



**CITY COUNCIL MEETING NO. 2012-06**

Tuesday, February 7, 2012 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.

**AGENDA**

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## AGENDA

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(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(s):
    - (a) A proposed or pending acquisition of property by the municipality – Division Street
  - (2) **THAT** Council rise from the Committee of the Whole “Closed Meeting” without reporting.
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**APPROVAL OF ADDEDS**



**DISCLOSURE OF POTENTIAL PECUNIARY INTEREST**



**PRESENTATIONS**



**DELEGATIONS**



**BRIEFINGS**



**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 Mayor Gerretsen  
Seconded by Deputy Mayor Neill

**THAT** the congratulations of Kingston City Council be extended to Karl and Ursula Eckert on the occasion of their 50<sup>th</sup> wedding anniversary, which will be celebrated on Saturday February 11, 2012. Mr. and Mrs. Eckert are long-time Kingston residents, and Mr. Eckert is a proud City Hall volunteer tour guide. We offer them our best wishes on the occasion of this joyous marital milestone.

- 2) Moved by Councillor Berg  
Seconded by Mayor Gerretsen

**THAT** the congratulations of Kingston City Council be extended to Kingston's own, Bob Elliott, the first Canadian sports writer to be inducted into the prestigious Baseball Hall of Fame in Cooperstown N.Y. Mr. Elliot was born in Kingston, attended KCVI, played minor baseball in Kingston, covered sports for the Whig, and was the General Manager of the Ontario Baseball Championship Kingston team that represented Ontario in the 1973 Canada Summer Games. Mr. Elliot will be inducted into the Cooperstown Baseball Hall of Fame in July but locally, we will celebrate this momentous occasion with him on "Bob Elliott Night" Saturday, February 25, 2012 at the Ambassador. Congratulations Mr. Elliot!

- 3) Moved by Mayor Gerretsen  
Seconded by Deputy Mayor Neill

**THAT** the congratulations of Kingston City Council be extended to Dr. James A. Low, on the occasion of his "retirement" from his position as pro bono Executive Director of the Museum of Health Care at Kingston. Dr. Low has spent 20 years establishing and nurturing this museum in our community. He will continue to support the Museum's activity in his new "Emeritus" role but will be handing over day to day operations to the facility's very capable professional staff. We thank Dr. Low for his unique contribution to preserving the legacy of health and health care in Canada.

**Motions of Condolence**

- 1) Moved by Councillor Hector  
Seconded by Councillor Paterson

**THAT** the condolences of Kingston City Council be extended to the family of Eric (Norman) Hineman, a well-known businessman in Kingston and area for many years.

Kingston City Council Meeting No. 2012-06  
Agenda  
Tuesday, February 7, 2012



**DEFERRED MOTIONS**



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**REPORTS**

**REPORT NO. 25: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)**

**Report No. 25**

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) **Road Name Change – Westerly Portion of Spooner Road and Spooner Road East  
File No. D20-004-2009**

**THAT** the westerly portion of Spooner Road (shown as Section 1 on Exhibit 'A') be renamed Dover Road; and

**THAT** Spooner Road East be renamed Spooner Road (Section 4 on Exhibit 'A'); and

**THAT** City Council approves the road renaming By-laws attached as Exhibits 'B' and 'C' to this report; and

**THAT** the City Clerk be requested to advertise Notice of Intention to Pass the By-law between the second and third reading of the By-law.

(The Report of the Commissioner of Sustainability and Growth (12-055) is attached as Schedule Pages 1 - 11)

(File No. CSU-D20-000-2012)

**(See By-Law No. (1), 2012-46)**

**(See By-Law No. (2), 2012-47)**



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**REPORTS (CONTINUED)**

**REPORT NO. 26: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER  
(RECOMMEND)**

**Report No. 26**

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:


**1) Ministry of Citizenship and Immigration 2011–2012 Marketing Funding Agreement**

**THAT** Council supports the marketing initiative that will promote the municipality as a destination for newcomers to Canada; and further

**THAT** Council authorize the Mayor and Clerk to sign a funding agreement, satisfactory to the Legal Services Department, in the amount of \$19,273 with the Ontario Ministry of Citizenship and Immigration under the Municipal Immigration Information Online (MIIO) Program –Marketing Initiative.

(The Report of the Commissioner of Sustainability and Growth (12-080) is attached as Schedule Pages 12 - 14)

(File No. CSU-F11-000-2012)



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**REPORTS (CONTINUED)**

**REPORT NO. 27: RECEIVED FROM THE ARTS, RECREATION AND COMMUNITY POLICIES COMMITTEE**

**Report No. 27**

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.**

**1) Community Poverty Reduction Plan**

**THAT** Council direct staff to continue to work with United Way and other community agencies/organizations to play a role in the implementation of the Community Poverty Reduction Plan; and

**THAT** Council direct staff to provide support to Community Poverty Reduction Plan working groups as required; and

**THAT** Council recommend that the composition of the Community Supports for Education Working Group, the Health Working Group, the Social Services and Community Supports Working Group and the Skills Development and Employment Working Group include four community members who are living in poverty; and

**THAT** staff report back to Council through the Arts, Recreation & Community Policies Committee at least once per year on the implementation progress of the Community Poverty Reduction Plan.

**2) Occupy Kingston Space Option**

**THAT** staff be directed to work with the Open Source Action Centre to establish a partnership in which the City of Kingston would provide space in the Memorial Centre subject to the Open Source Action Centre providing a satisfactory organizational plan for their gardening and community computing programs; and

**THAT** the capital costs for preparing the space for community use do not exceed \$4,000 dollars; and

**THAT** staff review the arrangements and programs eighteen months after the agreement being reached.

**REPORTS (CONTINUED)**

**REPORT NO. 27: RECEIVED FROM THE ARTS, RECREATION AND COMMUNITY POLICIES COMMITTEE continued**

**3) 2012 City of Kingston Arts Fund**

**THAT** the revised 'Kingston Arts Council Plan for the Administration of Arts Funding for the Corporation of the City of Kingston Arts Fund in 2012' be accepted as the basis for a service level agreement with the Kingston Arts Council (KAC) to administer the 2012 City of Kingston Arts Fund on behalf of the City; and

**THAT** Council approve the revised 'Plan for the Administration of Arts Funding for the Corporation of the City of Kingston Arts Fund in 2012'; and

**THAT** the Mayor and Clerk be authorized to enter into a service level agreement acceptable to the Director of Legal Services requiring that the Kingston Arts Council provide for the administration of the City of Kingston Arts Fund for 2012; and

**THAT** Council appoint two Councillors and a City staff member to participate on each of the review committees in 2012 (the Operating Grants Review Committee for arts organizations and the Project Grants Review Committee for arts projects.)

**(See Miscellaneous Business Item No. 2)**

**4) Program and Accommodation Review Committee**

**THAT** the Near Campus Neighbourhoods Advisory Committee following consultation with the Quality of Life Working Group provide input to the Program and Accommodation Review Committee regarding the public elementary and secondary schools that are currently under review in near campus neighbourhoods.

**5) Assignment of Housing Provider Net Operating Surplus Repayable to Service Manager**

**THAT** By-Law 2003-88, being a By-Law to Authorize the Establishment of a Social Housing Capital Reserve Fund (Purpose – Create a Sustainable Source of Funding For Capital Projects For Local Not-For-Profit Housing Providers) be amended to reflect the following:

**THAT** Council approves the allocation of social housing providers' identified net surplus repayable funds to the Social Housing Capital Reserve Fund, and

**THAT** Council endorses expanded access to the Social Housing Capital Reserve Fund to include the installation of Renewable Energy Systems, and

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**REPORTS (CONTINUED)**

**REPORT NO. 27: RECEIVED FROM THE ARTS, RECREATION AND COMMUNITY POLICIES COMMITTEE continued**

**THAT** when and as deemed necessary and appropriate, housing providers which, due to size, economies of scale and varying ability to repay loans, may be approved to receive a forgivable loan rather than a repayable loan from the Social Housing Capital Reserve Fund.

**(See By-Law No. (3), 2012-48)**

**6) Vision to Revitalize Douglas R. Fluhrer Park**

**WHEREAS** Douglas R. Fluhrer Park is approximately 2.8 hectares (or 7 acres) in size and has approximately 650 meters of shoreline and is located on Kingston's waterfront immediately north of Kingston Marina;

**WHEREAS** enhancing and improving Douglas R. Fluhrer Park is in keeping with City waterfront initiatives including Richardson Beach Bath House Improvements, Battery Park, Lake Ontario Park, Breakwater Park and the Inner Harbour Trail; and

**WHEREAS** enhancing and improving lands on the waterfront is identified as high priority in the Official Plan and the Parks and Recreation Master Plan; and

**WHEREAS** residents have identified the revitalization of Douglas R. Fluhrer Park is of great value to the community including the newly reformed Friends of Kingston Inner Harbour association; and

**WHEREAS** residents have expressed an interest in volunteering toward improvements in the park; and

**THEREFORE BE IT RESOLVED THAT** Council authorize City staff to consult with the public to establish a high level vision for Douglas R. Fluhrer Park and report back to the Arts, Recreation and Community Policies Committee on the potential cost and timing of park enhancement and improvement in support of the resulting public vision; and

**THAT** staff consultations in forming the vision will include, but not be limited to, such potential stakeholders, in addition to all the residents of the City of Kingston and immediate park neighbourhoods, as the Friends of Kingston Inner Harbour, Kingston Community Health Centres, Cycle Kingston, the Downtown BIA, and MetalCraft Marina; and

**THAT** it is recognized that any vision of a revitalized Douglas R. Fluhrer Park must accommodate the possibility of a future Wellington Street extension project; and

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**REPORTS (CONTINUED)**

**REPORT NO. 27: RECEIVED FROM THE ARTS, RECREATION AND COMMUNITY  
POLICIES COMMITTEE continued**

**THAT** staff report to the Arts, Recreation & Community Policies Committee by January, 2014 regarding progress on this project.



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**REPORTS (CONTINUED)**

**REPORT NO. 28: RECEIVED FROM THE ENVIRONMENT, INFRASTRUCTURE AND TRANSPORTATION POLICIES COMMITTEE**

**Report No. 28**

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.**

**1) Cycling Loop Event Plan**

**WHEREAS** the City of Kingston supports the goals of Active Transportation and its Sustainability Plan; and

**WHEREAS** it is in the economic, social, cultural, environmental and transportation interests of the City to promote alternative forms of transportation and a healthy, fit population;

**THEREFORE BE IT RESOLVED THAT** staff report back to the Environment, Infrastructure and Transportation Committee, not later than September 2012, with a plan to hold a cycling loop event in Kingston with particular attention given to the possibility of holding the event on a Sunday in a tourist shoulder season (for example, June or September) on one lane of the Johnson St.-Brock St. Loop; and

**THAT** staff, in formulating the plan, consult with potential stakeholders including, but not limited to, the Kingston Coalition for Active Transportation, Cycle Kingston, the KFL&A Public Health Unit, the Downtown BIA, and Queen's University.

**2) Best Practices of a State of Good Repair (SOGR)**

**WHEREAS** many communities have adopted a State of Good Repair (SOGR) Policy for dedicated cycling lanes; and

**WHEREAS** there have been safety concerns regarding the condition of some of our public roadway bike lanes;

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**REPORTS (CONTINUED)**

**REPORT NO. 28: RECEIVED FROM THE ENVIRONMENT, INFRASTRUCTURE AND  
TRANSPORTATION POLICIES COMMITTEE continued**

**THEREFORE BE IT RESOLVED THAT** staff be asked to explore best practices of a State of Good Repair (SOGR) in other municipalities, including Toronto and Ottawa, and that a report with recommendations be prepared for the September 2012 EITP meeting.



**REPORTS (CONTINUED)**

**REPORT NO. 29: RECEIVED FROM THE RURAL ADVISORY COMMITTEE**

**Report No. 29**

To the Mayor and Members of Council:

The Rural Advisory 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.**

a) **Public Meeting Regarding Landscaping and Setbacks in Relation to Solar Panel Arrays**

**WHEREAS** Kingston City Council has requested that the Rural Advisory Committee meet with affected residents and make recommendations back to Council on aspects of landscaping and setbacks at its earliest convenience; and

**WHEREAS** the Rural Advisory Committee will be hosting a public meeting regarding landscaping and setbacks in relation to solar panel array on February 28<sup>th</sup>, 2012 at 6:00 p.m. at the INVISTA Centre;

**THEREFORE BE IT RESOLVED THAT** Council direct Planning & Development staff to participate at the aforementioned public meeting and provide the Rural Advisory Committee with a report summarizing the comments arising from the public meeting, including any recommendations, based on best practices with respect to landscaping and setbacks.



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## COMMITTEE OF THE WHOLE



## INFORMATION REPORTS



## MISCELLANEOUS BUSINESS

Motions of Council are required:

- (1) **THAT** the resignation from Councillor Brian Reitzel from the MacLachlan Woodworking Museum Committee be accepted with regret; and

**THAT** Councillor \_\_\_\_\_ be appointed to the MacLachlan Woodworking Museum Committee for a term ending November 30, 2014.

- (2) **THAT** Council appoint Councillor \_\_\_\_\_ and Councillor \_\_\_\_\_, and Brian McCurdy, Cultural Director, to serve on the Operating Grants Review Committee and Councillor \_\_\_\_\_ and Councillor \_\_\_\_\_, and Brian McCurdy, Cultural Director, to serve on the Project Grants Review Committee for the 2012 City of Kingston Arts Fund.

**(See Clause 3, Report No.27, Page No. 9)**



## NEW MOTIONS



## NOTICES OF MOTION



## MINUTES

**THAT** the Minutes of City Council Meeting No. 2012-05, held Tuesday, January 24, 2012 be confirmed.

**(Distributed to all Members of Council on Wednesday, February 1, 2012)**



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## TABLING OF DOCUMENTS

- 2012-21 Downtown Kingston! BIA  
Newsletter – January 2012  
(File No. CSU-A01-001-2012)
- 2012-22 Kingston Frontenac Public Library Board  
Minutes – December 2011  
(File No. CSU-R02-000-2012)



## COMMUNICATIONS

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

### Filed

- 06-060 From the Township of Rideau Lakes, providing a resolution in support of the City of Kingston's resolution regarding a Healthy Food Supplement for Adults on Social Assistance.  
(File No. CSU-S04-000-2012)  
**(Distributed to all Members of Council on January 25, 2012)**
- 06-061 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 at 1129 Princess Street, the Committee decided that the application **SHOULD BE DENIED**. The final date for appeal is February 13, 2012.  
  
CONSENT – In respect of an application for consent to sever the property at 856 Montreal Street, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is February 14, 2012.
- 06-062 From the Office of the Prime Minister, acknowledging receipt of Kingston City Council's resolution regarding the development of a youth strategy.  
(File No. CSU-S07-000-2012)
- 06-065 From the City of London, acknowledging receipt of Kingston City Council's resolution regarding Canadian-European Comprehensive Economic and Trade Agreement (CETA).  
(File No. CSU-F00-000-2012)
- 06-066 From the Township of Front of Yonge, advising that the Council of the Township of Front of Yonge passed a motion supporting Kingston City Council's resolution regarding healthy food supplement for adults on Social Assistance.

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(File No. CSU-S04-000-2012)

- 06-067 From the Corporation of Loyalist Township, advising that the Corporation of Loyalist Township's Council passed a motion supporting Kingston City Council's resolution regarding healthy food supplement for adults on Social Assistance.  
(File No. CSU-S04-000-2012)
- 06-068 From the City of Belleville, advising that the City of Belleville's Council passed a motion supporting Kingston City Council's resolution regarding healthy food supplement for adults on Social Assistance.  
(File No. CSU-S04-000-2012)
- 06-069 From the County of Simcoe, advising that the Simcoe County Council approved a recommendation supporting Kingston City Council's resolution regarding anti-bullying strategies.  
(File No. CSU-S07-000-2012)
- 06-070 From the City of Brantford, acknowledging receipt of Kingston City Council's resolution regarding Canadian-European Comprehensive Economic and Trade Agreement (CETA).  
(File No. CSU-F00-000-2012)
- 06-071 From the Township of North Frontenac, advising that the Township of North Frontenac Council passed a motion supporting Kingston City Council's resolution regarding healthy food supplement for adults on Social Assistance.  
(File No. CSU-S04-000-2012)
- 06-072 From the Township of North Frontenac, advising that the Township of North Frontenac Council passed a motion supporting Kingston City Council's resolution regarding Canadian-European Comprehensive Economic and Trade Agreement (CETA).  
(File No. CSU-F00-000-2012)

**Referred to All Members of Council**

- 06-072 From ROMA/OGRA, advising that the Honourable Dalton McGuinty has confirmed his attendance for the February 27, 2012 conference.  
(File No. CSU-A04-000-2012)  
**(Distributed to all Members of Council on February 1, 2012)**

**Referred to the City Clerk**

- 06-063 From the Girl Guides of Canada, asking that Council proclaim February 19 to 26, 2012 as "Girl Guide/Scout Week" in the City of Kingston.  
(File No. CSU-M10-000-2012)  
**(Distributed to all Members of Council on January 26, 2012)**

- 06-064 From Easter Seals Ontario, asking that Council proclaim March 2012 as “March is Easter Seals Month” in the City of Kingston.  
(File No. CSU-M10-000-2012)  
**(Distributed to all Members of Council on January 26, 2012)**

**Referred to the President and CEO of Utilities Kingston**

- 06-073 From Pitch-In Canada, providing information regarding how municipalities can become patrons of Pitch-In Ontario.  
(File No. CSU-E05-000-2012)



**OTHER BUSINESS**



**BY-LAWS**

- (A) **THAT** By-Laws (1) through (3) and (11) be given their first and second reading.  
(B) **THAT** By-Laws (4) through (11) be given their third reading.




- (1) A By-Law to Approve the Renaming of the Westerly Portion of an Existing Public Road from Spooner Road to Dover Road  
FIRST AND SECOND READINGS PROPOSED NO. 2012-46  
**(See Clause (a), Report No. 25)**
- (2) A By-Law to Approve the Renaming of an Existing Public Road from Spooner Road East to Spooner Road.  
FIRST AND SECOND READINGS PROPOSED NO. 2012-47  
**(See Clause (a), Report No. 25)**
- (3) A By-Law to Amend By-Law No. 2003-88 “A By-Law to Authorize the Establishment of a Social Housing Capital Reserve Fund (Purpose – Create a Sustainable Source of Funding for Capital Projects for Local Not-for-Profit Housing Providers)”  
FIRST AND SECOND READINGS PROPOSED NO. 2012-48  
**(See Clause (5), Report No. 27)**
- (4) A By-Law to Amend By-Law No. 2010-128, “A By-Law to Regulate Parking”.  
THIRD READING PROPOSED NO. 2012-34  
**(See Clause (b), Report No. 20)**

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- (5) A By-Law to Amend By-Law No. 2010-128, "A By-Law to Regulate Parking".  
THIRD READING PROPOSED NO. 2012-35  
**(See Clause (b), Report No. 20)**
- (6) A By-Law to Amend By-Law No. 2010-128, "A By-Law to Regulate Parking".  
THIRD READING PROPOSED NO. 2012-36  
**(See Clause (b), Report No. 20)**
- (7) A By-Law to Authorize the Temporary Closing of a Portion of Market Street from Ontario Street to Mid-Block, on Saturday, March 17, 2012 from 7:00 A.M. until 7:00 A.M. Sunday, March 18, 2012 (Community Purposes – St. Patrick's Day Celebration)  
THIRD READING PROPOSED NO. 2012-37  
**(See Clause (c), Report No. 20)**
- (8) A By-Law to Amend By-Law No.2003-209, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of the Highway Traffic Act", (Amend Speed Limits on Various Streets)  
THIRD READING PROPOSED NO. 2012-38  
**(See Clause (d), Report No. 20)**
- (9) A By-Law to Amend By-Law No.2003-209, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of the Highway Traffic Act", (Amend Speed Limits on Various Streets)  
THIRD READING PROPOSED NO. 2012-39  
**(See Clause (e), Report No. 20)**
- (10) A By-law To Amend By-law 2008-192, A By-law to Provide for the Regulation of Waste Water Services and Waste Discharges to Municipal Sewers in the City of Kingston  
THIRD READING PROPOSED NO. 2012-40  
**(See Clause (f), Report No. 20)**
- (11) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, February 6, 2012  
THREE READINGS PROPOSED NO. 2012-49  
**(City Council Meeting No. 2012-06)**
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**ADJOURNMENT**