

CITY COUNCIL MEETING NO. 10-2006

The Regular Meeting of City Council was held on Tuesday, April 18, 2006 at 5:30 pm in the Council Chamber, City Hall. His Worship Mayor Harvey Rosen presided.

There was an "In-Camera" meeting of the Committee of the Whole from 4:45 pm to 5:30 pm and from 10:11 pm to 10:30 pm in the Councillors' Lounge.

(Council Chambers)

ROLL CALL

Present: Mayor Rosen, Deputy Mayor George (arrived at 4:50 pm), Councillor Beavis, Councillor Downes (arrived at 5:00 pm), Councillor Foster, Councillor Garrison, Councillor George, Councillor Meers (arrived at 4:46 pm), Councillor Pater (arrived at 4:46 pm), Councillor Patterson, Councillor Smith, Councillor Stoparczyk, Councillor Sutherland (arrived at 4:52 pm) (13)

(Councillor's Lounge)

Administrative Staff Present:

Mr. G. Laubenstein, Chief Administrative Officer
Mrs. C. Downs, City Clerk
Mr. T. Fleming, Senior Legal Counsel, Legal Services
Mr. J. Giles, Manager, Solid Waste
Mr. G. Hunt, Commissioner of Finance and Corporate Performance
Mr. H. Linscott, Director, Legal Services
Mr. M. Segsworth, Commissioner of Public Works and Emergency Services
Ms. N. Sullivan, Deputy City Clerk

COMMITTEE OF THE WHOLE "IN CAMERA"

- (1) Moved by Councillor Beavis
Seconded by Councillor Patterson

THAT Council resolve itself into the Committee of the Whole "In Camera" to consider the following items:

- (a) Advice that is Subject to Solicitor Client Privilege.

CARRIED

(Council Chambers)

Administrative Staff Present:

Mr. G. Laubenstein, Chief Administrative Officer
Ms. C. Beach, Commissioner of Growth and Sustainability
Ms. P. Carrol, Manager, Taxation and Revenues, Financial Services
Mr. B. Closs, Police Chief
Ms. D. Defoe, Chief Librarian
Mrs. C. Downs, City Clerk
Ms. R. Etherington, Manager, Culture and Heritage
Mr. M. Fluhrer, Director, Culture and Recreation
Mr. J. Garrah, Acting General Manager, KEDCO
Mr. J. Giles, Manager, Solid Waste
Mr. G. Harbec, Kingston Police
Mr. G. Hunt, Commissioner of Finance and Corporate Performance
Mr. S. Kanellos, Director, Growth and Initiatives
Mr. D. Leger, Commissioner of Corporate Services

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Administrative Staff Present:

Mr. H. Linscott, Director, Legal Services
Mr. M. Morris, Director, Transportation
Mr. S. Murphy, Manager, Building Services
Mr. R. Napier, Deputy Police Chief
Mr. P. Patry, Fire Inspection/Prevention Officer
Mr. M. Segsworth, Commissioner of Public Works and Emergency Services
Ms. N. Sullivan, Deputy City Clerk
Mr. L. Thurston, Commissioner of Community Development Services
Mr. H. Tulk, Fire Chief
Mr. G. Wallace, Director, Planning and Development
Mr. T. Willing, Manager, Building and Licensing

REPORT OF THE COMMITTEE OF THE WHOLE "IN CAMERA"

- (2) Moved by Councillor Sutherland
Seconded by Councillor Stoparczyk

THAT Council rise from the Committee of the Whole "In Camera" without reporting.

CARRIED

DISCLOSURE OF PECUNIARY INTEREST

Councillor Sutherland declared a possible pecuniary interest in the matter of Report No. 56 as he is a member of the Kingston and District Agricultural Society.

THE COMMITTEE OF THE WHOLE

1. Moved by Councillor Patterson
Seconded by Councillor Pater

THAT Council resolve itself into the Committee of the Whole to consider amending the 2006 operating budget:

CARRIED

2006 OPERATING BUDGET AMENDMENTS:

Mr. Gerard Hunt, Commissioner of Finance and Corporate Performance, spoke to amending the 2006 operating budget. The following documents were distributed at the meeting:

- Presentation to Council – 2006 Operating Budget amendment dated April 18, 2006;
- A memorandum from H.A. Tulk, Fire Chief, dated April 13, 2006, regarding Insurance Grading for Fire Protection in Kingston

DELEGATIONS:

The Mayor asked if there were any delegations from the public. As there were none, the meeting continued.

PRESENTATIONS/QUESTIONS - OUTSIDE AGENCIES & BOARDS:

Paul Charbonneau presented the County of Frontenac's 2006 budget
Deputy Police Chief Napier presented the Kingston Police 2006 Budget, Police Chief Bill Closs, Carol Allison-Burra, Chair of the Police Services Board and Constable Greg Harbec were present.

THE COMMITTEE OF THE WHOLE

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Councillor Downes withdrew from the meeting at 6:17 p.m.

PRESENTATIONS/QUESTIONS - OUTSIDE AGENCIES & BOARDS:

Kingston Frontenac Public Library – Ms. Deborah Defoe
Kingston Access Services – Mr. Lou Carpentier
Cataraqui Region Conservation Authority – Mr. Steve Knechtel
Kingston Frontenac Lennox and Addington Health Unit
Downtown Kingston B.I.A.

- 2. Moved by Councillor Meers
Seconded by Councillor Smith

THAT Council rise from the Committee of the Whole without reporting.

CARRIED

PRESENTATIONS

- (1) Mayor Harvey Rosen presented the following City of Kingston employees with certificates of completion for the Certified Municipal Manager Accreditation Level II:
 - Cherie Mills, Planning and Development
 - Paul Patry, Fire Inspection/Prevention Officer
 - Judy Brick, Public Works (received by Commissioner Segsworth)

DELEGATIONS

BRIEFINGS

- (1) Dr. Harry Cleghorn and Maureen Thompson, Co-Chairs of the Kingston Environmental Advisory Forum (KEAF), spoke to Council regarding the work carried out by the Kingston Environmental Advisory Forum (KEAF) and its working groups since its last summary report to Council in April 2005.
(The “Kingston Environmental Advisory Forum – Progress Report #5, Towards a Sustainable Future – January 2005 to February 2006” was distributed separate from the agenda.)
(File No. CSU-C15-000-2006)

PETITIONS

MOTIONS OF CONGRATULATIONS/CONDOLENCES/SPEEDY RECOVERY

Motions of Congratulations

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

THAT the congratulations of Kingston City Council be extended to Michael and Muriel Mason on the occasion of their 50th anniversary celebrated March 24, 2006.

- (b) Moved by Councillor Beavis
Seconded by Councillor Stoparczyk

THAT the congratulations of Kingston City Council be extended to Novelis for being presented with the President's Safety and Environment Award for North America and the global Platinum Award for being the safest Novelis plant in the world.

- (c) Moved by Councillor Sutherland
Seconded by Mayor Rosen

THAT the congratulations of Kingston City Council be extended to Ken and Elaine Baker on the occasion of their 50th anniversary.

Motions of Condolence

- (a) Moved by Mayor Rosen
Seconded by Deputy Mayor George

THAT the sincere condolences of Kingston City Council be extended to the family of the late Icah Bryant who passed away April 10, 2006.

- (b) Moved by Councillor Smith
Seconded by Mayor Rosen

THAT the sincere condolences of Kingston City Council be extended to the family of the late William James Sutcliffe who passed away on April 7, 2006. Mr. Sutcliffe was the father of Former Mayor Helen Cooper.

CARRIED

REPORTS

Report No. 52 of the Chief Administrative Officer (Consent)

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Moved by Deputy Mayor George
Seconded by Councillor Pater

THAT Report No. 52 of the Chief Administrative Officer (Consent) be received and adopted.

Report No. 52

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) **John Counter Boulevard Environmental Assessment Replacement for Full Sized Soccer Field from William Hackett Park to Markers Acres Park**

THAT City Council approve the relocation of the large soccer field from William Hackett Park to Markers Acres Park and endorse the concept plans, attached to this report, which detail the relocated soccer field at Markers Acres Park and the reconfigured and reinstated William Hackett Park.

(File No. CSU-R04-000-2006)

(The Report of the Commissioner of Community Development Services (06-103) was attached as Schedule Pages 1-10)

- (b) **2006 Capping Parameters for Commercial, Industrial and Multi-Residential Properties**

THAT the 2006 capping program be approved as outlined in Report No. 06-108 and that the funding for capped properties is provided from within each tax class, and;

THAT a by-law be presented for 3 readings to establish the 2006 optional capping parameters:

1. Commercial and Industrial property cap limits will be the greater of
 - a. 10% of previous year's annualized (capped) tax, or
 - b. 5% previous year's uncapped tax, and
 - c. That threshold limits apply whenever capped taxes are within \$250 of the uncapped tax
2. New construction/new-to-class limits will be a minimum tax level of 80% of uncapped taxes which will apply to eligible properties commencing taxation for part or all of 2006.

(File No. CSU-F22-000-2006)

(The Report of the Commissioner of Finance and Corporate Performance (06-108) was attached to the agenda as Schedule Pages 11-16)

(See By-Law No. (11), 2006-92)

REPORTS

Report No. 52 of the Chief Administrative Officer (Consent)

- (c) **A By-Law to Prohibit Motorists from Blocking Signalized Intersections**

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THAT a by-law be presented to amend By-law 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." in order to prohibit motorists from blocking a signalized intersection.

(File No. CSU-T08-000-2006)

(The Report of the Commissioner of Public Works and Emergency Services (06-110) was attached to the agenda as Schedule Pages 17-20)

(See By-Law No. (1), 2006-82)

(d) **Licensing of On-Street Parking Space – McDonald’s Restaurant (285 Princess Street)**

THAT a by-law be presented to amend By-law No. 495 "A By-Law To Provide For A Parking Meter Zone In Certain Streets Or Portions Thereof, And To Provide For The Installation, Regulations, Supervision And Control Of Such Parking Meters",

-and further-

THAT a by-law be presented to amend, By-law No. 24 "A By-Law For Regulating Traffic In The Highways Of The City Of Kingston" to allow for the licensing of one parking space to McDonald’s Restaurant and that RKJL Foods Ltd. pay the City on an annual basis \$3,612, the equivalent of the daily meter space rental rate, with an annual CPI increase, for a five year period. Additionally, RJKL Foods Ltd. be required to pay for signs and installation of such.

(File No. CSU-T02-000-2006)

(The Report of the Commissioner of Public Works and Emergency Services (06-111) was attached to the agenda as Schedule Pages 21-26)

(See By-Law No. (2), 2006-83; By-Law No. (3), 2006-84)

(e) **Sign By-Law Amendment for Glenburnie Public School at 2252 Battersea Road to Permit a Ground Sign**

THAT a by-law be presented to amend By-Law No. 93-41 "A By-Law To Regulate Signs And Other Advertising Devices In The Township Of Kingston And To Repeal By-Law Numbers 75-31, 83-16, 89-206, 91-161, 92-16 And 92-22" to permit a ground sign to be installed in front of Glenburnie Public School at 2252 Battersea Road.

(File No. CSU-C01-000-2006; CSU-T07-000-2006)

(The Report of the Commissioner of Community Development Services (06-114) was attached to the agenda as Schedule Pages 27-34)

(See By-Law No. (4), 2006-85)

(f) **Deviation Highway, Request for Conveyance of Original Road Allowance - 1320 Woodbine Road (Part 2, Reference Plan 13R-16509)**

THAT the road allowance, more particularly described as Part 2, Reference Plan 13R-16509, 1320 Woodbine Road be stopped up and closed, declared surplus and conveyed to the Owner for nominal consideration together with City’s reasonable costs; and,

THAT the appropriate public notices be given; and,

THAT the appropriate City Officials be authorized to take all steps to complete this matter and the Mayor and Clerk be authorized to sign the relevant by-laws and documents.

(File No. CSU-L19-000-2006)

(The Report of the Commissioner of Corporate Services (06-117) was attached to the agenda as Schedule Pages 35-42)

(See By-Law No. (6), 2006-87, By-Law No. (7), 2006-88)

REPORTS

Report No. 52 of the Chief Administrative Officer (Consent)

(g) **Former Commerce Court – Declare Surplus to the Need and Authorize**

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THAT the former Commerce Court Lands be declared surplus and sold for nominal consideration to the current abutting owner, 1564168 Ontario Inc.; and,

THAT the By-Law to Declare Surplus attached as Exhibit "C" be given first and second reading with third reading to take place at the May 2, 2006 meeting of Council.

(File No. CSU-L19-000-2006)

(The Report of the Commissioner of Corporate Services (06-118) was attached to the agenda as Schedule Pages 43-52)

(See By-Law No. (5), 2006-86)

CARRIED

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REPORTS

Report No. 53 of the Chief Administrative Officer (Recommend)

Moved by Councillor Stoparczyk
Seconded by Councillor Meers

THAT Report No. 53 of the Chief Administrative Officer (Recommend) be received and adopted, clause by clause.

Report No. 53

To the Mayor and Members of Council:
The Chief Administrative Officer reports and recommends as follows:

(1) **Expansion of the Material Recovery Facility at the Kingston Area Recycling Centre**

THAT an expansion to the Material Recovery Facility at the Kingston Area Recycling Centre be approved in principle subject to a financial plan satisfactory to the Finance Department; and

THAT a 2006 capital budget amendment be prepared to expand the Material Recovery Facility with funding from the Solid Waste Reserve Fund; and

THAT the City of Kingston agree to enter into an agreement with South Frontenac for processing their recyclables subject to an expansion at the Material Recovery Facility; and

THAT the agreement be in a form satisfactory to the Legal Services Division, and

THAT the Mayor and Clerk be authorized to sign the agreement.

(File No. CSU-E07-001-2006)

(The Report of the Commissioner of Public Works and Emergency Services (06-113) was attached as Schedule Pages 53-55)

CARRIED

Councillor Downes returned to the meeting.

(2) **2006 Operating Budget Amendments**

THAT the 2006 Operating Budget be amended as follows:

a) to reflect an increase in gross expenditures in the amount of \$1,867,816.

b) to reflect an increase in revenues of \$887,816.

c) to reflect an increase in tax levy requirements of \$980,000; and,

THAT a by-law be presented to amend the 2006 Operating Budget; and,

THAT the 2006 property tax rates be established considering the amended budget requirements.

(File No. CSU-F05-000-2006)

(The Report of the Commissioner of Finance and Corporate Performance (06-107) was attached as Schedule Pages 56-113)

(See By-Law No. (8), 2006-89)

CARRIED

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Report No. 54 of the Environment, Infrastructure and Transportation Policies Committee

Moved by Councillor Foster
Seconded by Councillor Smith

THAT Report No. 54 of the Environment, Infrastructure and Transportation Policies Committee be received and adopted.

Report No. 54

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

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

1. **Recycling Change for Collecting The Fibre Stream and Container Stream**

THAT BFI Canada be advised that their alternative proposal based on collecting the fibre stream one week and the container stream the next be implemented; and,

THAT the 2006 capital budget be amended to provide for the purchase of additional recycling boxes in the amount of \$340,000 with funding from the Solid Waste Reserve Fund.
(File No. CSU-E07-001-2006)

CARRIED (11:2)
(See Recorded Vote)

A Recorded Vote was requested by Councillor Garrison

YEAS: Mayor Rosen, Councillor Beavis, Councillor Downes, Councillor Foster, Deputy Mayor George, Councillor George, Councillor Pater, Councillor Patterson, Councillor Smith, Councillor Stoparczyk, Councillor Sutherland (11)

NAYS: Councillor Garrison and Councillor Meers (2)

Mr. Mark Segsworth, Commissioner of Public Works and Emergency Services, was present and spoke to Council regarding the Frontenac Parking Lot Exit Strategy.

Council consented to the separation of Clause 2.

2. **Frontenac Parking Lot Exit Strategy**

(a) **THAT** a one-time Transit pass discount of "second month free", to Frontenac Permit Holders be approved, with the exception of City staff, who give up their parking permit,

CARRIED

-and further-

(b) **THAT** a By-law be presented to amend By-law No. 4489, "A By-Law To Regulate, Supervise And Govern The Parking Of Vehicles On Parking Lots And To Fix The Rates And Charges For Parking On Such Parking Lots", to allow all day parking for the Drury Lot;

CARRIED
(Councillor Garrison Opposed)

REPORTS

Report No. 54 of the Environment, Infrastructure and Transportation Policies Committee

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-and further-

- (c) **THAT** a By-law be presented to amend By-law No. 99-91, "A By-Law To Provide For The Regulation Use Of Parks And Recreation Facilities Of The Corporation", to allow parking in the Douglas R. Fluhrer Park be made to implement the Frontenac Parking Lot Exit Strategy.

CARRIED
(Councillors Downes and Garrison Opposed)
(See Motion To Defer Which Was LOST)

(See By-Law No. (9), 2006-90; By-Law No. (10), 2006-91)

(Report No. EITP-06-008 "Frontenac Parking Lot Exit Strategy" was attached to the agenda as Schedule Pages 114-117)

Moved by Councillor Downes

Seconded by Councillor Garrison

THAT Clause 2 of Report 54 of the Environment, Infrastructure and Transportation Policies Committee be deferred until proper public consultation has been held.

LOST (10:3)
(See Recorded Vote)

A Recorded Vote was requested by Councillor Downes

NAYS: Mayor Rosen, Councillor Beavis, Councillor Foster, Deputy Mayor George, Councillor George, Councillor Pater, Councillor Patterson, Councillor Smith, Councillor Stoparczyk, Councillor Sutherland (10)

YEAS: Councillor Downes, Councillor Garrison and Councillor Meers (3)
(File No. CSU-T02-000-2006)

3. **Terms of Reference for the Airport Master Plan**

THAT the Terms of Reference for the Airport Master Plan, as outlined in Report #EITP06-010, attached as Schedule Pages 118-121 to the agenda, be approved.

(File No. CSU-T11-000-2006)

CARRIED

(Note: The reports and schedules were distributed with the Environment, Infrastructure and Transportation Policies Committee Agenda distributed on April 7, 2006.)

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REPORTS

Report No. 55 of the Kingston Municipal Heritage Committee

Moved by Councillor Patterson
Seconded by Councillor Pater

THAT Report No. 55 of the Kingston Municipal Heritage Committee be received and adopted.

Report No. 55

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

03rd April 2006

1. **Approval - 230 James Street, Barriefield for the Repair of Windows and Reshingling of the Roof and Provisional Approval of a Heritage Grant Amount of \$2000**

THAT Application P18-445-12-06 for a property located at 230 James Street, Barriefield for the repair of windows and reshingling of the roof **BE APPROVED** in accordance with a submission dated 01st March 2006,

- and further -

THAT Application HG-01-2006 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,

- and further -

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

2. **Approval - 73 Sydenham Street for Restoration and Repair of Exterior Wood Character Elements and Repainting of all Wood Surfaces and Provisional Approval of a Heritage Grant Amount of \$2000.**

THAT Application P18-361-13-06 for a property located at 73 Sydenham Street for the restoration and repair of exterior wood character elements and repainting of all wood surfaces **BE APPROVED** in accordance with a submission dated 01st March 2006 with the understanding that any repairs replicate original design, material and profile,

- and further -

THAT Application HG-02-2006 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,

- and further -

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

REPORTS

Report No. 55 of the Kingston Municipal Heritage Committee

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3. **Approval - 286 Johnson Street Requesting Approval for Repainting and Restoration of Columns and Provisional Approval of a Heritage Grant Amount of \$2000.**

THAT Application P18 -167-26 - 06 for a property located at 286 Johnson Street for repainting and restoration of columns **BE APPROVED** in accordance with a submission dated 01st March 2006 with the understanding that high pressure washing be replaced with hand washing,

- and further -

THAT it be understood that if the paint requires removal, that a chemical paint remover be used rather than sandblasting which is not an acceptable method,

- and further -

THAT Application HG-03-2006 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,

- and further -

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

4. **Approval - 2551 Hwy 2 East for Roof and Chimney Repairs and Provisional Approval of a Heritage Grant Amount of \$2000.**

THAT Application P18-039-14 -06 for a property located at 2551 Hwy 2 East for roof and chimney repairs noted as Option 3 **BE APPROVED** in accordance with a submission dated 01st March 2006 with the understanding that approval for the roof would require that the ridge cap and other replacement items replicate the original,

- and further -

THAT Application HG-04-2006 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,

- and further -

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

5. **Approval - 356 King Street East for Replacement of Front Portion of Porch/Roof, Removal of Wood and Repointing of Limestone Façade and Provisional Approval of a Heritage Grant Amount of \$2000.**

THAT Application P18-222-27 -06 for a property located at 356 King Street East for the replacement of front portion of porch/roof, removal of wood and repointing of limestone façade **BE APPROVED** in accordance with a submission dated 01st March 2006,

- and further -

THAT the work be performed in accordance with the understanding that the masonry work will be done in accordance with 'Guidelines for the Conservation of Historic Masonry provided by the City and specifications provided by the Upper Canada Stonehouse Group,

- and further -

THAT when the wood is removed, that the Heritage Planner be advised for review prior to further work being done, and that the Jahn repair be in accordance with manufacturers instructions and applied by a licensed operator,

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Report No. 55 of the Kingston Municipal Heritage Committee

- and further -

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THAT Application HG-05-2006 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 with the understanding that new wood shingles would not be considered within this application,

- 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.

6. **Approval - 358 King Street East Requesting Approval for Repointing and Provisional Approval of a Heritage Grant Amount of \$2000.**

THAT Application P18-223-28 -06 for a property located at 358 King Street East for repointing **BE APPROVED** in accordance with a submission dated 01st March 2006 with the understanding that the work be performed in accordance with the understanding that the masonry work will be done in accordance with 'Guidelines for the Conservation of Historic Masonry' provided by the City and specifications provided by the Upper Canada Stonehouse Group,

- and further -

THAT Application HG-06-2006 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,

- and further -

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

7. **Approval - 244 James Street for Rebuilding Windows and Provisional Approval of a Heritage Grant Amount of \$2000.**

THAT Application P18-450-15 -06 for a property located at 244 James Street for rebuilding windows **BE APPROVED** in accordance with a submissions dated 01st March and 03rd April 2006,

- and further -

THAT Application HG-07-2006 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,

- and further -

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

REPORTS

Report No. 55 of the Kingston Municipal Heritage Committee

8. **Approval - 85 Barrack Street for the Repair of a Roof with like Materials and Provisional Approval of a Heritage Grant Amount of \$2000.**

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THAT Application P18-053-16 -06 for a property located at 85 Barrack Street for repairs to the roof **BE APPROVED** in accordance with a description contained within a submission dated 01st March 2006 with the suggestion that plain three tab asphalt shingles be applied,

- and further –

THAT Application HG-08-2006 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 for the application of aluminum roof coating and repairs to this roof membrane only,

- and further –

THAT it be understood that other roof repairs outlined within the application do not qualify for the Heritage property Grant under the provisions of Clause 1 (b) of By-law 2005-258 and shall **BE DENIED** for funding,

- 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.

9. **Approval - 194 King Street East Requesting Approval for the Repair and Restoration of Nine Single Hung Windows and Provisional Approval of a Heritage Grant Amount of \$2000.**

THAT Application P18-189-17-06 for a property located at 194 King Street East for the repair and restoration of nine single hung windows **BE APPROVED** in accordance with a submission dated 01st March 2006,

- and further –

THAT Application HG-09-2006 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,

- and further –

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

10. **Approval - 268 Main Street, Barriefield Known as St. Mark's Church for Restoration of Bell Tower Masonry and Provisional Approval of a Heritage Grant Amount of \$2000.**

THAT Application P18-416-18-06 for a property located at 268 Main Street, Barriefield known as St. Mark's Church Street for the restoration of bell tower masonry **BE APPROVED** in accordance with a submission dated 01st March 2006,

- and further –

THAT Application HG-10-2006 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,

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- 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.

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11. **Approval - 261-265 Ontario Street for the Repainting of the Front of a Building and Provisional Approval of a Heritage Grant Amount of \$2000.**
THAT Application P18-276-19-06 for a property located at 261-265 Ontario Street for the repainting of the front of a building **BE APPROVED** in accordance with a submission dated 01st March 2006,
- and further –
THAT Application HG-11-2006 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,
- and further –
THAT this approval is provisional upon the eligible work being satisfactorily completed as outlined within By-Law No. 2005-258 'A By-Law to Establish a Heritage Grants Program', with the grant payable to the owner following a final inspection of the eligible work, a determination that the eligible work has been performed in accordance with the Ontario Heritage Act and any permit issued thereunder, and the final approval of Council.
12. **Approval - 948 Hwy 2 East for the Repointing of Exterior Stone Walls of the House and Provisional Approval of a Heritage Grant Amount of \$2000.**
THAT Application P18-515-29 -06 for a property located at 948 Hwy 2 East for the repointing of exterior stone walls of the house **BE APPROVED** in accordance with a submission dated 01st March 2006 with the understanding that the work will be done with pneumatic tools, that the depth of cutting out be twice the height of the joint or until sound mortar is reached, and that the finished joints be slightly concave, and that the work be performed in accordance with the understanding that the masonry work will done in accordance with 'Guidelines for the Conservation of Historic Masonry' provided by the City.
- and further –
THAT Application HG-13-2006 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,
- and further –
THAT this approval is provisional upon the eligible work being satisfactorily completed as outlined within By-Law No. 2005-258 'A By-Law to Establish a Heritage Grants Program', with the grant payable to the owner following a final inspection of the eligible work, a determination that the eligible work has been performed in accordance with the Ontario Heritage Act and any permit issued thereunder, and the final approval of Council.

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13. **Approval - 232 King Street East Requesting Approval Work on Exterior Windows and Stucco Repair and Provisional Approval of a Heritage Grant Amount of \$2000.**
THAT Application P18-202-32 -06 for a property located at 232 King Street East for work on exterior windows and stucco repair **BE APPROVED** in accordance with a submission dated 01st March 2006 with the understanding that details for stucco and paint and repairs to original interior casements and door be forwarded to the Heritage Planner for review by the Committee,

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- and further –

THAT Application HG-15-2006 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,

- and further –

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

14. **Approval - 185 William Street, for Fixing a Fence, Replacement of a Bricked in Door, and Replacement of a Coach House Door and Provisional Approval of a Heritage Grant Amount of \$2000.**

THAT Application P18-407-33-06 for a property located at 185 William Street for the replacement of a bricked in door, and replacement of a coach house door and repairs of a fence and required masonry work around the bricked in door **BE APPROVED** in accordance with a submission dated 01st March 2006 with the understanding that any proposed new elements such as windows or doors or ironwork match those original to the building with photographic or physical evidence of what the original elements looked like,

- and further –

THAT Application HG-16-2006 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 with the understanding that the repairs of a fence are not included within this grant,

- and further –

THAT it be understood that a unit of similar vintage or of a character consistent with the period of the building does not qualify for funding unless it can be shown that the property under consideration included such a unit,

- 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.

15. **Approval - 75 Lower Union Street Requesting Approval for Replacement and Painting of Soffits and Restoration of the Floor of a Balcony and Provisional Approval of a Heritage Grant Amount of \$1304.**

THAT Application P18247-34 -06 for a property located at 75 Lower Union Street for the replacement and painting of soffits and restoration of the floor of a balcony **BE APPROVED** in accordance with a submission dated 01st March 2006 with the understanding that investigation will be undertaken into the woodwork to determine the cause of water penetration prior to the work being done and that remedial work related to the water penetration be undertaken as part of this work,

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- and further –

THAT Application HG-17-2006 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 \$1304,

- 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.

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16. **Approval - 67 Colborne Street for the Reconstruction of Original Windows and Replacement of Aluminum Storm Windows with Wood Windows and Provisional Approval of a Heritage Grant Amount of \$2000.**

THAT Application P18-107-20-06 for a property located at 67 Colborne Street for the reconstruction of original windows and replacement of aluminum storm windows with wood windows BE **APPROVED** in accordance with a submission dated 01st March 2006

- and further -

THAT Application HG-20-2006 for this property BE **PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,

- and further -

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

17. **Approval - 100-102 Earl Street for Repointing and Repairs and Provisional Approval of a Heritage Grant Amount of \$2000.**

THAT Application P18-130-30 -06 for a property located at 100-102 Earl Street for repointing and repairs BE **APPROVED** in accordance with a submission dated 07th March 2006 and photos,

- and further -

THAT it be understood that the wall should be reviewed by an engineer prior to the work being done, and that the work will be performed in accordance with the understanding that the masonry work will done in accordance with 'Guidelines for the Conservation of Historic Masonry'.

- and further -

THAT Application HG-26-2006 for this property BE **PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,

- and further -

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

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18. **Approval - 104 Montreal Street to Repoint a South Wall and Provisional Approval of a Heritage Grant Amount of \$2000.**

THAT Application P18-254-24 -06 for a property located at 104 Montreal Street for restoration work to a south wall BE **APPROVED** in accordance with a submission dated 01st March 2006 with the understanding that the masonry work be done in accordance with the understanding that the masonry work will done in accordance with 'Guidelines for the Conservation of Historic Masonry provided by the City'.

- and further -

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THAT Application HG-28-2006 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,

- and further -

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

19. **Approval - 202 Main Street, Barriefield for Exterior Repairs and Paint and Provisional Approval of a Heritage Grant Amount of \$2000.**

THAT Application P18-464-25 -06 for a property located at 202 Main Street, Barriefield for painting and exterior repairs **BE APPROVED** in accordance with a submission dated 01st March 2006 with the understanding that the masonry repairs be done in accordance with 'Guidelines for the Conservation of Historic Masonry' provided by the City.

- and further -

THAT Application HG-29-2006 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,

- and further -

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

20. **Approval - 34 Richard Street to Repoint the Exterior Walls, and Restore and Maintain Grout in Chimney and Provisional Approval of a Heritage Grant Amount of \$2000.**

THAT Application P18-341-31 -06 for a property located at 34 Richard Street for repointing exterior walls, restoration and repointing of the chimney **BE APPROVED** in accordance with a submission dated 01st March 2006 with the understanding that specifications outlined by Upper Canada Stonehouse Group and with the understanding that the masonry work will done in accordance with 'Guidelines for the Conservation of Historic Masonry'.

- and further -

THAT Application HG-31-2006 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,

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- 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.

21. **Denial of Heritage Property Grant of \$2000 for 114 Collingwood Street**

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THAT Application HG-25-2006 for a property located at 114 Collingwood Street BE **DENIED** for approval of a Heritage Property Grant of \$2000 as the requirements for a Heritage Property Grant under the provisions of Clause 2 (b) of By-law 2005-258 have not been met.

22. **Approval - Heritage Property Tax Refund for a Property Located at 68-74 Princess Street**

THAT Application HT-01-2006 for a property located at 68-74 Princess Street BE **APPROVED** for a Heritage Property Tax Refund as described within By-Law No. 2005-257, 'A By-law to Establish a Heritage property Tax Refund Program',

- and further -

THAT it be understood that while this application does not meet the current Council-approved definition of 'Maintenance' within By-law 2005-257, the work undertaken on the property was started prior to Council's adoption of specific definition of 'Maintenance' for heritage properties,

-and further -

THAT it be understood that a subsequent similar application would not be eligible under the terms of By-law 2005-257.

23. **Approval - 162 Mowat Avenue for the Removal of Existing Front Porch, Masonry Repairs, Replacement of Original Shutters**

THAT Application P18-021-58-05 for a property located at 162 Mowat Avenue to request approval for the removal of an existing front porch, masonry repairs, and replacement of original shutters BE **APPROVED** in accordance with a submission dated 22nd March 2006 with the understanding that the limestone flag stone overlay not be considered.

24. **Approval - 66 Main Street, Barriefield for the Replacement of a Transom Light, Exposure of Dentils, Reconstruction of Shutters and Replacement Construction of a Porch.**

THAT Application P18-249-76-05 for a designated property located at 66 Main Street, Barriefield requesting approval for the replacement of a transom light, exposure of dentils, reconstruction of shutters and replacement construction of a porch BE **APPROVED** in accordance with a submission dated 08th March 2006 and with the following conditions:

- a 3-part window configuration for the sidelights
- options for keeping out or handling moisture
- treads and risers be ventilated by way of spacing
- application of an integral bull nose be applied
- replication of hardware

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25. **Approval - 194 Sydenham Street for the Relocation of a Meter to Remain Inside the Building Rather than on the Exterior.**

THAT Application P18-574-21-06 for a property located at 194 Sydenham Street requesting approval for the relocation of a meter to remain inside the building rather than on the exterior BE **APPROVED** in accordance with a submission dated 24th March 2006.

26. **Approval - 72-82 Sydenham Street Known as Sydenham Street United Church for New Steps**

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THAT Application P18-362-22-06 for a designated property located at 72-82 Sydenham Street requesting approval for new steps **BE APPROVED** in accordance with a submission dated 24th March 2006 with the following understanding:

- that pressure treated lumber be set against masonry as per notes to drawing
- that ferrous metal be treated with epoxy before setting in masonry,
- that the treads not be butted, and that risers not be butted onto steps but a 3/16 to ¼ inch gap be left to encourage adequate ventilation and drainage.

CARRIED

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Report No. 56 of the Memorial Centre Revitalization Advisory Committee

Councillor Sutherland withdrew from the meeting.

Moved by Councillor Garrison
Seconded by Councillor Meers

THAT Report No. 56 of the Memorial Centre Revitalization Advisory Committee be received and adopted.

Report No. 56

April 11, 2006

1. To Support the Kingston and District Agricultural Society Remaining at the Memorial Centre Site as part of any Redevelopment or Revitalization.

WHEREAS the Kingston and District Agricultural Society and the City of Kingston have co-existed successfully at the Memorial Centre site for over 50 years and;

WHEREAS the citizens of Kingston benefit from the Kingston and District Agricultural Society and the City of Kingston working together to provide education and recreation to the citizens of Kingston and;

WHEREAS the Memorial Centre Revitalization Advisory Committee supports the Kingston and District Agricultural Society remaining at the Memorial Centre site as part of any future redevelopment or revitalization of the Memorial Centre site;

THEREFORE BE IT RESOLVED THAT the Memorial Centre Revitalization Advisory Committee recommends the City of Kingston express its commitment to and support for the Kingston and District Agricultural Society remaining at the Memorial Centre site as part of any future redevelopment or revitalization of the Memorial Centre site.

**REFERRED BACK TO THE MEMORIAL CENTRE REVITALIZATION ADVISORY COMMITTEE
(See Motion To Refer Which Was CARRIED)**

Moved by Councillor Smith
Seconded by Councillor Stoparczyk

THAT Clause 1 of Report No. 56 be referred back to the Memorial Centre Revitalization Advisory Committee.

**CARRIED (9:3)
(See Recorded Vote)**

A Recorded Vote was requested by Councillor Garrison.

YEAS: Mayor Rosen, Councillor Beavis, Councillor Foster, Deputy Mayor George, Councillor George, Councillor Pater, Councillor Patterson, Councillor Smith, Councillor Stoparczyk (9)

NAYS: Councillor Downes, Councillor Garrison and Councillor Meers (3)
(File No. CSU-A01-000-2006)

Councillor Sutherland returned to the meeting.

INFORMATION REPORTS

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MISCELLANEOUS BUSINESS

- (1) Moved by Councillor Beavis
Seconded by Councillor Stoparczyk

THAT, as requested by Ms. Barbara Landry, Executive Director, Volunteer & Information Kingston, Council proclaim the week of April 23rd – 30th, 2006 as “National Volunteer Week”.

(File No. CSU-M10-000-2006)

(See Communication No. 10-305)

CARRIED

- (2) Moved by Deputy Mayor George
Seconded by Councillor Foster

THAT, as requested by the Ukrainian Canadian Club of Kingston, Council designate the Lviv, Ukraine Pavilion at Regiopolis Notre Dame Catholic High School, 130 Russell Street, in conjunction with Folklore 2006 on June 9-11, 2006, as a Community Festival of Municipal Significance to which Special Occasion Permits may be issued by the Liquor License Board.

(File No. CSU-P09-000-2006)

(See Communication No. 10-310)

CARRIED

MOTIONS

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

WHEREAS the province of Ontario has announced in its most recent budget a one-time injection of \$400 million to communities outside the Greater Toronto area; and

WHEREAS Kingston's share of those monies is \$4.85 million; and

WHEREAS the “Move Ontario” document released with the Ontario budget clearly indicated that the monies are to be used “to assist with road and bridge maintenance and construction projects”; and

WHEREAS the 2004 Kingston Transportation Master Plan defines the building of a bridge across the Cataraqui River (known as the “third crossing”) as the “most important roadway issue” for the city to address citing the under-capacity of the LaSalle Causeway to accommodate current traffic levels; and

WHEREAS the estimated cost of the third crossing is \$32 million;

THEREFORE BE IT RESOLVED that the City of Kingston express its written appreciation to local MPP John Gerretsen for this one-time payment; and

THAT Kingston City Council direct its Finance Staff to create a “third crossing reserve fund” and that the \$4.85 million be allocated to that fund.

DEFERRED

(See Motion To Amend Which Was DEFERRED)

(See Motion To Defer Which Was CARRIED)

MOTIONS

Moved by Councillor Patterson

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Seconded by Councillor Garrison

THAT the Motion of Councillors Downes and Meers be amended to allocate half of the \$4.85 million, (\$2.425 million) to a "third crossing reserve fund" and \$2.425 million to "current road work".

DEFERRED
(See Motion To DEFER Which Was Carried)

Moved by Councillor Stoparczyk
Seconded by Councillor Sutherland

THAT the Motion of Councillor Downes and Councillor Meers and the amending Motion be deferred and that staff bring forward a report, at the earliest possible convenience outlining the various options of Council of putting this money to use toward Council priorities.
(File No. CSU-F11-000-2006)

CARRIED

(2) Moved by Councillor Stoparczyk
Seconded by Councillor Sutherland

THAT the sincere condolences of Kingston City Council be extended to Sunni Rideout, Committee Clerk, and her family on the death of her mother-in-law.

CARRIED

(3) Moved by Councillor Smith
Seconded by Councillor Foster

WHEREAS LaFarge has proposed replacing the burning of coal at its cement plant west of Kingston with tires and waste products; and

WHEREAS it is unclear the effects this change will have on air quality and its effects on water sources in the region; and

WHEREAS the province has not yet ordered an Environmental Assessment;

THEREFORE BE IT RESOLVED that City Council requests that KEAF research this issue further and report back to Council as soon as possible its findings and opinions regarding the need for a Environmental Assessment to be ordered by the province.

(File No. CSU-E05-000-2006)

CARRIED

Moved by Councillor Smith
Seconded by Councillor Garrison

THAT By-Law 98-1, "Council Procedural By-Law", be waived in order that the Notice of Motion of Councillors Smith and Foster be dealt with this evening.

CARRIED
(Two-Thirds Vote Received)

NOTICES OF MOTION

(1) Moved by Councillor Foster
Seconded by Councillor Pater

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WHEREAS the City has adopted a "user pay" principle for water and sewer whereby only those who use a water and sewer service pay for it; and

WHEREAS the Cana Subdivision in Countryside District and the Pittsburgh District water and sewer system are not interconnected or interdependent and are two different systems within the City of Kingston; and

WHEREAS Pittsburgh District water and sewer ratepayers along Hwy 15 and Hwy 2 do not benefit from or use the Cana Subdivision water and sewer system; and

WHEREAS it has been learned that Pittsburgh District water and sewer users are subsidizing Cana Subdivision water and sewer users; and

WHEREAS before amalgamation, Cana's water and sewer costs were never borne by Pittsburgh Township water and sewer users along Hwy 15 and Hwy 2; and

WHEREAS before amalgamation, the former Pittsburgh Township provided financing to the Cana Subdivision water and sewer system similar to that of a local improvement area;

THEREFORE BE IT RESOLVED that Utilities Kingston prepare a report for Council which provides the following information:

- 1) The dollar amount by which Pittsburgh District water and sewer ratepayers as a whole and per household are currently subsidizing the water and sewer rates of Cana Subdivision;
- 2) The current dollar amount which Cana Subdivision residents pay as a whole and per household for water and sewer rates;
- 3) The cost and estimated costs of the upgrades that have been conducted on and that are proposed for the water and sewer system of Cana Subdivision;
- 4) The dollar amount by which Pittsburgh District water and sewer rates will increase as a whole and per household because of the water and sewer work that has been done and will be done in Cana Subdivision;
- 5) Solutions that attempt to resolve more fairly the issue of how the cost of water and sewer service for Cana Subdivision is borne.

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

WHEREAS City Council has committed to the revitalization of the 23.6 acre Memorial Centre site; and

WHEREAS what that vision will entail has yet to be determined other than it will continue to be a community owned site for community wide use; and

WHEREAS City Council has committed to public consultation to determine the nature of the plan to revitalize the Memorial Centre site and committed up to \$50,000.00 to develop a concept plan and consult with the public; and

NOTICES OF MOTION

WHEREAS City Council has appointed a committee composed of public member's at large, community and stakeholder group representatives and Council members to develop a concept and consult with the public and make recommendations to City Council;

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THEREFORE BE IT RESOLVED that Council further directs the Memorial Centre Revitalization Committee to develop three or more concept plans as follows:

- 1) status quo plan – minor modifications to the site and uses to revitalize the site;
- 2) renewal plan – more significant changes to the site and uses to revitalize it, potentially maintaining some of the existing structures and uses;
- 3) a new vision or two – as if starting from a blank piece of paper, “what would the ideal be”, taking into consideration Council’s existing seven priorities. In addition, one of the visions in 3 must include a vision where the fair grounds are moved to larger grounds north of the 401, for example, which would happen if this plan is ultimately decided upon by way of negotiations with the Kingston & District Agricultural Society.

- and further –

THAT the committee submits the three or more concepts to a multifaceted public consultation process.

- and further –

THAT the committee brings these concepts and consultation plans back to Council as their next order of business.

MINUTES

TABLING OF DOCUMENTS

2006-037 Ombudsman Ontario
Report – “Getting It Right” – March 2006
(File No. CSU-F22-000-2006)

2006-038 Downtown Kingston! Business Improvement Area
Agenda – Board of Management – Wednesday, April 12, 2006
(File No. CSU-A01-001-2006)

2006-039 Downtown Kingston! Business Improvement Area
Minutes – Board of Management – Wednesday, March 8, 2006
(File No. CSU-A01-001-2006)

COMMUNICATIONS

Filed

10-294 From the Corporation of the City of Barrie, acknowledging receipt of Council’s resolution regarding the request for Corrections Canada to reconsider placement of long-time sex and violence related offenders at Portsmouth Community Correctional Centre and the review of the application of long term supervision orders.

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(File No. CSU-P00-000-2006)

- 10-295 From the Corporation of the Municipality of Clarington, acknowledging receipt of Council's resolution regarding the request for Corrections Canada to reconsider placement of long-time sex and violence related offenders at Portsmouth Community Correctional Centre and the review of the application of long term supervision orders.
(File No. CSU-P00-000-2006)
- 10-296 From the City of Sarnia, acknowledging receipt of Council's resolution regarding the request for Corrections Canada to reconsider placement of long-time sex and violence related offenders at Portsmouth Community Correctional Centre and the review of the application of long term supervision orders.
(File No. CSU-P00-000-2006)
- 10-297 From John Gerretsen, M.P.P., Kingston and The Islands, advising that the McGuinty government's third budget continues to build Ontario's economic advantage by strengthening the province's transportation infrastructure and investing in the education skills and health of Ontarians, while staying on track to eliminate the deficit.
(File No. CSU-F05-000-2006)
- 10-298 From Operation Red Nose, acknowledging receipt and appreciation of the City of Kingston's donation towards the 2005 campaign with donations totalling \$10,965.62 which were distributed to charities benefiting Kingston youth.
(File No. CSU-M03-000-2006)
- 10-299 From the Minister of Public Safety and Emergency Preparedness, acknowledging receipt of Council's resolution regarding federal support for municipal policing.
(File No. CSU-P17-000-2006)
- 10-300 From Gilles Duceppe, Member of Parliament for Laurier-Sainte-Marie and Leader of the Bloc Quebecois, acknowledging receipt of Council's resolution regarding the request for Corrections Canada to reconsider placement of long-time sex and violence related offenders at Portsmouth Community Correctional Centre and the review of the application of long term supervision orders.
(File No. CSU-P00-000-2006)

COMMUNICATIONS

- 10-300 From the Municipal Property Assessment Corporation, informing Council of their receipt of the Ontario Ombudsman's final report on the Municipal Property Assessment Corporation's practices and processes related to property assessment in Ontario and ensuring, through a review of existing resources, that they are moving further and faster on much-needed changes.
(File No. CSU-F22-000-2006)

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- 10-301 From Ms. Betty Bush, from the Royal Kingston Curling Club Master Women's Curling Team, thanking certain Council Members for attending the reception held at the curling club in their honour.
(File No. CSU-M04-000-2006)
- 10-302 From the Association of Municipalities of Ontario, informing Council that Governor-General Michaëlle Jean delivered the "Turning a New Leaf" speech from the Throne to open the first session of the 39th Parliament of Canada which focused predominantly on the theme of a more accountable and transparent government through priorities aimed to "move Canada forward" and advance Canada's interests in the world.
(File No. CSU-A01-004-2006)

Referred to All Members of Council

- 10-303 From Ms. Daphne Westgate, Co-Chair of the Kingston Motorcycle Ride for DAD, asking that Council proclaim weekend of May 27th – 28th, 2006 as "Ride for DAD Weekend".
(File No. CSU-M10-000-2006)
- 10-304 From Mr. Bob Wells, Project Co-ordinator of the Kingston and District Rod and Gun Club, asking that Council proclaim June 3rd, 2006 as "Kids' Perch Day".
(File No. CSU-M10-000-2006)
- 10-305 From Ms. Barbara Landry, Executive Director for Volunteer & Information Kingston, asking that Council proclaim the week of April 23rd – 30th, 2006 as "National Volunteer Week".
(File No. CSU-M10-000-2006)
- 10-306 From the Association of Municipalities of Ontario, advising that municipalities and District Social Services Administration Boards delivering land ambulance services received an additional \$50 million in provincial funding for 2005/06.
(File No. CSU-F11-000-2006)
- 10-307 From the Association of Municipalities of Ontario, informing Council that the Province announced a new loan program for energy efficient lighting and appliances and education programs for social housing at the Association of Municipalities of Ontario's Energy Matters Summit.
(File No. CSU-F11-000-2006)

COMMUNICATIONS

- 10-308 From Ms. Lisa Harding, of the Ontario Association of Child and Youth Counsellors, Kingston Committee, asking that Council proclaim the week of May 1st – 7th, 2006 as "Child and Youth Counsellor Week".
(File No. CSU-M10-000-2006)
- 10-309 From Ms. Nadia Luciuk, from the Ukrainian Canadian Club of Kingston, asking that Council proclaim the week of June 5th – 11th, 2006 as "Folklore Week".

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(File No. CSU-M10-000-2006)

- 10-310 From Ms. Amy Paauw, Public Education and Promotions for the City of Kingston, asking that Council proclaim the week of May 21st-27th, 2006 as "National Public Works Week".
(File No. CSU-M10-000-2006)
- 10-311 From the City of Kawartha Lakes, asking for Council's support of a resolution to petition the Province to absorb financial costs of required studies as identified in "The Clean Water Act, 2005" and that municipalities have the option of implementing the Clean Water Act on their own.
(File No. CSU-C10-000-2006; CSU-L11-000-2006)
- 10-312 From the Town of Caledon, asking for Council's support of a resolution to petition the Provincial and Federal Governments to act in order to solve the problem of negative incomes on Ontario farms.
(File No. CSU-C10-000-2006)
- 10-313 From Peter's Place Restaurant, located at 34 Princess Street, requesting an application for a liquor license from the Alcohol & Gaming Commissioner of Ontario.
(File No. CSU-P09-000-2006)
- 10-314 From Kingston Police Services Board, providing Council with information on the Kingston Police Strategic Staffing Model Development Project.
(File No. CSU-P17-000-2006)
(Copies of the document "Kingston Police Strategic Staffing Model 2006-10" was distributed to all Members of Council on Thursday, April 13, 2006)
- 10-315 From the Association of Municipalities of Ontario, inviting Council to attend the 53rd Annual OSUM Conference and Trade Show being held May 3-5, 2006 in Leamington, Ontario.
(File No. CSU-A04-000-2006)
(Distributed digitally to all Members of Council on April 11, 2006)
- 10-316 From the Township of King, asking for Council's support of a resolution to petition Canada Post to review the standards for rural mailbox locations and establish realistic requirements.
(File No. CSU-C10-000-2006)

COMMUNICATIONS

- 10-317 From the Association of Municipalities of Ontario, sending a call for submissions for the 2006 Peter J. Marshall Awards which honour those municipal governments demonstrating excellence in the use of innovative approaches and partnerships, produce tangible benefits to the community through improvements in municipal services, efficiency in capital operations and generate effectiveness through new or alternative delivery of services.
(File No. CSU-M11-000-2006)

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10-321 From the Ontario Association of Fire Chiefs, inviting Council to attend the "54th Annual Ontario Association of Fire Chiefs Conference & Trade Show" being held May 7th - 9th, 2006 at the Toronto Congress Centre.
(File No. CSU-A04-000-2006)

Referred to the Commissioner of Public Works and Emergency Services

10-318 From Kingston Pride, asking that the City of Kingston fly a rainbow flag on the Division Street flagpoles from June 1st to June 18th, 2006 to promote a month of events in June celebrating Kingston's lesbian, gay, bisexual, transgendered community.
(File No. CSU-M02-000-2006)

10-320 From the Ministry of Transportation, advising Council of a construction project to realign the intersection of Highway 15 and Sandhill Road to improve safety by improving the sight angles for vehicles entering onto Highway 15.
(File No. CSU-T05-000-2006)

Referred to the Commissioner of Community Development Services

10-319 From the Corporation of the Town of Gananoque, supporting Council's resolution to host the 2008 Ontario Building Officials Conference.
(File No. CSU-A04-000-2006)

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BY-LAWS

- (A) Moved by Councillor George
Seconded by Councillor Pater
THAT By-Laws (1) through (15) be given their first and second reading.
- CARRIED**
- (B) Moved by Councillor Meers
Seconded by Councillor Patterson
THAT Clause 8.9 of By-Law No. 98-1 be suspended for the purpose of giving By-Laws (11), (13) through (15) three readings.
- CARRIED**
- (C) Moved by Councillor Foster
Seconded by Councillor Smith
THAT By-Laws (11) through (15) be given their third reading.
- CARRIED**
- (1) 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" (Prohibit Motorists From Blocking Signalized Intersections)
FIRST AND SECOND READINGS PROPOSED NO. 2006-82
(Clause (c), Report No. 52)
- (2) A By-Law To Amend By-Law No. 495 "A By-Law To Provide For A Meter Zone In Certain Streets Or Portions Thereof, And To Provide For The Installation, Regulations, Supervision And Control Of Such Parking Meters" (McDonalds Restaurant 285 Princess Street, Maximum 2 Hour Stay)
FIRST AND SECOND READINGS PROPOSED NO. 2006-83
(Clause (d), Report No. 52)
- (3) A By-Law To Amend By-Law No. 24 "A By-Law For Regulating Traffic In The Highways Of The City Of Kingston, Subject To The Provisions Of The Highway Traffic Act" (To Allow For One Parking Space, McDonalds Restaurant, 285 Princess Street)
FIRST AND SECOND READINGS PROPOSED NO. 2006-84
(Clause (d), Report No. 52)
- (4) A By-Law To Amend By-Law No. 93-41 "A By-Law To Regulate Signs And Other Advertising Devices In The Township Of Kingston And To Repeal By-Law Numbers 75-31, 83-16, 89-206, 91-161, 92-16 And 92-22" (Exemption For Glenburnie Public School, 2252 Battersea Road – Permit A Ground Sign)
FIRST AND SECOND READINGS PROPOSED NO. 2006-85
(Clause (e), Report No. 52)

BY-LAWS

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- (5) A By-Law To Declare Surplus To Need The Closed Road Allowance Known As Commerce Court, As Shown On Registered Plan 1921, In The City of Kingston.
FIRST AND SECOND READINGS PROPOSED NO. 2006-86
(Clause (g), Report No. 52)
- (6) A By-Law To Stop Up And Close The Road Allowance Described As Part 2, Reference Plan 13R-16509. (1320 Woodbine Road)
FIRST AND SECOND READINGS PROPOSED NO. 2006-87
(See Clause (f), Report No. 52)
- (7) A By-Law To Declare Surplus To Municipal Need The Road Allowance Described As Part 2, Reference Plan 13R-16509. (1320 Woodbine Road)
FIRST AND SECOND READINGS PROPOSED NO. 2006-88
(See Clause (f), Report No. 52)
- (8) A By-Law To Amend By-Law No. 2006-7 "A By-Law To Adopt The 2006 Operating Budget".
FIRST AND SECOND READINGS PROPOSED NO. 2006-89
(See Clause (2), Report No. 53)
- (9) A By-Law To Amend By-law No. 4489, "A By-Law To Regulate, Supervise And Govern The Parking Of Vehicles On Parking Lots And To Fix The Rates And Charges For Parking On Such Parking Lots" (To Allow Monthly Parking For The Drury Lot)
FIRST AND SECOND READINGS PROPOSED NO. 2006-90
(See Clause (2), Report No. 54)
- (10) A By-Law To Amend By-law No. 99-91, "A By-Law To Provide For The Regulation Use Of Parks And Recreation Facilities Of The Corporation" (To Allow Parking In The Douglas R. Fluhrer Park)
FIRST AND SECOND READINGS PROPOSED NO. 2006-91
(See Clause (2), Report No. 54)
- (11) A By-Law To Establish The 2006 Tax Capping Limits
THREE READINGS PROPOSED NO. 2006-92
(Clause (b), Report No. 52)
- (12) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, April 18th, 2006
THREE READINGS PROPOSED NO. 2006-93
(City Council Meeting No. 10-2006)

BY-LAWS

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(13) A By-Law To Amend By-Law No. 76-26, Former Kingston Township Zoning By-Law, As Amended By By-Law No. 2004-264, To Remove The '-H' Holding Symbol Related To The 'R1-58-H' Zone ('Westbrook Meadows' Subdivision, Phase 1 - Part Of Lot 3, Concession 2WA, In The Former Township Of Kingston)
THREE READINGS PROPOSED NO. 2006-94

(14) A By-Law To Amend By-Law No. 76-26, Former Kingston Township Zoning By-Law, As Amended By By-Law No. 2005-119, To Remove The '-H' Holding Symbol Related To The 'R1-59-H' Zone ('Maple Creek' Subdivision - Part of Lot 7 S PT, Concession 2, in the former Township of Kingston)
THREE READINGS PROPOSED NO. 2006-95

(15) A By-Law To Amend By-Law No. 76-26, Zoning By-Law For Former Township Of Kingston, As Amended By By-Law No. 2006-38, To Remove The '-H' Holding Symbol Related To The 'BP-1-H' Zone E (1484 Centennial Drive, in the former Township of Kingston)
THREE READINGS PROPOSED NO. 2006-96

RECESS

COMMITTEE OF THE WHOLE "IN CAMERA"

(1) Moved by Councillor Smith
Seconded by Councillor Foster

THAT Council resolve itself into the Committee of the Whole "In Camera" in order to complete the agenda.

CARRIED

Council resolved into Committee of the Whole "In Camera" at 10:11 pm.

(2) Moved by Councillor Garrison
Seconded by Councillor Patterson

THAT Council rise from the Committee of the Whole "In Camera" without reporting.

CARRIED

ADJOURNMENT

Moved by Councillor Beavis

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Seconded by Councillor George

THAT Council do now adjourn.

CARRIED

Council adjourned at 10:31 pm.

(Signed)

Carolyn Downs
City Clerk

Harvey Rosen
Mayor