosure of Potential Pecuniary Interest.....   | 4                           |
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| Delegations.....  | 4-5                         |
| Briefings .....   | 5                           |
| Petitions .....   | 5                           |
| Motions of Congratulations, Recognition, Sympathy, Condolences<br>and Speedy Recovery .....   | 5-6                         |
| Deferred Motions .....  | 6                           |
| <b>Report No. 104 of the CAO (Consent) .....</b>  | <b>7-9</b>                  |
| (a) Approval for the Renaming of a Private Road as Navy Way (10-201)  | <b>schedule pages 1-7</b>   |
| (b) Energy Retrofit Project – Green Municipal Fund Grant (10-216)   | <b>schedule pages 8-11</b>  |
| (c) Capital Project Status Report for the 2 <sup>nd</sup> Quarter of 2010 (10-233)  | <b>schedule pages 12-32</b> |
| (d) Approval of a By-Law to Delegate Authority for the Purposes of<br>Administering the Livestock, Poultry and Honey Bee Protection Act<br>and the Line Fences Act (10-248)   | <b>schedule pages 33-37</b> |
| (e) Approval of a Grant to John Howard Society of Kingston and District<br>from the Affordable Housing Construction Reserve for Affordable<br>Housing Development (10-258)  | <b>schedule pages 38-41</b> |
| (f) Delegation of Authority to the Director of Financial Services and the<br>Director of Engineering for Various Routine Processes Related to Tile<br>Drainage Loan Applications under the Tile Drainage Act (10-262) | <b>schedule pages 42-47</b> |

## ORDERS OF THE DAY

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| (g) Kingston & Frontenac Housing Corporation Welch Group Consulting Report and the Rent Supplement Program Delivery Model (10-263)  | <b>schedule pages 48-52</b>   |
| (h) Award of RFP for the Purchase of a New Boiler System for City Hall to Bardon Supplies Limited (10-265)                          | <b>schedule pages 53-55</b>   |
| (i) East Landfill Scale and Fees and Charges By-Law Amendment for Solid Waste (10-266)  | <b>schedule pages 56-61</b>   |
| (j) Authority to Enter into Agreements for Acquisition and Construction of a Neighbourhood Park (10-268)                            | <b>schedule pages 62-66</b>   |
| (k) Approval of an Application for a Tile Drainage Loan under the Tile Drainage Act for Norman Kendall and Kristie Kendall (10-274) | <b>schedule pages 67-68</b>   |
| (l) Amendments to the Chief Administrative Officer's By-Law (10-278)  | <b>schedule pages 69-77</b>   |
| <b>Report No. 105 of the CAO (Recommend)</b> .....  | <b>12-13</b>                  |
| (1) Discontinuation of the Transit Shuttle Service for Kingston Frontenacs Games (10-255)   | <b>schedule pages 78-80</b>   |
| (2) Request for Noise Exemption for Queen's University Orientation Week (10-257)  | <b>schedule pages 81-84</b>   |
| (3) LaSalle Causeway Traffic Operations Study – Terms of Reference (10-260)   | <b>schedule pages 85-106</b>  |
| (4) Delegation of Authority to the Director of Legal Services and City Solicitor for Various Administrative Matters (10-275)        | <b>schedule pages 107-116</b> |
| (5) Marine Museum – Current Status and Recommendations (10-259)   | <b>schedule pages 117-133</b> |
| <b>Report No. 106 of the Planning Committee</b> .....   | <b>14-17</b>                  |
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| <b>Report No. 108 of the Administrative Policies Committee</b> .....  | <b>27-28</b>                  |
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| (2) Second Quarter Operating Budget Report for 2010 (10-232)   | <b>schedule pages 194-204</b> |
| (3) Delegated Authority for Property Agreements Less Than \$25,000 (10-264)  | <b>schedule pages 205-207</b> |
| (4) Update on the Status of the Potential Acquisition of Federal Surplus Land in Barriefield Village (10-271)                      |                               |
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| By-Laws .....  | 43-46                         |
| Adjournment.....   | 46                            |

(Council Chamber)

## CALL MEETING TO ORDER



## ROLL CALL



## THE COMMITTEE OF THE WHOLE "CLOSED MEETING"

- (1) THAT Council resolve itself into the Committee of the Whole "Closed Meeting" to consider the following item:
  - (a) Personal matters about identifiable individual(s), including municipal or local board employees.
- (2) THAT Council rise from the Committee of the Whole "Closed Meeting" without reporting.



## APPROVAL OF ADDEDS



## DISCLOSURE OF POTENTIAL PECUNIARY INTEREST



## PRESENTATIONS

- (1) Mr. Tim Becket, Fire Chief of Kitchener and President of the Ontario Association of Fire Chiefs (O AFC) will present Fire Chief Harold Tulk with the 2010 Alf Stone Award, which recognizes someone who, over a sustained period of at least 10 years, exhibits professionalism, demonstrates initiative and innovation in improving public fire safety, leads or leads by example, serves the greater good and/or influences others.



## DELEGATIONS

- (1) Ms. Corinna Zinck, General Manager of the Power Play Centre, will speak to Council regarding the motion to look into possible amendments to the Noise By-Law with regards to the use of whistles and buzzers at outdoor sporting events.  
(See Motion No. (1), Page No. 36)
- (2) Mr. Mark Siemons, Chair of the Board of Directors of the Marine Museum of the Great Lakes, will speak to Council regarding the current status of the Museum.  
(See Clause (5), Report No. 105, Page No. 13)

## DELEGATIONS (CONTINUED)

- (3) Representatives of Queen's University will speak to Council regarding the Queen's Performing Arts Centre.  
(See Clause 1, Report No. 107, Page No. 18)



## BRIEFINGS

- (1) Mr. John Paul Shearer, Director of Business Development for KEDCO, will provide Council with an update regarding physician recruitment.
- (2) Mr. Terry Shea, Rural Affairs Coordinator, and Ms. Kaitlin Byrick will speak to Council regarding the Local Food Local Chefs initiative.



## PETITIONS



## MOTIONS OF CONGRATULATIONS, RECOGNITION, SYMPATHY, CONDOLENCES AND SPEEDY RECOVERY

Motions of Congratulations, Recognition, 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 Foster  
Seconded by Councillor Smith

**THAT** the congratulations of Kingston City Council be extended to Barry Gordon, long time resident of the former Pittsburgh Township and two-term Reeve of Pittsburgh, for being the first Canadian to be inducted into the National Auctioneers Association's hall of fame. Fifteen years ago, Barry, owner of Gordon's Estate Services, created the three-day *Certified Estate Specialist Program* to train fellow auctioneers and estate agents on how best to provide services to seniors.

### Motions of Condolence

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

**THAT** the sincere condolences of Kingston City Council be extended to the family and friends of the late Dean Perrett, Transit Supervisor for the City of Kingston and volunteer fire fighter in South Frontenac.

**MOTIONS OF CONGRATULATIONS, RECOGNITION, SYMPATHY, CONDOLENCES AND  
SPEEDY RECOVERY (CONTINUED)**

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

**THAT** the sincere condolences of Kingston City Council be extended to the family and friends of the late Peter Angelis, owner of Peter's Place Restaurant.



**DEFERRED MOTIONS**



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**REPORTS**

**REPORT NO. 104 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)**

**Report No. 104**

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) **Approval for the Renaming of a Private Road as Navy Way**

**WHEREAS** a request was received from Canadian Forces Base Kingston to rename Duty Drive to "Navy Way" in commemoration of the Canadian Naval Centennial; and,

**WHEREAS** this private road is located north of Highway 2 and west of Main Street and is legally described as Part 1 on Plan 13R 13700, showing Part of the Military Reserve, City of Kingston, County of Frontenac; and,

**WHEREAS** the naming of Navy Way is consistent with the adopted road naming conventions of Civic Addressing and Road Naming By-Law No. 2005-98 and emergency response requirements;

**THEREFORE BE IT RESOLVED THAT** the by-law to approve the renaming of the private road to Navy Way be presented to Council for first and second reading and that the City Clerk be requested to advertise a Notice of Intention to Pass the by-law between the second and third reading.

(The Report of the Commissioner of Sustainability and Growth (10-201) is attached as Schedule Pages 1-7)

(File No. CSU-D20-000-2010)

(See By-Law No. (1), 2010-156)

(b) **Energy Retrofit Project – Green Municipal Fund Grant (Time Sensitive)**

**THAT** Council be presented with a by-law authorizing the Mayor and Clerk to enter into a grant agreement in a form satisfactory to the Director of Legal Services, with the Federation of Canadian Municipalities (FCM), as Trustee of the Green Municipal Fund, to receive a feasibility study grant of up to \$112,725.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (10-216) is attached as Schedule Pages 8-11)

(File No. CSU-F11-000-2010)

(See By-Law No. (2), 2010-157)

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**REPORTS (CONTINUED)**

**REPORT NO. 104 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)**

(c) **Capital Project Status Report for the Second Quarter of 2010**

1. **THAT** Council approve the financing of capital projects or (return of funds), as outlined in Appendix A of Report 10-233 as follows:

| Source of Financing                                 |                    |
|---|--------------------|
| <b>Municipal Capital Reserve Fund</b>               | <b>(\$26,510)</b>  |
| Municipal Equipment Replacement Reserve Fund        | (\$73,103)         |
| Solid Waste Reserve Fund                            | (\$44,473)         |
| Library Parking Reserve                             | \$30,000           |
| Technology Reserve Fund                             | (\$7,201)          |
| Transit Reserve Fund                                | (\$583,455)        |
| Fire Capital Reserve Fund                           | \$4,489            |
| Industrial Land Reserve Fund                        | \$2,200            |
| Utility Equipment Reserve Fund                      | (\$79,150)         |
| Parking Reserve Fund                                | (\$2,795)          |
| Arena Reserve Fund                                  | \$16,337           |
| Marina Reserve Fund                                 | \$16,013           |
| Working Fund Reserve                                | (\$79,131)         |
| Provincial Funding Reserve Fund                     | (\$9,600)          |
| Development Charges Reserve Fund                    | (\$879)            |
| <b>Sub-Total-Other Reserve Funds &amp; Reserves</b> | <b>(\$810,748)</b> |
| <b>Total Reserve Funds and Reserves</b>             | <b>(\$837,258)</b> |

- and further -

2. **THAT** Council approve the increase (reduction) of approved debenture financing with reference to specific project as outlined in Appendix A of Report 10-233 as follows:

| Source of Financing                                |                |
|--|----------------|
| Police Equipment Reserve Fund                      | (\$626)        |
| <b>Total Net Debenture Requirement (reduction)</b> | <b>(\$626)</b> |

- and further -

3. **THAT** Council approve the transfer of budget funding from specific projects in Real Estate & Construction totalling \$378,935 to Facility Management heritage and non-heritage projects and \$5,500 from the Airport Exterior Signs project to the Obstacle Surface Removal project (detailed in Appendix A of Report 10-233);

- and further -

4. **THAT** Council approve the transfer of budget funding for \$441,000 from the approved Information Systems & Technology (IS & T) projects to envelope funding for the IS & T strategy project in accordance with the recommendations within the IS & T Strategic Plan approved by Council on April 20, 2010 (detailed in Appendix A of Report 10-233);

- and further -

**REPORTS (CONTINUED)**

**REPORT NO. 104 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)**

5. **THAT** the funding of \$150,000 for secondary planning studies be reallocated to the Williamsville Urban Design Study identified as a focus of development in the Official Plan.  
(The Report of the Deputy Treasurer (10-233) is attached as Schedule Pages 12-32)  
(File No. CSU-F05-000-2010)

(d) **Approval of a By-Law to Delegate Authority for the Purposes of Administering the Livestock, Poultry and Honey Bee Protection Act and the Line Fences Act**

**THAT** By-Law No. 98-13, "A By-Law To Designate The Authority Of The Clerk To The Commissioner of Community Development And Client Services For The Purposes Of The Livestock, Poultry And Honey Bee Protection Act, R.S.O. 1990, c. L. 24" be repealed;

- and further -

**THAT** By-Law No. 2003-406, "A By-Law To Provide For the Arbitration Of Fencing Disputes Between Adjoining Property Owners" be repealed;

- and further -

**THAT** no fence viewing will take place between the 1st of November of one year and the 31st of March of the next year;

- and further -

**THAT** Council approve "A By-Law To Delegate The Authority For The Appointment Of Livestock Valuers And Fence Viewers Pursuant To Section 23.1 Of The Ontario Municipal Act, 2001", attached as Exhibit A to Report 10-248.  
(The Report of the Acting Commissioner of Community Services (10-248) is attached as Schedule Pages 33-37)  
(File No. CSU-P01-000-2010)  
(See By-Law No. (3), 2010-158, By-Law No. (4), 2010-159, By-Law No. (5), 2010-160)

(e) **Approval of a Grant to John Howard Society of Kingston and District from the Affordable Housing Construction Reserve for Affordable Housing Development**

**THAT** Council approve a grant to John Howard Society of Kingston and District in an amount equal to the actual costs, currently estimated at \$64,608, for the development charges, impost fees and building permit fees related to the nine (9) affordable housing units being developed at 771 Montreal Street. The grant, to be provided from the Affordable Housing Construction Reserve, cannot exceed the maximum of \$90,000.  
(The Report of the Acting Commissioner of Community Services (10-258) is attached as Schedule Pages 38-41)  
(File No. CSU-S18-000-2010)

(f) **Delegation of Authority to the Director of Financial Services and the Director of Engineering for Various Routine Processes Related to Tile Drainage Loan Applications under the Tile Drainage Act**

1. **THAT** Council approve a "By-Law To Delegate Authority To The Director Of Financial Services And The Director Of Engineering For Various Routine Processes Related To Tile Drainage Loan Applications Under The Tile Drainage Act";

- and further -

**REPORTS (CONTINUED)**

**REPORT NO. 104 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)**

2. **THAT** the by-law shall come into force and take effect on the date of its passing.  
(The Report of the Deputy Treasurer (10-262) is attached as Schedule Pages 42-47)  
(File No. CSU-E09-000-2010)  
(See **By-Law No. (6), 2010-161**)  
(See **Clause 2, Report No. 110, Page No. 31**)

**(g) Kingston & Frontenac Housing Corporation Welch Group Consulting Report and the Rent Supplement Program Delivery Model**

**THAT** Council approve the proposed changes to the delivery of the Rent Supplement Program, specifically authorizing the Service Manager to take over responsibility for the contract administration of the Rent Supplement Program while Kingston & Frontenac Housing Corporation retains responsibility for the day-to-day administration of the program, with no change in the level of administration funding, subject to the terms and conditions of the Rent Supplement Service Agreement;

- and further -

**THAT** Council authorize the Service Manager to negotiate a Rent Supplement Service Agreement with Kingston & Frontenac Housing Corporation, to be effective no later than December 31, 2010;

- and further -

**THAT** Council authorize the Mayor and Clerk to execute the Rent Supplement Service Agreement in a form satisfactory to the Director of Legal Services.

(The Report of the Acting Commissioner of Community Services (10-263) is attached as Schedule Pages 48-52)  
(File No. CSU-S18-000-2010)

**(h) Award of RFP for the Purchase of a New Boiler System for City Hall to Bardon Supplies Limited (Time Sensitive)**

**THAT** the RFP No. F31-TPES-RC-FM-2010-3 for the purchase of a new boiler system for City Hall be awarded to Bardon Supplies Limited for the purchase price of \$679,238 plus applicable taxes.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (10-265) is attached as Schedule Pages 53-55)

(File No. CSU-F31-000-2010)

**(i) East Landfill Scale and Fees and Charges By-Law Amendment for Solid Waste (Time Sensitive)**

**THAT**, subject to Report No. EITP-10-026, "Public Access at the Kingston East Landfill", being carried by Council, which will close the landfill to the public near the end of 2010, the scale not be repaired;

- and further -

**THAT** By-Law No. 2005-10, "A By-Law To Establish Fees And Charges To Be Collected By The Corporation Of The City Of Kingston", as amended, be further amended as outlined in this report;

- and further -

**THAT** the aforementioned by-law be given three readings and passed;

- and further -

**REPORTS (CONTINUED)**

**REPORT NO. 104 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)**

THAT users be provided with written notification of the change in fees upon entry into the landfill to be effective September 1, 2010, with additional notices for the public posted on the website.

(The Report of the President and CEO of Utilities Kingston (10-266) is attached as Schedule Pages 56-61)

(File No. CSU-E07-000-2010, CSU-F21-000-2010)

(See By-Law No. (10), 2010-165)

**(j) Authority to Enter into Agreements for Acquisition and Construction of a Neighbourhood Park**

THAT Council authorize the Mayor and Clerk to execute a purchase and sale agreement for \$1.00 to acquire the 0.22 ha lands within the CARFA (Santo Carfa; 1766900 ONTARIO LIMITED; John Bosisa) subdivision shown as a neighbourhood park on the Woodhaven Secondary Plan, such agreement to be to the satisfaction of the Director of Legal Services;

- and further -

THAT Council authorize the Mayor and Clerk to execute a construction agreement with Tamarack (Catarqui West) Corporation to construction the 0.44 ha park in one phase; and such agreement to be to the satisfaction of the Director of Legal Services;

- and further -

THAT Council authorize the Mayor and Clerk to create a new 2010 park development project having a budget, including fees and contingencies, of \$225,000; and the project be funded in the amount of \$202,500 (90%) from the Development Charges Reserve fund and \$22,500 (10%) from Emerald Park account which has \$120,000 remaining.

(The Report of the Commissioner of Sustainability and Growth (10-268) is attached as Schedule Pages 62-66)

(File No. CSU-R04-000-2010)

**(k) Approval of an Application for a Tile Drainage Loan under the Tile Drainage Act for Norman Kendall and Kristie Kendall**

THAT the application for the loan by Norman Kendall and Kristie Kendall under the Tile Drainage Act, in the amount up to \$15,000, be approved, with the understanding that funds shall be provided through a Tile Drainage Debenture with the Province of Ontario, subject to the availability of funding from the Ontario Ministry of Agriculture and Food and Rural Affairs (OMAFRA).

(The Report of the City Treasurer (10-274) is attached as Schedule Pages 67-68)

(File No. CSU-E09-000-2010)

**(l) Amendments to the Chief Administrative Officer's By-Law**

THAT Council approve the amendments to By-Law No. 2002-86, "A By-Law To Establish The Position Of Chief Administrative Officer", as set out in the amended by-law attached as Exhibit "A" to Report 10-278.

(The Report of the Director of Legal Services and the Director of Human Resources and Organizational Development (10-278) is attached as Schedule Pages 69-77)

(File No. CSU-C01-000-2010)

(See By-Law No. (7), 2010-162)



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**REPORTS (CONTINUED)**

**REPORT NO. 105 OF THE CHIEF ADMINISTRATIVE OFFICER (RECOMMEND)**

**Report No. 105**

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

**(1) Discontinuation of the Transit Shuttle Service for Kingston Frontenacs Games**

**THAT** Council approve the discontinuation of the shuttle service provided for Kingston Frontenacs hockey games effective for the upcoming season.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (10-255) is attached as Schedule Pages 78-80)

(File No. CSU-T03-000-2010)

**(2) Request for Noise Exemption for Queen's University Orientation Week (Time Sensitive)**

**THAT** Queen's Alma Mater Society is granted an exemption to Schedule B of By-Law No. 2004-52, "A By-Law To Regulate Noise", to permit an outdoor spirit event to be held at Tindall Field, located at 160 Union Street West, from 8:00 p.m. until 11:45 p.m. on Thursday, September 9, 2010;

- and further -

**THAT** Queen's Arts and Science Undergraduate Society is granted an exemption to Schedule B of By-Law No. 2004-52, "A By-Law To Regulate Noise", to permit an outdoor semi-formal at Agnes Benedickson Field off 5th Field Company Lane at 43 University Avenue from 6 p.m. until 11:59 p.m. on Saturday, September 11, 2010.

(The Report of the Acting Commissioner of Community Services (10-257) is attached as Schedule Pages 81-84)

(File No. CSU-P01-002-2010)

**(3) LaSalle Causeway Traffic Operations Study – Terms of Reference**

**THAT** Council review and endorse the attached Terms of Reference for the "LaSalle Causeway Traffic Operations Study";

- and further -

**THAT** the Engineering Department be directed to proceed with the consultant selection process;

- and further -

**THAT** the 2009/2010 Capital Budget be amended to include \$100,000 from the Municipal Capital Reserve Fund for the completion of this study.

(The Report of the President and CEO of Utilities Kingston (10-260) is attached as Schedule Pages 85-106)

(File No. CSU-T08-000-2010)

**(4) Delegation of Authority to the Director of Legal Services and City Solicitor for Various Administrative Matters**

**THAT** Council pass the "By-Law To Delegate Authority To The Director Of Legal Services And City Solicitor For Various Administrative Matters" in the form attached as Exhibit "A" to Report No. 10-275.

(The Report of the Director of Legal Services (10-275) is attached as Schedule Pages 107-116)

(File No. CSU-C01-000-2010)

(See By-Law No. (8), 2010-163)

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**REPORTS (CONTINUED)**

**REPORT NO. 105 OF THE CHIEF ADMINISTRATIVE OFFICER (RECOMMEND)**

(5) **Marine Museum – Preliminary Investigation and Recommended Course of Action**

**THAT** Council approve additional funding to the Marine Museum of the Great Lakes in 2010 of up to an additional \$32,500 to balance the projected net operating deficit and that this funding be provided on a month to month basis based on financial reports of actual expenditures with financing from the Working Fund Reserve;

- and further -

**THAT** an additional amount of \$15,000 in funding from the Working Fund Reserve be provided for the Marine Museum to work with City staff to prepare a revised business plan for a new service level agreement prior to approval of the 2011 budget;

- and further -

**THAT** Council authorize funding to the Marine Museum of the Great Lakes to the same level of funding as originally approved in the 2010 operating budget for the first quarter of 2011 in the amount of \$5,500 per month during which a new service level agreement can be presented for approval by Council;

- and further -

**THAT** the Marine Museum undertake to provide continued public access to their exhibitions and collections, including the events previously planned for October 2010, as a condition of receiving the additional funding.

(The Report of the Commissioner of Sustainability and Growth (10-259) is attached as Schedule Pages 117-133)  
(File No. CSU-F25-000-2010)



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**REPORTS (CONTINUED)**

**REPORT NO. 106 OF THE PLANNING COMMITTEE**

**Report No. 106**

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

All items listed on this 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.

July 22, 2010

1. **Approval of an Application for Official Plan Amendment for the Properties Located at 1293-1343 Princess Street Site Specific Policy Area**

THAT the application for Official Plan Amendment (Our File No. D09-052-2010) submitted by the City of Kingston, for the properties located from 1293 Princess Street to 1343 Princess Street inclusive, **BE APPROVED**.

**AND BE IT FURTHER RESOLVED** that the City of Kingston Official Plan, be further amended as follows:

1. The City of Kingston Official Plan, as amended, is hereby further amended by the following map and text change, which shall constitute Amendment No. 3 to the City of Kingston Official Plan:
  - a) **AMEND** Schedule '3-D', 'Site Specific Policies', of the City of Kingston Official Plan, so as to designate the properties located from 1293 Princess Street to 1343 Princess Street inclusive, as shown on Schedule 'A' to By-Law No. 2010-166, as 'Site Specific Policy Area No. 42'.
2. That the Official Plan for the City of Kingston, as amended, be further amended by adding the following new Site Specific Policy as Section 3.18.42:

**"1293 Princess St.  
to 1343 Princess St.  
Schedule 3-D,  
SSP No. 42**

- 3.18.42 The properties from 1293 Princess Street to 1343 Princess Street inclusive, are within the Arterial Commercial designation as shown on Schedule 3-A. The Plan recognizes that as these properties, shown on Schedule 3-D as SSP No. 42, undergo a transition from low-density residential use to Arterial Commercial uses, the following site specific policies shall guide the development/redevelopment of these lands:
- a. Uses on these properties shall include permitted Arterial Commercial and existing Residential uses and small-scale service oriented office and financial services uses such as real estate, insurance, branch banks, medical and professional uses;
  - b. Commercial uses will be limited to those uses which will be compatible with the residential character of the area;
  - c. A comprehensive program of land assembly will be encouraged;
  - d. Any commercial developments are required to support the residential character of the area in terms of building design, landscaping, rear yard parking, and building location on the lot;
  - e. Vehicular access to the area from Alexander Street will be prohibited;
  - f. The number of vehicular access points from Princess Street shall be minimized in the context of redevelopment and project design;
  - g. Development or redevelopment will require the provision of adequate impact mitigation measures such as the provision of buffers, landscaping, site design, building arrangements and building design to ensure compatibility with any adjacent residential uses."

**REPORTS (CONTINUED)**

**REPORT NO. 106 OF THE PLANNING COMMITTEE**

**AND BE IT FURTHER RESOLVED** that the by-law be presented to City Council for all three readings.  
(See By-Law No. (11), 2010-166)  
(Note: A copy of the draft by-law is attached as Schedule Pages 134-135)



August 5, 2010

2. **Approval of an Application for Zoning By-Law Amendment for the Property Located at 326 Alfred Street (Time Sensitive)**

**THAT** the application for Zoning By-Law Amendment (Our File No. D14-180-2010) submitted by Podium Developments, for the property located at 326 Alfred Street), **BE APPROVED.**

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

1. That Zoning Schedule "A", Map 19 of Zoning By-Law No. 8499, as amended, is hereby further amended by changing the zone symbol to 'B3.395' of the lands shown as "Subject Lands Rezoned from A to B3.395" on Schedule "A" attached hereto and forming part of amending By-Law No. 2010-167.
2. That the By-Law be amended by the addition of the following section to Part VIII – EXCEPTIONS TO VARIOUS ZONE CLASSIFICATIONS:

"395. **326 Alfred Street**

Notwithstanding any provisions of Section 16 hereof to the contrary, on the lands zoned 'B3.395' on Schedule "A" attached hereto, the following provisions shall apply:

- a) PERMITTED USE: multiple family dwelling
- b) MINIMUM YARDS:
  - (i) north property line – 4.6 metres
  - (ii) from Alfred Street – 1.5 metres
  - (iii) south property line – 8.5 metres
  - (iv) from Frontenac Street – 53 metres
- c) MAXIMUM BUILDING HEIGHT: 10.5 metres
- d) MAXIMUM LOT OCCUPANCY: 110%
- e) MAXIMUM NUMBER OF RESIDENTIAL UNITS: 18
- f) MAXIMUM NUMBER OF BEDROOMS PER UNIT: 3
- g) MAXIMUM NUMBER OF BEDROOMS: 48
- h) MINIMUM NUMBER OF ON-SITE PARKING SPACES: 18 parking spaces
- i) MINIMUM SIZE OF A PARKING SPACE: 2.6 metres wide by 6.0 metres long
- j) MINIMUM AMENITY SPACE AREA: 775 square metres
- k) Notwithstanding any provisions of Section 5.8 hereof to the contrary, on the lands zoned 'B3.395' on Schedule "A" attached hereto, the following provisions shall apply:

PROJECTION INTO YARDS:

**REPORTS (CONTINUED)**

**REPORT NO. 106 OF THE PLANNING COMMITTEE**

- (i) A covered or uncovered unenclosed porch, deck, balcony or veranda may project out from the main building wall providing it is no closer than 3.7 metres to the north lot line and 7.0 metres to the south lot line.
- (ii) Uncovered steps may project 1.4 metres out from a covered or uncovered unenclosed porch, deck, or veranda providing it is no closer than 5.7 metres to the south lot line.
- (iii) A step and covered or uncovered unenclosed porch may project out from the main building wall up to the front lot line.
- (iv) There shall be no minimum setback from the interior side lot line of a common party wall for a covered or uncovered unenclosed porch, deck, balcony, step or veranda.
- (v) Cornices, eaves, belt courses, sills, canopies, or other similar architectural features (not including bay windows or vertical projections) may extend or project into a required side yard not more than 0.6 metres and may extend or project into a required front or rear yard not more than 0.8 metres. Chimneys may also project into a required front, side, or rear yard not more than 0.3 metres."

**AND BE IT FURTHER RESOLVED** that the amending by-law be presented to City Council for all three readings.  
(See By-Law No. (12), 2010-167)

(Note: A copy of the draft by-law is attached as Schedule Pages 136-137)

3. **Approval of an Application for Zoning By-Law Amendment for the Property Located at 370 King Street West (J.K. Tett Building) (Time Sensitive)**

**THAT** the Application for Zoning By-Law Amendment (Our File No. D14-159-2009) submitted by the City of Kingston for 370 King Street West **BE APPROVED**.

**AND THAT** By-Law No. 8499 of The Corporation of the City of Kingston, entitled "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston", as amended, is hereby further amended as follows:

1. Map 29 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from 'P.98' to 'P1.387', as shown on Schedule "A" attached to and forming part of By-Law No. 2010-168.
2. By **Adding** a new subsection 387 to Part VIII (387) thereto as follows:  
"(387) **'P1.387', 370 King Street West**  
Notwithstanding the provisions of Section 33 hereof to the contrary, for the lands designated 'P1.387' on Schedule 'A' to By-Law No. 2010-168, the following regulations shall apply:
  - a) That notwithstanding any provisions to the contrary the lands subject to the provisions of the 'P1.387' Zone shall be applied as though the lands are a single parcel for zoning purposes.
  - b) **Maximum Height** – 33 metres
  - c) **Minimum Front, Side and Rear Yards** – 0.0 metres
  - d) **Off-Street Parking** –
    - i. Notwithstanding Section 5.3 to the contrary no off-street parking is required; and
    - ii. Notwithstanding any regulation to the contrary the subject property shall be deleted from Schedule K of Zoning By-Law No. 8499.

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**REPORTS (CONTINUED)**

**REPORT NO. 106 OF THE PLANNING COMMITTEE**

- e) **Off-Street Loading** – Notwithstanding Section 5.4 to the contrary one loading area measuring 3.0 metres wide and 7.5 metres long shall be provided within the P1.387 Zone.

**AND THAT** the amending by-law be presented to City Council for all three readings.

(See **By-Law No. (13), 2010-168**)

(Note: A copy of the draft by-law is attached as Schedule Pages 138-139)

4. **Approval of an Application for Final Plan of Condominium for Lots 48 to 54, 148 to 154, and 167 to 195, Blocks 223 to 225 and 227 to 232, Registered Plan 13M-58**

**THAT** the application for Final Approval of a Plan of Condominium submitted by Geertsma Homes Ltd. for three, 8.0 metre wide rear lanes on Blocks 223 to 225 and 227 to 232, Registered Plan 13M-58, **BE APPROVED**;

**AND THAT** Final Approval be granted to the Plan of Condominium submitted by Geertsma Homes Ltd., with respect to a common element condominium consisting of three, 8.0 metre wide rear lanes on Blocks 223 to 225 and 227 to 232, Registered Plan 13M-58, subject to the Owner entering into a Condominium Agreement with the City, which Agreement shall provide further notice to the Condominium Corporation and present and future purchasers of the conditions contained within the registered Subdivision Agreement and that the Condominium Corporation will be responsible for maintaining the approved subdivision works and fulfilling any conditions of the Agreement.

**AND THAT** following the execution of the Condominium Agreement, the Director of Legal Services be authorized to forward the necessary signed and stamped originals and required copies of the Final Plan of Condominium to the Land Registry Office for registration.



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Tuesday, August 24, 2010

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**REPORTS (CONTINUED)**

**REPORT NO. 107 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)**

**Report No. 107**

To the Mayor and Members of Council:

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

All items listed on this 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.

August 9, 2010

**Note: There are no clauses (below) 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 of an Application for Alterations and Additions to a Property Located at 390 King Street West also known as the Stella Buck and Domino Theatre Building (Time Sensitive)**

**WHEREAS** Application P18-714-092-2010 has been submitted for alterations and additions to a property at 390 King St West which includes buildings known as Stella Buck and the Domino Theatre Building together with a series of outbuildings and additions to these structures which form part of the J.K. Tett Creativity Complex, the Morton Distillery/Brewery, and the Sydenham Military Hospital; and,

**WHEREAS** a description of the property and Reasons for Designation were included in a Notice of Intent having been served as a proposed update to the Designation By-Law No. 94-356, identifying character defining elements this property that should specifically be retained; and,

**WHEREAS** an Historic Structures Report was prepared by Craig Sims dated May 2008 that speaks of these elements as well as other features of the site and the evolution of the site through its different periods; and,

**WHEREAS** Heritage Impact Statements were prepared by Andre Scheinman dated July 23, 2009, and July 6, 2010, which echo information presented in the Historic Structures Report, listing the elements of the site noted in the Reasons for Designation; and,

**WHEREAS** no report by the Owner's heritage consultants identifies one period as being more relevant to the history of this property than another; and,

**WHEREAS** the Heritage Committee has had an opportunity to meet with Queen's agents on a number of occasions during regular meetings of the Committee, through appointed sub-committees and during site visits; and,

**WHEREAS** the applicant has presented a proposed plan for the development of this property and after a series of discussions with the Committee is found to have taken into consideration the historic character of this site and its character defining elements with the exception of the chimney and the windows; and,

**WHEREAS** a report prepared by the applicants engineer finds the chimney in acceptable condition; and,

**WHEREAS** the Committee has found the windows to be in reasonable condition; and,

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Tuesday, August 24, 2010

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**REPORTS (CONTINUED)**

**REPORT NO. 107 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)**

**WHEREAS** the Heritage Impact Statement (July 23, 2010) prepared by Andre Scheinman includes a response to Heritage Committee concerns regarding the windows by quoting the Queen's Architect's memo which expresses an intention to refurbish and reuse existing wood windows and the Heritage consultant specifically notes windows in the West elevation of Stella Buck and the North Wall of the former Domino Theatre and this intention is reiterated in a response to comments by the Heritage Committee; and,

**WHEREAS** a public meeting held July 26, 2010, indicated no major concerns related to the proposed development; and,

**WHEREAS** interior structural elements are noted in both Heritage Consultants reports and identifies some of these as original to the Industrial (Brewery) period but are not included in the list of Character Defining elements; and,

**WHEREAS** the Applicant has generously indicated the intent to retain some of the interior structure with a minor rearrangement to accommodate their interior layout when they are not required to do so; and,

**THEREFORE BE IT RESOLVED THAT** Application P18-714-092-2010 for a property located at 390 King Street West also known as the Stella Buck Building requesting approval for alterations of the Stella Buck Building, Stable Buildings and construction of a Performing Arts Centre **BE APPROVED** with details described within a submission received July 5, 2010, most recent documents received dated July 6, 2010, and July 7, 2010, within a submission which was deemed complete by the Planning and Development Department July 26, 2010, with the understanding that the windows be retained in the design in the West wall will be reused and refurbished, the windows retained in the design in the east wall will be refurbished and the chimney will be retained, and elements of the interior structure will be incorporated in the manner retained in the design similar to their original purpose;

- and further -

**THAT** detailed plans for the current proposal will be submitted when prepared to confirm compliance with this motion;

- and further -

**THAT** the following archaeological requirements be fulfilled as outlined within correspondence dated June 01, 2010, to the Associate Vice-Principal (Facilities), Queen's University from the City's Heritage Planner:

- In the event that deeply buried or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, all work must immediately cease and the site must be secured. The Cultural Program Branch of the Ministry of Tourism and Culture (416-314-7123) and the City of Kingston Heritage Planner (613-546-4291 ext 1386) must be immediately contacted.
- In the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police (613-549-4660), the Registrar of Cemeteries Regulation Section of the Ontario Ministry of Consumer Business Services (416-326-8494), the Cultural Program Branch of the Ministry of Tourism and Culture (416-314-7123), and the City of Kingston Heritage Planner (613-546-4291 ext 1386) must be immediately contacted.
- Those areas subject to the Stage 4 Assessment prepared by Past Recovery and dated June 19, 2009, are to be considered completely assessed and any remains therein are considered eligible for removal.

**REPORTS (CONTINUED)**

**REPORT NO. 107 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)**

- All below grade excavations associated with the proposed Queen's University Performing Arts Centre must be monitored by a licensing archaeologist with a protocol developed and provisions made for recording archaeological remains and recovering significant archaeological deposits revealed by this activity, a protocol which would both ensure that sufficient archaeological information is recovered while not causing significant delays in the construction schedule. This particularly applies to the areas surrounding the two operations investigated during the Stage 4 assessment – the building in Operation 1 is known to have continued below the current officer's mess and the brick floor in Operation 2 appears to continue below the 'doghouse' to the north extending out from the Stella Buck Building. Both of these structures are slated for demolition; provisions must be made to allow for the continued recording of these features during this process.
- A section of the stone box drain, found in trenches 14 and 20, is required to be recorded by a licensed archaeology through measured drawings before it is removed if it is to be affected by proposed construction.

2. **Approval of an Application for a Commercial Sign at 320-322 King Street East (Time Sensitive)**

THAT Application P18-696-085-2010 for a property located at 320-322 King Street East requesting approval for a commercial sign **BE APPROVED** in accordance with details described within a submission filed July 16, 2010, and deemed complete by the Planning and Development Department July 22, 2010;

- and further -

THAT the sign be installed in accordance with Heritage Masonry Guidelines.

3. **Approval of an Application for the Repair of the Front Balcony and Alteration of the Front and Rear Porches at 239 Johnson Street (Time Sensitive)**

THAT Application P18-640-093-2010 for a property located at 239 Johnson Street requesting approval for the repair of the front balcony and alteration of the front and rear porches **BE APPROVED** in accordance with details described within a submission filed July 8, 2010, and deemed complete by the Planning and Development Department July 13, 2010;

- and further -

THAT in the event that deeply buried or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, all work must immediately cease and the site must be secured. The Cultural Program Branch of the Ministry of Tourism and Culture (416-314-7123) and the City of Kingston Heritage Planner (613-546-4291 ext 1386) must be immediately contacted;

- and further -

THAT in the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police (613-549-4660), the Registrar of Cemeteries Regulation Section of the Ontario Ministry of Consumer Business Services (416-326-8494), the Cultural Program Branch of the Ministry of Tourism and Culture (416-314-7123), and the City of Kingston Heritage Planner (613-546-4291 ext 1386) must be immediately contacted.

**REPORTS (CONTINUED)**

**REPORT NO. 107 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)**

4. **Approval of an Application for the Replacement of Two Sections of the Cedar Shingle Roof at 247 Main Street, Barriefield Village (Time Sensitive)**

THAT Application P18-426-094-2010 for a property located at 247 Main Street, Barriefield Village requesting approval for the replacement of two sections of the cedar shingle roof **BE APPROVED** in accordance with details described within a submission filed July 7, 2010, and deemed complete by the Planning and Development Department July 13, 2010.

5. **Approval of an Application for a New Iron Handrail for an Existing Set of Stone Stairs Located Between the Driveway and Front Entrance at 247 Main Street, Barriefield Village (Time Sensitive)**

THAT Application P18-426-099-2010 for a property located at 247 Main Street, Barriefield Village requesting approval for a new iron handrail for an existing set of stone stairs located between the driveway and front entrance **BE APPROVED** in accordance with details described within a submission filed July 16, 2010, and deemed complete by the Planning and Development Department July 26, 2010;

- and further -

THAT it be understood that:

- the applicant will make a submission to the Engineering Department requesting an encroachment permit and contact Brad Morton at ext. 3147 or by email at [bmorton@cityofkingston.ca](mailto:bmorton@cityofkingston.ca);
- the City will not be responsible for any damage to the encroachment feature that may occur as a result of operational activities;
- the approval of the inadvertent encroachment of the porch will be included in the encroachment approval.

6. **Approval of an Application for the Replacement of the Front and Earl Street Doors and Painting at 218 King Street East (Time Sensitive)**

THAT Application P18-195-095-2010 for a property located at 218 King Street East also known as 39 Earl Street requesting approval for the replacement of the front and Earl Street doors and painting **BE APPROVED** in accordance with details described within a submission filed July 14, 2010, and deemed complete by the Planning and Development Department July 19, 2010;

- and further -

THAT consideration be given to simplification of colours and grills, and a solid door.

7. **Approval of an Application for the Relocation of the Locomotive to a Site Approximately 7 Metres Away from the Former Railway Station Building, with a New Base at 209-211 Ontario Street (Time Sensitive)**

THAT Application P18-272-097-2010 for a property located at 209-211 Ontario Street requesting approval for the relocation of the locomotive to a site approximately 7 metres away from the former Railway Station Building, with a new base **BE APPROVED** in accordance with details described within a submission filed July 16, 2010, and deemed complete by the Planning and Development Department July 22, 2010;

- and further -

THAT alterations include the conservation of archaeological resources in accordance with the requirements of the Ministry of Tourism and Culture.

**REPORTS (CONTINUED)**

**REPORT NO. 107 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)**

8. **Approval of an Application for the Installation of an Additional Rooftop HVAC Unit on the Flat Roof at the Back of the Building, Roof Insulation and Roof Replacement to Include New Flashings and Gravel Stops, Eaves Troughs and Downspouts, Masonry Repairs to Chimney, and Window Restoration/Replacement at 11-23 Ontario Street also known as the Pump House Steam Museum (Time Sensitive)**

THAT Application P18-260-098-2010 for a property located at 11-23 Ontario Street also known as the Pump House Steam Museum requesting approval for the installation of an additional rooftop HVAC Unit on the flat roof at the back of the building, roof insulation and roof replacement to include new flashings and gravel stops, eaves troughs and downspouts, masonry repairs to chimney, and window restoration/replacement **BE APPROVED** in accordance with details described within a submission filed July 16, 2010; and deemed complete by the Planning and Development Department July 22, 2010.

9. **Approval of an Application for the Repair of the Front Porch to Replace a Bottom Rail, Painting of the Deck Surface Grey and the Rest of the Porch Gloss White, Painting of the Front Door to Match Existing, Scraping and Painting of all Wood Surfaces and Repair Woodwork As Necessary, Repair and Repainting of Soffit and Fascia at 241 Johnson Street (Time Sensitive)**

THAT Application P18-641-100-2010 for a property located at 241 Johnson Street requesting approval for the repair of the front porch to replace a bottom rail, painting of the deck surface grey and the rest of the porch gloss white, painting of the front door to match existing, scraping and painting of all wood surfaces and repair woodwork as necessary, repair and repainting of soffit and fascia **BE APPROVED** in accordance with details described within a submission filed July 16, 2010, and deemed complete by the Planning and Development Department July 22, 2010;

- and further -

THAT the metal balcony railing be repainted in black.

10. **Approval of an Application for the Removal and Replacement of Rotted Fascia Boards to Match Existing Boards, and Scraping and Repainting to Match Existing at 49 King Street East also known as the Medical House, Bishop's Court (Time Sensitive)**

THAT Application P18-176-101-2010 for a property located at 49 King Street East also known as the Medical House, Bishop's Court requesting approval to remove and replace rotted fascia boards to match existing boards, and scraping and repainting to match existing **BE APPROVED** in accordance with details described within a submission filed July 16, 2010, and deemed complete by the Planning and Development Department July 23, 2010;

- and further -

THAT it be understood that an application for other aspects of work being undertaken at the property requiring approval under the Ontario Heritage Act be submitted for the meeting to be held September 13, 2010.

11. **Approval of an Application for Repointing Four Areas of the Bell Tower, Including the Application of an Acrylic Based Sealant at 268 Main Street, Barriefield Village (Time Sensitive)**

THAT Application P18-416-102-2010 for a property located at 268 Main Street, Barriefield Village also known as St. Mark's Church requesting approval for repointing four areas of the Bell Tower, including the application of an acrylic based sealant **BE APPROVED** in accordance with details described within a submission filed July 22, 2010, and deemed complete by the Planning and Development Department July 23, 2010,

**REPORTS (CONTINUED)**

**REPORT NO. 107 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)**

- and further -

THAT the fastening of the cap flashing be done in accordance with the Heritage Masonry Guidelines to the greatest extent possible.

12. **Approval of an Application for the Conversion of an Interior Door to an Exterior Door in the Former Breezeway, Extension of the Roof, Repair of Soffit and Fascia to Match Existing, Installation of Cornice Molding, Limestone Block Foundation Cap and Concrete Footings, and Interlocking Brick Patio at 77 Alwington Avenue (Time Sensitive)**

THAT Application P18-012-112-2010 for a property located at 77 Alwington Avenue requesting approval for the conversion of an interior door to an exterior door in the former breezeway, extension of the roof, repair of soffit and fascia to match existing, installation of cornice molding, limestone block foundation cap and concrete footings, and interlocking brick patio **BE APPROVED** in accordance with details described within a submission filed July 28, 2010, and deemed complete by the Planning and Development Department July, 30, 2010;

- and further -

THAT it be understood that a building permit will be required for the new foundation or any other structural work involved in the said foundation;

- and further -

THAT in the event that deeply buried or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, all work must immediately cease and the site must be secured. The Cultural Program Branch of the Ministry of Tourism and Culture (416-314-7123) and the City of Kingston Heritage Planner (613-546-4291 ext 1386) must be immediately contacted;

- and further -

THAT in the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police (613-549-4660), the Registrar of Cemeteries Regulation Section of the Ontario Ministry of Consumer Business Services (416-326-8494), the Cultural Program Branch of the Ministry of Tourism and Culture (416-314-7123), and the City of Kingston Heritage Planner (613-546-4291 ext 1386) must be immediately contacted.

13. **Approval of an Application for the Reinstallation of Wooden Posts and a Wooden Gate between 208 and 212 King Street East for a Property Located at 208 King Street East (Time Sensitive)**

THAT Application P18-194-105-2010 for a property located at 208 King Street East requesting approval for the reinstallation of wooden posts and a wooden gate between 208 and 212 King Street East **BE APPROVED** in accordance with details described within a submission filed July 26, 2010, and deemed complete by the Planning and Development Department July 28, 2010, with the design of the gate following revised drawings submitted to the Planning and Development Department on August 9, 2010, with the design of the gate following revised drawings submitted to the Planning and Development Department on August 9, 2010.

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**REPORTS (CONTINUED)**

**REPORT NO. 107 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)**

14. **Approval of an Application for the Reinstallation of Wooden Posts and a Wooden Gate between 208 and 212 King Street East for a Property Located at 212 King Street East (Time Sensitive)**

THAT Application P18-195-106-2010 for a property located at 212 King Street East requesting approval for the reinstallation of wooden posts and a wooden gate between 208 and 212 King Street East **BE APPROVED** in accordance with details described within a submission filed July 26, 2010, and deemed complete by the Planning and Development Department July 28, 2010, with the design of the gate following revised drawings submitted to the Planning and Development Department on August 9, 2010, with the design of the gate following revised drawings submitted to the Planning and Development Department on August 09, 2010.

15. **Approval of an Application for the Installation of 10 Gas Meters at the Rear of the Existing Building at 227 Brock Street (Time Sensitive)**

THAT Application P18-085-107-2010 for a property located at 227 Brock Street requesting approval for the installation of 10 gas meters at the rear of the existing building **BE APPROVED** in accordance with details described within a submission filed July 27, 2010, and deemed complete by the Planning and Development Department July 28, 2010;

- and further -

THAT the work be done in accordance with Heritage masonry Guidelines to the greatest extent possible;

- and further -

THAT it be understood that the specific location at the rear of the building will be subject to Utilities Kingston approval following their review of technical and safety considerations.

16. **Approval of an Application for the Removal of an Existing Cedar Shake Roof and Replacement with either Brown Architectural Shingles or Brown Steel Cladding, Replacement of Rotted Wood, Replacement of Eavestroughing, and Repair of Chimney at 2 Rideau Terrace (Time Sensitive)**

THAT Application P18-352-108-2010 for a property located at 2 Rideau Terrace requesting approval for the removal of an existing cedar shake roof and replacement with either brown architectural shingles or brown steel cladding, replacement of rotted wood, replacement of eavestroughing, and repair of chimney **BE APPROVED** in accordance with details described within a submission filed July 27, 2010, and deemed complete by the Planning and Development Department July 30, 2010;

- and further -

THAT the repointing of the chimney be in accordance with Heritage Masonry Guidelines.

17. **Approval of an Application for the Removal of an Existing Cedar Shake Roof and Replacement with either Brown Architectural Shingles or Brown Steel Cladding, Replacement of Rotted Wood, Replacement of Eavestroughing, and Repair of Chimney at 4 Rideau Terrace (Time Sensitive)**

THAT Application P18-668-109-2010 for a property located at 4 Rideau Terrace requesting approval for the removal of an existing cedar shake roof and replacement with either brown architectural shingles or brown steel cladding, replacement of rotted wood, replacement of eavestroughing, and repair of chimney **BE APPROVED** in accordance with details described within a submission filed July 27, 2010, and deemed complete by the Planning and Development Department July 30, 2010;

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**REPORTS (CONTINUED)**

**REPORT NO. 107 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)**

- and further -

THAT the repointing of the chimney be in accordance with Heritage Masonry Guidelines.

18. **Approval of an Application for the Removal of an Existing Cedar Shake Roof and Replacement with either Brown Architectural Shingles or Brown Steel Cladding, Replacement of Rotted Wood, Replacement of Eavestrouthing and Repair of Chimney at 6 Rideau Terrace (Time Sensitive)**

THAT Application P18-669-110-2010 for a property located at 6 Rideau Terrace requesting approval for the removal of an existing cedar shake roof and replacement with either brown architectural shingles or brown steel cladding, replacement of rotted wood, and replacement of eavestrouthing and repair of chimney **BE APPROVED** in accordance with details described within a submission filed July 27, 2010, and deemed complete by the Planning and Development Department July 30, 2010.

19. **Approval of an Application for the Removal of an Existing Cedar Shake Roof and Replacement with either Brown Architectural Shingles or Brown Steel Cladding, Replacement of Rotted Wood, Replacement of Eavestrouthing at 8 Rideau Terrace (Time Sensitive)**

THAT Application P18-670-111-2010 for a property located at 8 Rideau Terrace requesting approval for the removal of an existing cedar shake roof and replacement with either brown architectural shingles or brown steel cladding, replacement of rotted wood, replacement of eavestrouthing **BE APPROVED** in accordance with details described within a submission filed July 27, 2010, and deemed complete by the Planning and Development Department July 30, 2010.

20. **Approval of an Application for the Replacement of Black Asphalt Shingles with Black Asphalt Shingles and Replacement of Flat Sections of Roof in kind at 45 King Street East (Time Sensitive)**

THAT Application P18-175-103-2010 for a property located at 45 King Street East requesting approval for the replacement of black asphalt shingles with black asphalt shingles and replacement of flat sections of roof in kind **BE APPROVED** in accordance with details described within a submission filed July 21, 2010, and deemed complete by the Planning and Development Department August 6, 2010.

21. **Approval of an Application for the Addition of a Shielding System around the Roof Top Mechanical Unit on the Ice Groomer Gazebo at 216 Ontario Street (Time Sensitive)**

THAT Application P18-273-115-2010 for a property located at 216 Ontario Street requesting approval for adding a shielding system around the roof top mechanical unit on the ice groomer gazebo **BE APPROVED** in accordance with details described within a submission filed August 6, 2010, and deemed complete by the Planning and Development Department August 6, 2010.

**REPORTS (CONTINUED)**

**REPORT NO. 107 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)**

22. **Approval of an Application and Provisional Approval for a Heritage Grant Application for the Repointing of Portions of the Church Hall 270 King Street East also known as St. George's Church Hall (Time Sensitive)**

THAT Application P18-211-096-2010 for a property located at 270 King Street East also known as St. George's Church Hall requesting approval for the repointing of portions of the Church Hall **BE APPROVED** in accordance with a submission filed July 15, 2010, and deemed complete by the Planning and Development Department July 22, 2010;

- and further -

THAT Application HG-13-2010 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 the project be completed in accordance with the Heritage Masonry Guidelines;

- 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.

23. **Final Approval of a Heritage Grant Application for Roofing and Repointing at 212 King Street East (Time Sensitive)**

WHEREAS the owner of 212 King Street East has requested final approval for Heritage Grant Application HG-01-2009; and,

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

THEREFORE **BE IT RESOLVED THAT** Heritage Property Grant HG-11-2009 for 212 King Street East **BE APPROVED** for roofing and repointing;

- and further -

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

24. **Final Approval of a Heritage Grant Application for Fencing at 423 Regent Street, Barriefield Village (Time Sensitive)**

WHEREAS the owner of 423 Regent Street, Barriefield Village has requested final approval for Heritage Grant Application HG-38-2006; and,

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

THEREFORE **BE IT RESOLVED THAT** Heritage Property Grant HG-38-2006 for 423 Regent Street, Barriefield Village **BE APPROVED** for fencing;

- and further -

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

City Council Meeting No. 19-2010  
Agenda  
Tuesday, August 24, 2010



**REPORTS (CONTINUED)**

**REPORT NO. 108 OF THE ADMINISTRATIVE POLICIES COMMITTEE**

**Report No. 108**

To the Mayor and Members of Council:

The Administrative Policies Committee reports and recommends as follows:

All items listed on this 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.

July 15, 2010

**1. Funding Request – Eastern Ontario Regional Network**

THAT the City of Kingston commit funding to a maximum amount of \$444,839 to the Eastern Ontario Regional Network (EORN) project as a contribution to Frontenac County's share of the costs, subject to:

- i. Completion of the installation of infrastructure to provide access to service at 10 Mbps to rural areas of the City of Kingston that are currently not serviced or are underserved.
- ii. The minimization of overbuilding of the infrastructure.
- iii. EORN continuing discussions and interaction with Utilities Kingston in the exploration of joint opportunities of system backbone, usage and access.
- iv. Separated Cities having representation by the Eastern Ontario Mayors Committee on the Board of Directors for Eastern Ontario Regional Network.
- v. Utilities Kingston providing an impact analysis report to its Shareholders.

- and further -

THAT the City of Kingston contribute \$100,000 dollars in funding to Frontenac County to the Eastern Ontario Regional Network project from the Working Reserve Fund in 2011 with the remaining funding to be paid when the project is constructed and confirmed as ready for use, anticipated to be 2013.

(See Motion No. (2), Page No. 36)

**2. Code of Conduct**

THAT Council approve the Code of Conduct for Council and Committee Members.

(Note: A copy of the Code of Conduct is attached as Schedule Pages 140-143)

**3. 2010 Tax Capping for Commercial, Industrial and Multi-Residential Properties**

1. THAT the 2010 capping program be approved as outlined in this report and that the funding for capped properties be provided from within each respective tax class.
2. THAT the multi-residential property class will be capped at the default capping level.
3. THAT a by-law be presented to establish the 2010 optional capping parameters:
  - a) THAT the commercial and industrial property cap limits will be the greater of
    - i. 10% of previous year's annualized (capped) tax, OR
    - ii. 5% previous year's uncapped tax;

**REPORTS (CONTINUED)**

**REPORT NO. 108 OF THE ADMINISTRATIVE POLICIES COMMITTEE**

- and further -

- b) **THAT** threshold limits apply to commercial and industrial capped taxes whenever capped taxes are within \$250 of the uncapped tax;

- and further -

- c) **THAT** new construction/new-to-class limits will be a minimum tax level of 100% of uncapped taxes, which will apply to eligible properties in the multi-residential, commercial and industrial classes, commencing taxation for part or all of 2008, 2009 and 2010.

4. **THAT** a by-law be presented in order to establish the tax decrease limits for the 2010 tax capping program, in accordance with Part IX of the *Municipal Act, 2001*.

(Note: A copy of the draft by-law is attached as Schedule Pages 144-145)

(See By-Law No. (9), 2010-164)

4. **Public Nuisance By-Law**

**WHEREAS** the draft Public Nuisance By-Law was presented to Council in February 2010 with a recommendation for no action; and,

**WHEREAS**, in February 2010, Council deferred the recommendation to take no further action and referred it back to the Administrative Policies Committee to examine the broadness of the by-law's language and the amounts and appropriateness of the fines to the particular offences; and,

**WHEREAS**, as recommended by Council, the Administrative Policies Committee considered further information from staff regarding the Public Nuisance By-Law; and,

**WHEREAS** a communication was received by the Administrative Policies Committee from the Kingston Community Roundtable for Poverty Reduction stating that it was opposed to the scope of the by-law;

**THEREFORE BE IT RESOLVED THAT** no action be taken to proceed with the Public Nuisance By-Law.



**REPORTS (CONTINUED)**

**REPORT NO. 109 OF THE ARTS, RECREATION AND COMMUNITY POLICIES COMMITTEE**

**Report No. 109**

To the Mayor and Members of Council:

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

All items listed on this 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.

July 21, 2010

**1. Approval of 2010-2012 Kingston & Frontenac Child Care Service Management Plan**

**THAT** the Kingston Frontenac Childcare Service Plan 2010-2012 (Exhibit C to Report ARCP-10-033) be approved;

- and further -

**THAT** the balance of \$574,922 in remaining unspent funds from the \$2.3 M Best Start Unconditional Grant, plus accrued interest of \$196,685 (for an estimated total of \$ 771,607) be retained in the Best Start Reserve Fund and the purpose of the fund be directed as follows:

- \$93,636 be reallocated for use over the next five years as municipal childcare stabilization and transitional funding for existing Kingston and Frontenac Childcare service providers with viable post-Early Learning Program (ELP) business plans, based on criteria developed in consultation with the KFL&A Best Start Network; and
- the balance of approximately \$677,971 (comprised of \$481,286 of original funding plus \$196,685 in accrued interest), be reallocated for use as a municipal contribution, if required, to supplement the provincial funding provided for the development of the proposed integrated service hubs, or Best Start Child and Family Centres, for Kingston-Frontenac.

(Note: The Report of the Commissioner of Community Services (ARCP-10-033) was attached to the ARCP agenda as pages 2-53. Exhibit C is attached as Schedule Pages 146-187)

**2. Completion and Implementation of the Kingston Culture Plan (KCP)**

**THAT** the Kingston Culture Plan dated July 2010 and attached to Report No. ARCP-10-034 as Exhibit "A" be amended as noted below and be approved as Kingston's first cultural master plan;

- and further -

**THAT** Council approve the recommendations contained within the Kingston Culture Plan as a framework for supporting community development and cultural vitality within Kingston;

- and further -

**THAT** staff proceed with the implementation of the Kingston Culture Plan as described based on the recommendations, actions and timelines outlined;

- and further -

**THAT** the City establish an interdepartmental culture team to support collaborative working relationships and to provide advice on the effective use of cultural resources to achieve City-wide cultural and strategic objectives;

- and further -

**REPORTS (CONTINUED)**

**REPORT NO. 109 OF THE ARTS, RECREATION AND COMMUNITY POLICIES COMMITTEE**

**THAT** staff be directed to budget for increased investment in culture annually beginning in 2011, and for the next 4 years to support the implementation of the Kingston Culture Plan;

- and further -

**THAT** a budget envelope of \$750K be included in the 2011 operating budget for the implementation of the Culture Plan;

- and further -

**THAT** operating budget projections be prepared for the years 2012, 2013 and 2014 to include incremental annual investment in the amount of \$500K of increased operating funding in support of the Kingston Culture Plan with staff preparing more detailed financing plans that minimize impacts on taxation;

- and further -

**THAT** the 10 year capital budget be revised to reflect the recommendations in the Plan;

- and further -

**THAT** Recommendation #42 on page 59 of the Kingston Culture Plan be amended to add 'from labour organizations', so that the recommendation now reads:

That Cultural Services report to Council on expanding the membership of the Arts Advisory Committee to include representatives from labour organizations, the business and institutional sectors in Kingston including education, tourism, small business and the mandate to include relationship building and communication about the value of culture in Kingston.

- and further -

**THAT** Recommendation #41 on page 59 of the Kingston Culture Plan be amended to add after the word 'businesses' 'individuals, and organizations', so that the recommendation now reads:

That the City institute a Mayor's Arts Awards, a high-profile annual community-wide event where awards are presented by the Mayor in a number of categories. The awards could be sponsored and funded by local businesses, individuals, and organizations, and recipients selected through a juried process.

- and further -

**THAT** the Kingston Culture Plan dated July 2010 and attached to Report No. ARCP-10-034 as Exhibit "A" be approved as amended.

(Note: The Report of the Commissioner of Sustainability and Growth (ARCP-10-034) was attached to the ARCP agenda as pages 55-64. The final version of the Culture Plan will be distributed separately from the agenda.)



**REPORTS (CONTINUED)**

**REPORT NO. 110 OF THE ENVIRONMENT, INFRASTRUCTURE AND TRANSPORTATION POLICIES COMMITTEE**

**Report No. 110**

To the Mayor and Members of Council:

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

All items listed on this 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.

July 13, 2010

1. **Residential On-Street Parking Management**

**THAT** the Residential On-Street Parking Pilot Project in the area of the Sydenham District, bounded by William, King, West, and Clergy Streets, be extended to April 30, 2011.

2. **Closure of Public Access at the Kingston East Landfill**

**THAT** the Kingston East Landfill be closed to the public when the public drop-off area is full and that the public be notified of this change through site signage, notices on the website, and mailings.

(See Clause (f), Report No. 104, Page No. 9)

3. **Completion of a Multi-Purpose Trail on the West Side of the Greater Cataraqui River from the LaSalle Causeway to Kingston Mills Road**

**WHEREAS** the importance of continuing to develop the City's multi-purpose recreational trail system was identified in the Transportation Master Plan and these trails will contribute to Kingston's approved vision of being Canada's most sustainable City; and,

**WHEREAS** a trail along the west side of the Greater Cataraqui River is partially mapped in Schedule 5, Pathways, in Kingston's Official Plan; and,

**WHEREAS** the current widening of Highway 401 may provide an opportunity to include a multi-purpose trail under the highway; and,

**WHEREAS** a group of enthusiastic citizens has been exploring possible trail routes;

**THEREFORE BE IT RESOLVED THAT** staff work with these citizens and others, as required, to determine a preferred trail route;

- and further -

**THAT** staff be directed to develop a strategy including a general estimate of the costs and a construction timeline for completing a multi-purpose trail from the LaSalle Causeway to Kingston Mills Road on the west side of the Greater Cataraqui River.



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**REPORTS (CONTINUED)**

**REPORT NO. 111 OF THE MUNICIPAL ACCESSIBILITY ADVISORY COMMITTEE**

**Report No. 111**

To the Mayor and Members of Council:

The Municipal Accessibility Advisory Committee reports and recommends as follows:

August 5, 2010

1. **Establishment of an International Day for Persons with Disabilities Award**

**WHEREAS** the United Nations recognizes December 3<sup>rd</sup> as International Day of Persons with Disabilities; and,

**WHEREAS** the City of Kingston has proclaimed December 3<sup>rd</sup> as United Nations International Day of Persons with Disabilities each year since 2006;

**THEREFORE BE IT RESOLVED THAT** in recognition of the International Day for Persons with Disabilities, on December 3<sup>rd</sup>, 2010, the City of Kingston establish an award for 2010 given to an individual or group of individuals who have made a contribution to the City of Kingston which has had a positive impact on the lives of persons with disabilities, with a maximum cost not to exceed Two Thousand (\$2,000.00) Dollars.



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**REPORTS (CONTINUED)**

**REPORT NO. 112 OF THE MEMORIAL CENTRE REVITALIZATION ADVISORY COMMITTEE**

**Report No. 112**

To the Mayor and Members of Council:

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

July 26, 2010

1. **Memorial Centre Fencing**

**THAT** staff be directed to replace the current chain link fencing between Concession Street and the parking lot entrance on Alfred Street with a 7 ft foot iron fence.



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**REPORTS (CONTINUED)**

**REPORT NO. 113 OF THE PINE GROVE CEMETERY BOARD**

**Report No. 113**

To the Mayor and Members of Council:

The Pine Grove Cemetery Board reports and recommends as follows:

All items listed on this 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.

August 11, 2010

1. **Approval of a Fee Change for Cemetery Plots at Pine Grove Cemetery**

**THAT** the fee for cemetery plots at Pine Grove Cemetery be changed to \$600.00 from the current fee of \$450.00;

- and further -

**THAT** it be understood that the fee includes costs for care and maintenance.



## COMMITTEE OF THE WHOLE



## INFORMATION REPORTS

(1) **Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of June 2010**

The purpose of this report is to advise Council of tenders/RFPs approved and contracts awarded greater than \$50,000 that meet the established criteria of delegated authority for the month of June 2010 and to report additional information on contracts awarded by senior staff between the \$20,000 and \$50,000 level for the month of June 2010. (The Report of the Deputy Treasurer (10-226) is attached as Schedule Pages 188-193) (File No. CSU-F18-000-2010)

(2) **Second Quarter Operating Budget Report for 2010**

The purpose of this report is to provide a financial status update of the general operating fund as at June 30, 2010, the end of the second fiscal quarter. (The Report of the Deputy Treasurer (10-232) is attached as Schedule Pages 194-204) (File No. CSU-F05-000-2010)

(3) **Delegated Authority for Property Agreements Less Than \$25,000**

The purpose of this report is to advise Council of purchases of land under \$25,000 under delegated authority for the period of August 2009 to July 2010. (The Report of the Commissioner of Transportation, Properties and Emergency Services (10-264) is attached as Schedule Pages 205-207) (File No. CSU-L18-000-2010)

(4) **Update on the Status of the Potential Acquisition of Federal Surplus Land in Barriefield Village**

The purpose of this report is to provide Council with an update on the public feedback received at the information meeting and the preferred site concept presented at the August 9, 2010, Public Information Centre. (The Report of the Acting Commissioner of Community Services (10-271) is being distributed separately from the agenda.) (File No. CSU-S18-000-2010)



## MISCELLANEOUS BUSINESS

Motions of Council are required:

- (1) **THAT**, as requested by the Ban Righ Centre at Queen's University, Council dedicate the time frame from September 1, 2010, to May 31, 2011, to the "Who Is She?" community project, which is designed to acknowledge the countless women who have supported someone through a difficult time and is intended to increase awareness of the Ban Righ Centre's role in the continuing education of women. (See Communication No. 19-359)



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**NEW MOTIONS**

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

**WHEREAS** Section 7, Schedule A to the By-Law to Regulate Noise, By-Law No. 2004-52, appears to prohibit the use of whistles and buzzers in some locations in the City at any time; and,

**WHEREAS** the application of this section may mean that outdoor sporting events in some locations which require a referee to use a whistle to enforce rules or a timekeeper to use a buzzer to signal the end of play may not take place;

**THEREFORE BE IT RESOLVED THAT** staff review the noise by-law, its intent, and its application, and report to Council at its meeting on September 7, 2010, with, if necessary, proposed amendments to the by-law to allow referees and timekeepers at outdoor sports events, located in appropriate facilities, to use whistles and buzzers, and to identify the times at which they may be used.

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

**WHEREAS** the Rural/Urban Liaison Committee (RULAC) passed a motion recommending the City of Kingston support the Eastern Ontario Regional Network Broadband Project by contributing \$450,000 in the 2011 budget to the County of Frontenac's project to ensure high speed service to ALL rural residents in Kingston; and,

**WHEREAS** the City of Kingston has declared a \$4.3 million budget surplus this year;

**THEREFORE BE IT RESOLVED THAT** Kingston City Council contribute \$450,000 from this year's budget surplus towards the County of Frontenac for the Eastern Ontario Regional Network Broadband Project rather than waiting until the 2011 budget year.

(See Clause 1, Report No. 108, Page No. 27)



**NOTICES OF MOTION**



**MINUTES**

**THAT** the Minutes of City Council Meeting No. 18-2010, held Tuesday, July 20, 2010, be confirmed.  
(Distributed to all Members of Council on July 30, 2010)



**TABLING OF DOCUMENTS**

2010-71 Ongwanada  
2009/2010 Annual Report  
(File No. CSU-M07-000-2010)

## TABLING OF DOCUMENTS (CONTINUED)

- 2010-72 University Hospitals Kingston Foundation  
Foundation Report – Summer 2010  
(File No. CSU-M07-000-2010)
- 2010-73 Frontenac Heritage Foundation  
Newsletter – “Foundations” – Volume 36  
(File No. CSU-M07-000-2010)
- 2010-74 Downtown Kingston!  
Newsletter – “Contact” – July 2010  
(File No. CSU-A01-001-2010)
- 2010-75 HIV/AIDS Regional Services  
Newsletter – Summer 2010  
(File No. CSU-M07-000-2010)



## COMMUNICATIONS

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

### Filed

- 19-343 From the Portsmouth Tavern, an application for a liquor licence from the Alcohol and Gaming Commission of Ontario for an establishment located at 96 Yonge Street.  
(File No. CSU-P09-000-2010)
- 19-344 From the City of Pickering, advising of its support of Council's resolution regarding the possible closure of prison farms in Kingston.  
(File No. CSU-P00-000-2010)
- 19-345 From the Corporation of the Municipality of Clarington, acknowledging receipt of Council's resolution regarding the possible closure of prison farms in Kingston.  
(File No. CSU-P00-000-2010)
- 19-346 From the City of Peterborough, advising of its support of Council's resolution regarding the declaration of transit as an essential service.  
(File No. CSU-T03-000-2010)
- 19-347 From the United Counties of Prescott and Russell, advising of its support of Council's resolution regarding the declaration of transit as an essential service.  
(File No. CSU-T03-000-2010)

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**COMMUNICATIONS (CONTINUED)**

- 19-348 From the Town of Iroquois Falls, advising of its support of Council's resolution regarding payments in lieu of taxes.  
(File No. CSU-F22-000-2010)
- 19-349 From the Corporation of the Municipality of Red Lake, advising of its support of Council's resolution regarding payments in lieu of taxes.  
(File No. CSU-F22-000-2010)
- 19-350 From the City of Peterborough, acknowledging receipt of Council's resolution regarding payments in lieu of taxes.  
(File No. CSU-F22-000-2010)
- 19-351 From the Honourable John Gerretsen, MPP for Kingston and the Islands, acknowledging receipt of Council's resolution regarding payments in lieu of taxes.  
(File No. CSU-F22-000-2010)
- 19-352 From the Town of Milton, acknowledging receipt of Council's resolution regarding payments in lieu of taxes.  
(File No. CSU-F22-000-2010)
- 19-353 From the City of Stratford, acknowledging receipt of Council's resolution regarding payments in lieu of taxes.  
(File No. CSU-F22-000-2010)
- 19-354 From Kingston Community Health Centres (KCHC), providing information regarding a Green Challenge fundraiser, which will be held on July 24, 2010, at which they will be collecting electronic waste from the community.  
(File No. CSU-M03-000-2010)
- 19-360 From Gilles Duceppe, Leader of the Bloc Québécois, acknowledging receipt of Council's resolution regarding the possible closure of prison farms in Kingston.  
(File No. CSU-P00-000-2010)
- 19-364 From the Committee of Adjustment, a Notice of Decision for the following applications:  
CONSENT – In respect of an application for consent to sever the property at 2900 Princess Street, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is August 12, 2010.  
(File No. CSU-D19-000-2010)

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**COMMUNICATIONS (CONTINUED)**

- 19-366 From the Corporation of the City of London, acknowledging receipt of Council's resolution regarding the declaration of transit as an essential service.  
(File No. CSU-T03-000-2010)
- 19-367 From the County of Lambton, acknowledging receipt of Council's resolution regarding the declaration of transit as an essential service.  
(File No. CSU-T03-000-2010)
- 19-368 From the Corporation of the Town of Kapuskasing, advising of its support of Council's resolution regarding payments in lieu of taxes.  
(File No. CSU-F22-000-2010)
- 19-369 From Elgin County, advising of its support of Council's resolution regarding the possible closure of prison farms in Kingston.  
(File No. CSU-P00-000-2010)
- 19-370 From the Honourable Jack Layton, Leader of the New Democratic Party of Canada, advising of its support of Council's resolution regarding the possible closure of prison farms in Kingston.  
(File No. CSU-P00-000-2010)
- 19-371 From Perth County, advising of its support of Council's resolution regarding the possible closure of prison farms in Kingston.  
(File No. CSU-P00-000-2010)
- 19-372 From the United Counties of Stormont, Dundas & Glengarry, advising of its support of Council's resolution regarding the possible closure of prison farms in Kingston.  
(File No. CSU-P00-000-2010)
- 19-373 From the Corporation of the City of Oshawa, acknowledging receipt of Council's resolution regarding the possible closure of prison farms in Kingston.  
(File No. CSU-P00-000-2010)
- 19-374 From the Corporation of the City of London, acknowledging receipt of Council's resolution regarding the possible closure of prison farms in Kingston.  
(File No. CSU-P00-000-2010)
- 19-375 From the City of Thunder Bay, acknowledging receipt of Council's resolution regarding the possible closure of prison farms in Kingston.  
(File No. CSU-P00-000-2010)

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**COMMUNICATIONS (CONTINUED)**

- 19-376 From the Committee of Adjustment, a Notice of Decision for the following applications:
- MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 8499 for the property at 349 Weller Avenue, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is August 16, 2010.
- MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 8499 for the property at 300 Collingwood Street, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is August 16, 2010.
- MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 8499 for the property at 528 Victoria Street, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is August 16, 2010.  
(File No. CSU-D19-000-2010)
- 19-379 From the Frank Cowan Company, providing information regarding a reception it is hosting at the AMO Conference in Windsor on August 16, 2010.  
(File No. CSU-A04-000-2010)
- 19-383 From the Heart and Stroke Foundation of Ontario, providing further details regarding the “Spark Together for Healthy Kids” initiative, aimed at reducing the deadly impact of childhood obesity.  
(File No. CSU-S08-000-2010)
- 19-387 From the County of Peterborough, advising of its support of Council's resolution regarding the possible closure of prison farms in Kingston.  
(File No. CSU-P00-000-2010)
- 19-388 From the Town of Milton, acknowledging receipt of Council's resolution regarding the possible closure of prison farms in Kingston.  
(File No. CSU-P00-000-2010)
- 19-389 From Communities in Bloom, expressing their appreciation to the City of Kingston for its participation in the 2010 National Edition of Communities in Bloom.  
(File No. CSU-M02-000-2010)

**Referred to All Members of Council**

- 19-355 From the Canadian Union of Postal Workers (CUPW), expressing its concerns regarding the Canadian Postal Service Charter, which is the federal government's 2008 review of Canada Post, and asking that Council pass two resolutions: one protesting the service and job cuts and Canada Post and urging the government to consult with people to develop an improved Canadian Postal Service Charter; and another endorsing a socially responsible vision of Canada Post, as outlined in the People's Postal Declaration.  
(File No. CSU-A08-000-2010)

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**COMMUNICATIONS (CONTINUED)**

- 19-356 From the Corporation of the Town of New Tecumseth, asking for Council's support of a resolution to circulate a petition in opposition to the HST to be signed by residents and forwarded to the Legislature for consideration.  
(File No. CSU-C10-000-2010)
- 19-359 From the Ban Righ Centre at Queen's University, asking that Council dedicate the time frame from September 1, 2010, to May 31, 2011, to the "Who Is She?" community project, which is designed to acknowledge the countless women who have supported someone through a difficult time and is intended to increase awareness of the Ban Righ Centre's role in the continuing education of women.  
(File No. CSU-M10-000-2010)  
**(See Miscellaneous Business Item No. (1))**  
**(Distributed to all Members of Council on July 23, 2010)**
- 19-365 From Rhea Kamin, Kingston United Way Tournament Coordinator for the Kingston Court Services Division of the Ministry of the Attorney General, asking that Council waive the fees for the use of the Cricket Field ball diamonds for a charity softball tournament to be held on September 17, 2010.  
(File No. CSU-M03-000-2010)
- 19-377 From Marjorie Burggraf, expressing her opinions regarding keeping the Marine Museum of the Great Lakes open.  
(File No. CSU-R03-000-2010)
- 19-378 From the Corporation of the Town of New Tecumseth, asking for Council's support of a resolution expressing concern with the undeterminable significant financial impact that the policy decision on the WSI Act regarding Presumptive Legislation for Fire Fighters may have on all municipalities.  
(File No. CSU-C10-000-2010)
- 19-384 From Ernestown Windpark Inc., providing an update regarding a development known as the Ernestown Wind Park in Loyalist Township and a draft Project Description Report for the project's study area.  
(File No. CSU-E11-000-2010)
- 19-390 From the Make-A-Wish Foundation of Eastern Ontario, providing information regarding its "Wish Next Door" campaign and asking Council to encouraging the community to sponsor or contribute to the wishes of 4 families in Kingston and the surrounding area that are currently in need of a wish.  
(File No. CSU-M03-000-2010)
- 19-391 From Water for People-Canada, providing information regarding its organization and asking that the City of Kingston join its municipal sponsor program to help raise \$250,000 to provide fresh, clean water and sanitation to more than 5,000 people.  
(File No. CSU-M03-000-2010)

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**COMMUNICATIONS (CONTINUED)**

**Referred to All Members of Council and the President and CEO of Utilities Kingston**

- 19-363 From CEATI International Inc., asking for input regarding a national set of plug-in electric vehicle (PEV) charging infrastructure deployment guidelines.  
(File No. CSU-V00-000-2010)

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

- 19-357 From Loyalist Township, advising that it is initiating a Municipal Class Environmental Assessment (EA) process to determine the preferred solution for increasing capacity of the Amherstview Water Pollution Control Plant (WPCP), located on Taylor-Kidd Boulevard.  
(File No. CSU-E05-000-2010)
- 19-362 From the Marine Museum of the Great Lakes at Kingston, providing information regarding its current financial situation and asking Council for immediate, emergency funding in the amount of \$65,000.  
(File No. CSU-F10-000-2010)

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

- 19-382 From the Kingston Municipal Non-Profit Housing Corporation (Town Homes Kingston), expressing its strong interest and commitment to the sustainable development and operation of integrated mixed income, not-for-profit, affordable housing in Kingston and requesting the allocation for affordable housing development of one or more of the following potential housing sites owned by the Corporation of the City of Kingston: Queen Mary Road, Barriefield (if acquired by the City of Kingston), Patrick Street, Leroy Grant Drive, or other City sites that may be available for affordable housing.  
(File No. CSU-S18-000-2010)
- 19-392 From Pattison Sign Group, requesting permission to increase the height of the pylon sign at the Comfort Inn, located at 55 Warne Crescent, to exceed that allowed by the City of Kingston sign by-law due to the changes to Highway 401 and the exit ramp levels.  
(File No. CSU-C01-000-2010)

**Referred to the City Clerk**

- 19-358 From CUPE Ontario, asking that Council proclaim October 27, 2010, as "Child Care Worker and Early Childhood Educator Appreciation Day" in the City of Kingston.  
(File No. CSU-M10-000-2010)
- 19-385 From TESL Kingston, asking that Council proclaim the week of October 24 to 30, 2010, as "English as a Second Language Week" in the City of Kingston.  
(File No. CSU-M10-000-2010)

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**COMMUNICATIONS (CONTINUED)**

19-393 From Kingston Partners for a Safe Community, asking that Council proclaim October 6, 2010, as "Safe Communities Canada Day" in the City of Kingston.  
(File No. CSU-M10-000-2010)

**Referred to the Chief Administrative Officer**

19-361 From the Ontario Realty Corporation, providing notice of potentially surplus provincial property, located at 1355 John Counter Blvd.  
(File No. CSU-L18-000-2010)

**Referred to the Arts, Recreation and Community Policies Committee**

19-380 From Wendy Erickson-Gray, expressing her concerns regarding allowing the raising of hens in residential neighbourhoods.  
(File No. CSU-P14-000-2010)  
**(Digitally distributed to all Members of Council on July 24, 2010)**

**Referred to the Director of Legal Services and the Commissioner of Sustainability and Growth**

19-381 From Gowling Lafleur Henderson LLP, advising of a "private" appeal of Greenwood Park in respect of the refusal of the City of Kingston to the applications for rezoning, official plan amendment and subdivision approval, pursuant to Subsections 34(11), 22(7) and 51(34) of the Planning Act, for the property located on the west side of Highway 15, north of Biscayne Street.  
(File No. CSU-D14-000-2010)

19-386 From FoTenn Consultants Inc., advising of an appeal of the decision of Council to deny an application for an amendment to Zoning By-Law No. 8499 for the property located at 234-236 Albert Street.  
(File No. CSU-D14-000-2010)



**OTHER BUSINESS**



**BY-LAWS**

- (A) THAT By-Laws (1) through (16) 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 (10) three readings.
- (C) THAT By-Laws (10) through (21) be given their third reading.



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**BY-LAWS (CONTINUED)**

- (1) A By-Law To Approve The Renaming Of An Existing Private Road From Duty Drive To Navy Way, Located North Of Highway No. 2 And West Of Main Street, City Of Kingston  
FIRST AND SECOND READINGS PROPOSED NO. 2010-156  
(See Clause (a), Report No. 104)  
(To be held for Third Reading pending the Notice Provisions By-Law)
- (2) A By-Law Authorizing The Mayor And Clerk To Enter Into A Grant Agreement In A Form Satisfactory To The Director Of Legal Services With The Federation Of Canadian Municipalities (FCM), As Trustee Of The Green Municipal Fund (GMF), To Receive A Feasibility Study Grant Of Up To \$112,725.  
FIRST AND SECOND READINGS PROPOSED NO. 2010-157  
(See Clause (b), Report No. 104)
- (3) A By-Law To Repeal By-Law 98-13, "A By-Law To Designate The Authority Of The Clerk To The Commissioner of Community Development And Client Services For The Purposes Of The Livestock, Poultry And Honey Bee Protection Act, R.S.O. 1990, c. L. 24"  
FIRST AND SECOND READINGS PROPOSED NO. 2010-158  
(See Clause (d), Report No. 104)
- (4) A By-Law To Repeal By-Law 2003-406, "A By-Law To Provide For the Arbitration Of Fencing Disputes Between Adjoining Property Owners"  
FIRST AND SECOND READINGS PROPOSED NO. 2010-159  
(See Clause (d), Report No. 104)
- (5) A By-Law To Delegate The Authority For The Appointment Of Livestock Valuers And Fence Viewers Pursuant To Section 23.1 Of The Ontario Municipal Act, 2001  
FIRST AND SECOND READINGS PROPOSED NO. 2010-160  
(See Clause (d), Report No. 104)
- (6) A By-Law To Delegate Authority To The Director Of Financial Services And The Director Of Engineering For Various Routine Processes Related To Tile Drainage Loan Applications Under The Tile Drainage Act  
FIRST AND SECOND READINGS PROPOSED NO. 2010-161  
(See Clause (f), Report No. 104)
- (7) A By-Law To Amend By-Law No. 2002-86, "A By-Law To Establish The Position Of Chief Administrative Officer"  
FIRST AND SECOND READINGS PROPOSED NO. 2010-162  
(See Clause (l), Report No. 104)
- (8) A By-Law To Delegate Authority To The Director Of Legal Services And City Solicitor For Various Administrative Matters  
FIRST AND SECOND READINGS PROPOSED NO. 2010-163  
(See Clause (4), Report No. 105)

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**BY-LAWS (CONTINUED)**

- (9) A By-Law To Establish Tax Cap Program Decrease Limits For 2010  
FIRST AND SECOND READINGS PROPOSED NO. 2010-164  
(See Clause (3), Report No. 108)
- (10) A By-Law To Amend By-Law No. 2005-10, "A By-Law To Establish Fees And Charges To Be Collected By The Corporation Of The City Of Kingston", As Amended (Change Solid Waste Fees)  
THREE READINGS PROPOSED NO. 2010-165  
(See Clause (1), Report No. 104)
- (11) A By-Law To Amend The Official Plan For The City Of Kingston Planning Area (Amendment No. 3 – To change the properties known municipally as 1293 Princess Street to 1343 Princess Street inclusive from 'Arterial Commercial' to an 'Arterial Commercial Site Specific Policy Area No. 42')  
THREE READINGS PROPOSED NO. 2010-166  
(See Clause 1, Report No. 106)
- (12) A By-Law To Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston" (Zone Change from 'A' to 'B3.395', 326 Alfred Street)  
THREE READINGS PROPOSED NO. 2010-167  
(See Clause 2, Report No. 106)
- (13) A By-Law To Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston" (Zone Change from 'P.98' to 'P1.387', 370 King Street West)  
THREE READINGS PROPOSED NO. 2010-168  
(See Clause 3, Report No. 106)
- (14) A By-Law To Provide For The Assumption Of The Public Highways In Granite Ridge Subdivision, Registered Plan 13M-62, In The City Of Kingston, In Accordance With Section 31(4) Of The Municipal Act, Chapter 25, S.O. 2001; And To Provide For The Acceptance By The City Of Kingston, Of The Associated Public Works Within.  
THREE READINGS PROPOSED NO. 2010-169  
(Delegated Authority)
- (15) A By-Law To Provide For The Assumption Of The Public Highways In Robinson Business Park, Registered Plan 13M-74, In The City Of Kingston, In Accordance With Section 31(4) Of The Municipal Act, Chapter 25, S.O. 2001; And To Provide For The Acceptance By The City Of Kingston, Of The Associated Public Works Within  
THREE READINGS PROPOSED NO. 2010-170  
(Delegated Authority)
- (16) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, August 24, 2010  
THREE READINGS PROPOSED NO. 2010-171  
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**BY-LAWS (CONTINUED)**

- (17) A By-Law To Amend By-Law No. 99-280, "A By-Law to Provide for the Maintenance, Management and Control of Pine Grove Cemetery"  
THIRD READING PROPOSED NO. 2010-126  
(See Clause (a), Report No. 93)
- (18) A By-Law To Establish The Land Designated As Part 3 On Reference Plan 13R-11051 And Parts 3, 4, 5 And 6 On Reference Plan 13R-19859, Innovation Drive, City Of Kingston, As Part Of The Public Highway In Accordance With Section 31 Of The Municipal Act, Chapter 25, S.O. 2001.  
THIRD READING PROPOSED NO. 2010-127  
(See Clause (j), Report No. 93)
- (19) A By-Law to Regulate Parking  
THIRD READING PROPOSED NO. 2010-128  
(See Clause (2), Report No. 99)
- (20) A By-Law To Amend By-Law No. 2005-100, "A By-Law For Prescribing Standards For The Maintenance And Occupancy Of Property Within The City Of Kingston" (Ontario Heritage Act Properties)  
THIRD READING PROPOSED NO. 2010-146  
(See Clause (3), Report No. 97)
- (21) A By-Law To Temporarily Delegate Authority To The Chief Administrative Officer To Purchase Lands To Replenish The Supply Of Employment Lands  
THIRD READING PROPOSED NO. 2010-155  
(See Clause (9), Report No. 94)



**ADJOURNMENT**