

CITY COUNCIL MEETING NO. 21-2007

The Regular Meeting of City Council was held on Tuesday, October 16, 2007 at 7:05 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 5:35 pm to 7:00 pm in the Councillors' Lounge.

(Council Chamber)

ROLL CALL

Present: Mayor Rosen, Councillor Foster (arrived at 5:38 pm), Councillor Garrison (arrived at 5:40 pm), Councillor Gerretsen (arrived at 5:41 pm), Councillor Glover, Councillor Hector, Councillor Hutchison, Councillor MacLeod-Kane, Councillor Matheson, Councillor Meers, Councillor Osanic, Councillor Schmolka, Councillor Smith (13)

Absent: (0)

(Councillors' Lounge)

Administrative Staff Present:

Mr. G. Laubenstein, Chief Administrative Officer
Ms. C. Beach, Commissioner of Sustainability and Growth
Mrs. C. Downs, City Clerk
Mr. T. Fleming, Senior Legal Counsel, Legal Services
Mr. G. Hunt, Commissioner of Finance and Corporate Performance
Mr. D. Leger, Commissioner of Corporate Services
Mr. H. Linscott, Director, Legal Services
Mr. W. Paetkau, Senior Policy Planner, Planning and Development
Mr. L. Thurston, Commissioner of Community Development Services
Mr. G. Wallace, Director, Planning and Development

COMMITTEE OF THE WHOLE "IN CAMERA"

(1) Moved by Councillor Hector
Seconded by Councillor Glover

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

- (a) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor client privilege, including communications necessary for that purpose – Cataraqui West Secondary Plan – OMB Appeal
- (b) A proposed or pending acquisition or disposition of land by the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Public Works and Government Services Canada (Marine Museum of the Great Lakes)
- (c) Personal matter about an identifiable person – confidential communication

CARRIED

(Council Chamber)

Administrative Staff Present:

Mr. G. Laubenstein, Chief Administrative Officer
Ms. C. Beach, Commissioner of Sustainability and Growth
Mrs. C. Downs, City Clerk
Ms. R. Etherington, Manager, Culture and Heritage

Administrative Staff Present (continued):

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Mr. J. Garrah, CEO, Kingston Economic Development Corporation
Mr. G. Grange, Director, Community and Family Services
Mr. G. Hunt, Commissioner of Finance and Corporate Performance
Mr. S. Kanellos, Director, Growth and Initiatives
Ms. A. LaFrance, Manager, Administrative Services, Community and Family Services
Mr. D. Leger, Commissioner of Corporate Services
Mr. H. Linscott, Director, Legal Services
Mr. B. Mayhew, Director, Project Development, Sustainability and Growth
Mr. M. Segsworth, Commissioner of Public Works and Emergency Services
Ms. T. Steacy, Manager, Program Delivery, Community and Family Services
Mr. L. Thurston, Commissioner of Community Development Services
Mr. H. Tulk, Fire Chief and Director, Emergency Management
Mr. G. Wallace, Director, Planning and Development
Mr. D. Wells, Director, Public Works

REPORT OF THE COMMITTEE OF THE WHOLE "IN CAMERA"

(2) Moved by Councillor Meers
Seconded by Councillor Glover

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

CARRIED

DISCLOSURE OF PECUNIARY INTEREST

Councillor MacLeod-Kane advised that she is a school bus driver, working for the Tri-Board Bus Company as an employee of the Limestone District School Board. She declared that she has no pecuniary interest within her role as a school bus driver with the issue being discussed at this meeting. She advised her intention to discuss and vote on all issues relating to school buses as they come forward.

Councillor MacLeod-Kane advised that she is a volunteer fire fighter and declared that she has no pecuniary interest within her role as a volunteer fire fighter. She advised her intention to discuss all issues regarding Kingston Fire and Rescue as they come forward and to vote on all issues relating to the Fire Department.

PRESENTATIONS

DELEGATIONS

BRIEFINGS

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- (1) Ms. Hersh Sehdev and Mr. Sandy Singers, Co-chairs of the Mayor's Task Force on Poverty, Mr. Dave Morris and other members of the Task Force were present and spoke to Council regarding the Mayor's Task Force on Poverty.

PETITIONS

- (1) A petition bearing approximately 135 signatures was presented by Councillor Foster and referred to the Environment, Infrastructure and Transportation Policies Committee and reads as follows:

"I support a NO-LOOPHOLES by-law to disallow the use of cosmetic lawn pesticides with no exemptions for ornamental shrubs, trees, and gardens."

REFERRED TO THE ENVIRONMENT, INFRASTRUCTURE AND TRANSPORTATION POLICIES COMMITTEE

- (2) A petition bearing approximately 1,012 signatures was presented by Councillor Garrison and referred to the Commissioner of Community Development Services and reads as follows:

"We the undersigned, the staff and customers of Canadian Tire Kingston Centre are petitioning the Planning Committee and City Council to approve the SmartCentres application and permit the redevelopment of the old Alcan property on Princess and Sir John A. We don't want the Kingston Centre area to become a retail and grocery under serviced community."

REFERRED TO THE COMMISSIONER OF COMMUNITY DEVELOPMENT SERVICES

- (3) A petition bearing approximately 72 signatures was presented by Councillor Matheson and referred to the Environment, Infrastructure and Transportation Policies Committee and reads as follows:

"Make your Community Pesticide-Free."

REFERRED TO THE ENVIRONMENT, INFRASTRUCTURE AND TRANSPORTATION POLICIES COMMITTEE

Moved by Councillor Schmolka

Seconded by Councillor Glover

THAT Council waive the rules of By-Law No. 98-1, "Council Procedural By-Law", in order to amend the Orders of the Day to allow Motion No. (6) and Motion No. (7) to be dealt with prior to Motions (1), (2), (3), (4), and (5).

CARRIED

(A 2/3 Vote of Council Was Received)

MOTIONS OF CONGRATULATIONS/CONDOLENCES/SPEEDY RECOVERY

Council consented to the addition of Motion of Congratulations No. (2) and Motion of Condolences No. (2).

Motions of Congratulations

- (1) Moved by Councillor Hector
Seconded by Councillor Glover

THAT the congratulations of Kingston City Council be extended to Brandi Timpson, Committee Clerk, and her husband, Mark, on the birth of their daughter, Teelah Lynn, who was born on October 4th, 2007.

MOTIONS OF CONGRATULATIONS/CONDOLENCES/SPEEDY RECOVERY (CONTINUED)

- (2) Moved by Councillor Glover

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Seconded by Councillor Smith

THAT the congratulations and thanks of Kingston City Council be extended to the numerous officers and staff from Kingston Fire and Rescue, Kingston Police and Frontenac Emergency Services as well the several hundred community volunteers who were on the scene of the Queen's Homecoming street party. We thank them for working extended overtime hours or for volunteering their services in the spirit of community service, both during and after the weekend events.

Motions of Condolence

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

THAT the sincere condolences of Kingston City Council be extended to Kim Leonard, Manager of Licensing and Enforcement, and her husband Brian, on the recent death of her father-in-law, Lorne Last.

- (2) Moved by Mayor Rosen
Seconded by Councillor Hector

THAT the sincere condolences of Kingston City Council be extended to the family and friends of Seddy Springer (nee Palmer), a long-time resident of Kingston. Mrs. Springer passed away on October 12, 2007, in her 99th year.

Motions of Speedy Recovery

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

THAT the best wishes of Kingston City Council be extended to Sunni Rideout, Council Committee Supervisor, for a speedy recovery.

CARRIED

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REPORTS

Report No. 103 the Chief Administrative Officer (Consent)

Moved by Councillor Meers
Seconded by Councillor Smith

THAT Report No. 103 of the Chief Administrative Officer (Consent) be received and adopted.

Council consented to the separation of Clauses (a), (c) and (d).

Report No. 103

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) **Award of Tender for Snow Plowing and Sanding/Salting in Kingston East to Cruickshank Construction Limited**

THAT Council authorize the Mayor and Clerk to enter into a contract in a form satisfactory to the Director of Legal Services with Cruickshank Construction Limited, being the only bid received, for Tender PWES-PW-2007-08, Snow Plowing & Sanding/Salting of Kingston East area roads and streets, at a bid cost of \$210.00 per hour for 2007/2008 and for the 2008/2009 winter seasons at a bid cost of \$215.00 per hour.

(The Report of the Commissioner of Public Works and Emergency Services (07-295) was attached as Schedule Pages 59-60)

(File No. CSU-F18-000-2007)

CARRIED AS AMENDED
(See Motion To Amend Which Was CARRIED)

Moved by Councillor Garrison
Seconded by Councillor Meers

THAT Clause (a) of Report No. 103 be amended to delete the words "and for the 2008/2009 winter seasons at a bid cost of \$215.00 per hour" and replace them with "and that staff be directed to develop a plan to bring this service in-house for the 2008/2009 winter season".

CARRIED (7:6)
(See Recorded Vote)

A Recorded Vote was requested by Councillor Garrison

YEAS: Councillor Garrison, Councillor Gerretsen, Councillor Hutchison, Councillor Matheson, Councillor Meers, Councillor Osanic, Councillor Schmolka (7)

NAYS: Councillor Foster, Councillor Glover, Councillor Hector, Deputy Mayor MacLeod-Kane, Mayor Rosen, Councillor Smith (6)

REPORTS (CONTINUED)

Report No. 103 the Chief Administrative Officer (Consent)

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(b) **Appointment of Municipal By-Law Enforcement Officers**

THAT a by-law be presented to amend By-Law No. 98-9, "A By-Law To Appoint Municipal Law Enforcement Officers Of The Corporation Of The 'New' City Of Kingston" under Section 1, to delete Debbie Boylan, Ashley Tipper, John Pollock, Jordan McGregor, Brenda Snyder, Pat Hogan, Paul Carleton, Steven Knetsch, Lisa Moore, Brandi Timpson and Tom Tucker, and add Tina Todd, Daniel Hazell, Luis Talledo, Mary Shultz and Eric Mercer as By-Law Enforcement Officers who shall be Peace Officers for the purpose of enforcing the by-laws of the Municipality, as provided for under Section 15 of the Police Services Act, RSO 1990(c) P15, as amended;

- and further -

THAT the by-law receive all three readings.

(The Report of the Commissioner of Community Development Services (07-300) was attached as Schedule Pages 3-6)

(File No. CSU-P01-000-2007)

(See By-Law No. (8), 2007-198)

(c) **2007 City of Kingston Arts Fund Grant Recommendations**

THAT Council approve the Kingston Arts Council's recommendations for both project and operating grants from the City of Kingston's 2007 Arts Fund.

(The Report of the Commissioner of Community Development Services (07-305) was attached as Schedule Pages 7-13)

(File No. CSU-F25-000-2007)

CARRIED

(d) **Amendment to Fees and Charges By-Law No. 2005-10**

THAT Council amend By-Law No. 2005-10, as amended, "A By-Law To Establish Fees And Charges To Be Collected By The Corporation Of The City Of Kingston" by deleting section 2 (a), "That fees and charges shall be adjusted annually by the Consumer Price Index composite index from October 1 to September 30 of the previous year, where feasible" and replacing it with "That fees and charges shall be adjusted annually, on January 1, by the Consumer Price Core Index of the third quarter of the prior year plus 1% for capital purposes, where feasible".

(The Report of the Commissioner of Finance and Corporate Performance (07-311) was attached as Schedule Pages 14-16)

(File No. CSU-F21-000-2007)

(See By-Law No. (1), 2007-191)

CARRIED

(See Motion To Defer Which Was LOST)

Moved by Councillor Garrison

Seconded by Councillor Matheson

THAT Clause (d) of Report No. 103 be deferred and referred back to staff to bring their specific fee increases back to Council at budget time.

LOST (5:8)

(See Recorded Vote)

REPORTS (CONTINUED)

Report No. 103 the Chief Administrative Officer (Consent)

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A Recorded Vote was requested by Councillor Garrison

YEAS: Councillor Garrison, Councillor Hutchison, Deputy Mayor MacLeod-Kane, Councillor Matheson, Councillor Meers (5)

NAYS: Councillor Foster, Councillor Gerretsen, Councillor Glover, Councillor Hector, Councillor Osanic, Mayor Rosen, Councillor Schmolka, Councillor Smith (8)

(e) **School Bus Loading Zones**

THAT Council 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", as amended, in order to implement a consistent school bus loading zone policy at all schools in the City.

(The Report of the Commissioner of Public Works and Emergency Services (07-284) was attached as Schedule Pages 17-24)

(File No. CSU-T08-000-2007)

(See By-Law No. (2), 2007-192)

(f) **Grass Creek Park Tenancies – Lease to Chris and Amanda Lyon; License Agreement with Simon Andrew – 2931 Highway #2 East**

THAT Council authorize the Mayor and Clerk to execute a lease agreement with Chris Lyon and Amanda Lyon for the house situated on Part Lot 21, Concession 2, being Parts 1, 2, 3 and 4, Plan 12328 for the period September 18, 2007 to and including September 30, 2008, at a monthly rental rate of \$863;

- and further -

THAT Council authorize the Mayor and City Clerk to execute a license agreement with Simon Andrew for the log cabin and the shed situated on Part Lot 21, Concession 2, being Parts 1, 2, 3 and 4, Plan 12328 for the period September 18, 2007 to and including September 30, 2008, at a monthly rental rate of \$500.

(The Report of the Commissioner of Corporate Services (07-299) was attached as Schedule Pages 25-28)

(File No. CSU-L15-000-2007)

CARRIED

REPORTS

Report No. 104 of the Chief Administrative Officer (Recommend)

Moved by Councillor Gerretsen

Seconded by Councillor Hector

THAT Report No. 104 of the Chief Administrative Officer (Recommend) be received and adopted, clause by clause.

Report No. 104

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

REPORTS (CONTINUED)

Report No. 104 of the Chief Administrative Officer (Recommend)

(1) **Award of Tender – PWES-EN-2007-10 – Construction of Midland Park**

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THAT Council authorize the Mayor and Clerk to enter into a contract in a form satisfactory to the Director of Legal Services with Len Corcoran Excavating Limited for PWES-EN-2007-10 Construction of Midland Park in the amount of \$352,907.56, being the lowest tender received;

- and further -

THAT Council approve the consolidation/reallocation of \$236,000 of unspent funds from a combination of Engineering and Culture/Recreation capital accounts in conjunction with the \$210,000 already approved in the 2007 Culture & Recreation budget, for the complete construction of Midland Park;

- and further -

THAT funding from the existing works-in-progress within Culture & Recreation and Engineering capital budgets come from the unspent funds listed as follows:

94037	CN Right of Way	\$ 61,000
97464	Ball Diamond Upgrades	\$ 175,000
	TOTAL	\$ 236,000

(The Report of the Commissioner of Public Works and Emergency Services (07-303) was attached as Schedule Pages 29-32)

(File No. CSU-F18-000-2007)

CARRIED

(2) **Authorization for Mayor and Clerk to Release Existing Hydro One Networks Inc. Easement Agreement and Sign New Agreement for City Owned Lands on Dalton Avenue**

THAT Council authorize the Mayor and the Clerk to sign the release of an existing Hydro One Networks Incorporated easement agreement and grant to Hydro One Networks a new easement agreement, to the satisfaction of the Director of Legal Services, in order to provide for the installation of poles as well as towers within the easement as described in the draft reference plan attached to this report.

(The Report of the Commissioner of Public Works and Emergency Services (07-315) was attached as Schedule Pages 33-36)

(File No. CSU-D15-000-2007)

CARRIED

(3) **Master Fire Plan**

That Council endorse the Master Fire Plan Steering Committee's request for a date extension for the presentation of the City of Kingston Master Fire Plan from December 31, 2007 to April 30, 2008 due to the volume and complex nature of the information;

- and further -

THAT as recommended by the Steering Committee, the appointment of the present committee members be extended to April 30, 2008.

(The Report of the Commissioner of Public Works and Emergency Services (07-310) was attached as Schedule Pages 37-43)

(File No. CSU-P16-000-2007)

CARRIED

REPORTS (CONTINUED)

Report No. 104 of the Chief Administrative Officer (Recommend)

(4) **Multiplex – Award of Concessionaire Contract**

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THAT staff be authorized to negotiate and that the Mayor and Clerk be authorized to enter into a contract, subject to the satisfaction of the City's Legal Services Division, with Brown's Fine Food Services Inc. for the Operation of the Food Concession for the Multiplex;

- and further -

THAT staff investigate the timing, capital, operation and other considerations of Options "A" and "C" of Brown's and go forward with the most desirable option.

(The Report of the Commissioner of Sustainability & Growth Group (07-316) was attached as Schedule Pages 44-48)
(File No. CSU-R05-002-2007)

CARRIED

REPORTS

Report No. 105 of the Planning Committee

Moved by Councillor Schmolka

Seconded by Councillor Osanic

THAT Report No. 105 of the Planning Committee be received and adopted.

Report No. 105

To the Mayor and Members of Council:

The Planning Committee reports and recommends as follows:

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

October 4 2007

1. **Application for Zoning By-Law Amendment - Planning File No.: D11-094-2007 – 2628 Princess Street – Madajama Holdings Ltd. – Applicant. To Permit the Development of a Commercial Building with 1,337 Square Metres of Retail Space**

THEREFORE BE IT RESOLVED that the application for Zoning By-Law Amendment (Our File No. D14-094-2007) submitted by Madajama Holdings Ltd., for the property located at 2628 Princess Street, **BE APPROVED**.

AND BE IT FURTHER RESOLVED that Zoning By-Law No. 76-26, of the Township of Kingston, as amended, be further amended as follows:

1. That Zone Map No. 3 of Zoning By-Law No. 76-26, as amended, is hereby further amended by changing the zone symbol of the subject site from 'C7' to 'C7-6' as shown on Schedule 'A' attached hereto and forming part of By-Law No. 2007-199.

REPORTS (CONTINUED)

Report No. 105 of the Planning Committee

2. That the following be **added** as Section 23A(3)(f) of the By-Law:

"(f) C7-6 (2628 Princess Street):

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1. Notwithstanding any provisions of the By-Law to the contrary, the provisions of Section 23A for the 'C7' Zone shall apply to the 'C7-6' Zone except that:
 - (a) Notwithstanding the provisions of the Section 23A(1)(b) hereof to the contrary, the lands designated 'C7-6' on Schedule "A" hereto may also be used for a retail store.
 - (b) REAR YARD DEPTH (minimum): no rear yard is required.
 - (c) Notwithstanding the provisions of Section 5(16)(e), a minimum of 34 off-street parking spaces shall be provided.

AND BE IT FURTHER RESOLVED that the Amending By-Law be presented to City Council for all three readings.
(See By-Law No. (9), 2007-199)

CARRIED

REPORTS

Report No. 106 of the Administrative Policies Committee

Moved by Councillor Hector
Seconded by Councillor Glover

THAT Report No. 106 of the Administrative Policies Committee be received and adopted.

Council consented to the separation of Clause 2 and 3.

Report No. 106

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

All items listed on the Administrative 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. **Tax Write Offs**

THAT Council approve the cancellation of taxes pursuant to applications made under sections 357 and 358 of the Municipal Act, 2001 totaling net \$159, 218.03, of which \$180, 477.76 is the City's portion, additional revenue of \$22,236.90 is payable to the school boards, and \$977.16 is charged back to Downtown Kingston! BIA, as listed in Appendix A;

REPORTS (CONTINUED)

Report No. 106 of the Administrative Policies Committee

- and further -

THAT a by-law titled "A By-law to Delegate Council's Power and Functions to the Assessment Review Board with Respect to Applications Under Section 358 of the Municipal Act, 2001" be presented to delegate Council's power and

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functions, as permitted under subsection 358(12) of the Municipal Act, 2001, to the Assessment Review Board, with respect to applications under subsection 358(1) until January 1, 2008.

(A copy of Appendix 'A' was attached as Schedule Page 49.)

(See By-Law No. (5), 2007-195)

2. **Memorial Centre Funding**

THAT no action be taken on the following Council motion of June 19th, 2007 which was deferred and referred to the Administrative Policies Committee to allow the Agricultural Society to present their concerns:

***WHEREAS** in 1950 the Corporation of the City of Kingston entered into a contract with the Kingston and District Agricultural Society to facilitate the construction of the Kingston Community Memorial Centre (Memorial Centre); and,*

***WHEREAS** the financial consideration from the Kingston and District Agricultural Society at the time would equate to \$6.7 million today; and,*

***WHEREAS** the City's adherence to the terms of this contract have wavered over the intervening decades; and,*

***WHEREAS** the City of Kingston wishes to continue to assert its support for this living memorial and those sailors, soldiers, airmen, and airwomen whom it was built to remind us of, including the ultimate sacrifice they made;*

***THEREFORE BE IT RESOLVED THAT** City Council hereby direct the City's staff to ensure that all future dealings with the Kingston and District Agricultural Society in relation to the Memorial Centre and its grounds be in keeping with both the letter, and the spirit, of the contract entered into in 1950;*

- and further -

***THAT** staff is directed to draft a by-law, and present it to Council no later than the last Council meeting in July 2007, that will assert the City's renewed participation in the Memorial Centre Board of Directors, in a form agreed to by the director of legal services, and the Kingston and District Agricultural Society. The same by-law shall dissolve the Kingston Community Memorial Centre Advisory Committee, and, if required, transfer the appointments of all or some of the community representatives from the advisory committee, to the new board of directors;*

- and further -

***THAT** the adoption of this resolution by Council shall not diminish or impact in any way the role or mandate of the Memorial Centre Revitalization Committee as set out by previous resolutions of Council.*

DEFERRED

(See Motion To Defer Which Was CARRIED)

Moved by Deputy Mayor MacLeod-Kane

Seconded by Councillor Garrison

THAT Clause 2 of Report No. 106 be deferred to the next meeting in order to allow the minutes of the Administrative Policies Committee to be distributed.

CARRIED

REPORTS (CONTINUED)

Report No. 106 of the Administrative Policies Committee

3. **Street Sports**

WHEREAS the Administrative Policies Committee has examined by-laws from other municipalities, and has listened to our staff and public input.

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THEREFORE BE IT RESOLVED THAT no action be taken on the motion presented to Council on July 10th, 2007 which reads as follows:

WHEREAS Kingston participated and promoted its desire to be seen as a huge and proud sponsor and supporter of our national pastime; and,

WHEREAS during our quest for Hockeyville glory, Kingston supported and in fact encouraged citizens to participate in street hockey games across the city; and,

WHEREAS Kingston does consider itself the heart and soul of Hockey, being the birthplace of many hockey luminaries; and,

WHEREAS the youth of our City, as well as adults, need more exercise and street hockey is a great way of community building;

THEREFORE BE IT RESOLVED THAT the by-law prohibiting street sports on City streets, be sent to the Administrative Policies Committee for further review including how other municipalities are dealing with these issues, with the aim of opening up safe streets to the possibility of allowing street sports to take place, pending staff and public input;

- and further -

THAT the Administrative Policies Committee investigate other by-laws that may actually work to prevent exercise on our City streets and sidewalks, and together with staff and public input, examine them with the aim of changing to safe yet more open solutions.

DEFERRED

(See Motion To Defer Which Was CARRIED)

Moved by Councillor Gerretsen

Seconded by Councillor Matheson

THAT Clause 3 of Report No. 106 be deferred until such time as staff can investigate the Ottawa situation and report back as to why they have implemented this policy given the potential liability and the fact that streets are not designed for this potential use.

CARRIED

4. **Appointment of Investigator Pursuant to Municipal Act**

THAT the City negotiate and the Mayor and Clerk be authorized to enter into a contract agreement, in a form satisfactory to the Director of Legal Services, for the services of Investigator offered by Local Authority Services Ltd. (LAS) a wholly owned subsidiary company of the Association of Municipalities of Ontario (AMO) for matters arising under s.239.2 of the *Municipal Act, 2001*;

- and further -

THAT a by-law be presented titled "A By-Law Of The City Of Kingston Appointing Local Authority Services Ltd. As The Investigator Pursuant To Sections 8, 9, 10 And 239.1 Of The Municipal Act, 2001, As Amended".

(A copy of the draft by-law was attached Schedule Pages 50-51.)

(The LAS investigator information was distributed separate from the Agenda.)

(See By-Law No. (6), 2007-196)

REPORTS (CONTINUED)

Report No. 106 of the Administrative Policies Committee

5. **Final Tax Capping By-Law**

THAT a by-law titled "A By-Law To Establish Tax Cap Program Decrease Limits for 2007", be presented in order to establish the tax decrease limits for the 2007 tax capping program, in accordance with Part IX of the Municipal Act, 2001, S.O. 2001, c.25, as amended.

(A copy of the draft by-law was attached as Schedule Pages 52-58.)

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(See By-Law No. (7), 2007-197)

6. **City Hall Council Chamber**

THAT the use of the Council Chamber be only extended to Provincial and Federal functions.

CARRIED

REPORTS

Report No. 107 of the Arts, Recreation and Community Policies Committee

Moved by Councillor Glover

Seconded by Deputy Mayor MacLeod-Kane

THAT Report No. 107 of the Arts, Recreation and Community Policies Committee be received and adopted.

Council consented to the separation of Clause 1.

Report No. 107

To the Mayor and Members of Council:

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

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

September 27, 2007

1. **Kingston Fire & Rescue Services Establishing and Regulating By-Law**

THAT a by-law be presented "A By-Law To Establish And Regulate Fire And Rescue Services" for first and second reading.

(A copy of the draft by-law was attached as Schedule Pages 59-86)

(See By-Law No. (3), 2007-193)

CARRIED

2. **Establishment of Arts Advisory Committee**

THAT a by-law be presented to amend By-Law No. 2004-360, "A By-Law To Define The Composition And Terms Of Reference For The Committees Established By The Corporation Of The City Of Kingston" to establish an Arts Advisory Committee with a mandate as outlined in the Terms of Reference;

REPORTS (CONTINUED)

Report No. 107 of the Arts, Recreation and Community Policies Committee

-and further-

THAT notwithstanding the term of appointment set out in the Terms of Reference; that the term of appointment for the first Arts Advisory Committee shall be for the balance of this term of Council, expiring on November 30, 2010.

(A copy of the Terms of Reference was attached as Schedule Page 87)

(See By-Law No. (4), 2007-194)

CARRIED

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Council recessed at 9:40 pm and reconvened at 9:50 pm.

INFORMATION REPORTS

(1) **Awarding of Tender PWES-PW-2007-8 – Snow Plowing & Sanding/Salting**

The purpose of this report is to provide Council with additional information requested at the October 2, 2007 meeting when this matter was deferred with regard to the awarding of Tender PWES-PW-2007-8 – Snow Plowing and Sanding/Salting.

(The Report of the Commissioner of Public Works and Emergency Services (07-319) was attached as Schedule Pages 88-101)

(File No. CSU-F18-000-2007)

(2) **Project Status Reports – Grand Theatre Building Improvement Project; Multiplex Community Centre; Kingston Regional Sports & Entertainment Centre**

The purpose of this report is to provide Council with monthly project status reports for the Grand Theatre Building Improvement Project, the Multiplex Community Centre Project and the Kingston Regional Sports & Entertainment Centre project for the month of September, 2007.

(The Report of the Commissioner of Sustainability and Growth (07-306) was attached as Schedule Pages 102-166)

(File No. CSU-R05-000-2007, CSU-R05-001-2007, CSU-R05-002-2007)

(3) **Quarterly Project Management Committee Report – Grand Theatre Building Improvement Project; Period Ending September 30, 2007**

The purpose of this report is to provide Council with the third quarterly report for the period ending September 30, 2007 for the Grand Theatre Building Improvement Project.

(The Report of the Commissioner of Sustainability and Growth (07-313) was attached as Schedule Pages 167-172)

(File No. CSU-R05-000-2007)

(4) **Quarterly Project Management Committee Report – Multiplex Community Centre Project; Period Ending September 30, 2007**

The purpose of this report is to provide Council with the third quarterly report for the period ending September 30, 2007 for the Multiplex Community Centre Project.

(The Report of the Commissioner of Sustainability and Growth (07-314) was attached as Schedule Pages 173-175)

(File No. CSU-R05-002-2007)

INFORMATION REPORTS (CONTINUED)

(5) **Quarterly Project Management Committee Report – Kingston Regional Sports and Entertainment Centre Project; Period Ending September 30, 2007**

The purpose of this report is to provide Council with the third quarterly report for the period ending September 30, 2007 for the Kingston Regional Sports and Entertainment Centre Project.

(The Report of the Commissioner of Sustainability and Growth (07-312) was attached as Schedule Pages 176 - 180)

(File No. CSU-R05-001-2007)

MISCELLANEOUS BUSINESS

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

THAT the request for nominations to serve on the Cataraqui Region Conservation Authority (CRCA) Source Protection Committee be deferred and that staff contact CRCA to find out whether they are looking for a staff person of Member of Council to sit on this Committee.

CARRIED

MOTIONS

Council consented to the withdrawal of Motion No. (1) and the addition of Motion No. (7).

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

WHEREAS widespread traffic concerns exist at the following intersections; and,

WHEREAS many citizens living on and around Queen Mary Road have been anxiously waiting, for several years, for the City to address the vehicular speeding and traffic volume problems on Queen Mary Road;

THEREFORE BE IT RESOLVED THAT staff be directed to bring back to the Environment, Infrastructure and Transportation Policies Committee, no later than the September 2007 meeting, a plan to address the vehicular speeding and traffic volume problems on Queen Mary Road.

WITHDRAWN

(See Following Motion To Amend Which Was WITHDRAWN)

Moved by Councillor Smith
Seconded by Councillor Foster

THAT the Motion of Councillors Gerretsen and Garrison be amended such that the second Whereas clause be amended to include the words "and other roads in the City of Kingston" so that it would read: "**WHEREAS** many citizens living on and around Queen Mary Road have been anxiously waiting, for several years, for the City to address the vehicular speeding and traffic volume problems on Queen Mary Road and other roads in the City of Kingston";

MOTIONS (CONTINUED)

- and further -

THAT the Therefore Be It Resolved clause be amended to include "Palace Road, Macdonnell Street, Johnson Street, Regent Street, and Brock Street" after Queen Mary Road, so that the clause would read: "**THEREFORE BE IT RESOLVED THAT** staff be directed to bring back to the Environment, Infrastructure and Transportation Policies Committee, no later than the September 2007 meeting, a plan to address the vehicular speeding and traffic volume problems on Queen Mary Road, Palace Road, Macdonnell Street, Johnson Street, Regent Street and Brock Street".

WITHDRAWN

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

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WHEREAS policing Homecoming weekend has placed considerable financial strain on the taxpayers of Kingston;
THEREFORE BE IT RESOLVED THAT the City of Kingston wishes to express the following to Queen's University:
THAT it is the City of Kingston's expectation that Queen's University will reimburse 100% of the cost of police and other municipally funded services for Homecoming weekend to the City of Kingston.

CARRIED (11:2)
(With Agreed To Amendments)
(See Recorded Vote)

A Recorded Vote was requested by Councillor Garrison

YEAS: Councillor Foster, Councillor Garrison, Councillor Gerretsen, Councillor Glover, Councillor Hector, Councillor Hutchison, Councillor MacLeod-Kane, Councillor Matheson, Councillor Meers, Councillor Osanic, Councillor Schmolka (11)

NAYS: Mayor Rosen, Councillor Smith (2)

Moved by Councillor Foster
Seconded by Councillor Matheson

THAT Council waive the rules of By-Law No. 98-1, "Council Procedural By-Law", in order to extend the meeting past 11:00 pm.

CARRIED
(A 2/3 Vote of Council Was Received)

(3) Moved by Councillor Gerretsen
Seconded by Councillor Glover

WHEREAS widespread concern exists throughout the community regarding the behaviour of some residents day and night; and,

WHEREAS our by-laws are enforced everyday throughout the year with no exception to time; and,

WHEREAS the Kingston City Police are overwhelmed with conducting their general business during weekend nights; and,

WHEREAS as a result, response times to by-law enforcement matters by the Police Department can not be dealt with in a timely fashion;

MOTIONS (CONTINUED)

THEREFORE BE IT RESOLVED THAT Council consider during its budget deliberations of 2008 the employment of by-law officers to patrol and respond to resident complaints regarding all by-law matters between the hours of 8:00PM and 3:00AM on the nights of Thursday, Friday and Saturday between the months of September through to and including May;

- and further -

THAT staff be asked to report back at budget time with options as to how this can be accomplished with an option to have this service provided through the summer months as well;

- and further -

THAT as part of the report, staff report back as to whether or not functions required are best provided by Kingston Police or by By-Law Enforcement Officers.

CARRIED

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(With Agreed To Amendments)

Moved by Councillor Matheson
Seconded by Councillor Gerretsen

THAT Council waive the rules of By-Law No. 98-1, "Council Procedural By-Law", in order to extend the meeting past 11:15 pm.

LOST
(A 2/3 Vote Of Council Was Not Received)

(4) Moved by Councillor Hutchison
Seconded by Councillor Garrison

WHEREAS the City of Kingston has potentially 20,000 citizens without the services of a family doctor;

AND WHEREAS that, while the lack of family doctors in Kingston is a serious community problem, the number of 20,000 is based on anecdotal evidence or inferred from studies conducted for other purposes;

AND WHEREAS the inability to accurately quantify the number of citizens without a family doctor is impeding the City's and KEDCO's ability to plan and manage the recruitment of family doctors since having an accurate baseline doctor-patient ratio for Kingston would help the process of Kingston seeking designation as an underserved area with the Ministry of Health, enable the accurate projection of the number of physicians needed, aid in formulating the recruitment-marketing plan needed to alleviate the problem, and create the basis for information tools to measure the success of our recruitment process;

BE IT RESOLVED THAT the issue of implementing a plan to quantify the number of citizens without a family doctor be referred to City and KEDCO staff for a report to Council for consideration for the City's and/or KEDCO's 2008 operating budgets.

DEFERRED
(With Agreed To Amendments)

(5) Moved by Councillor Hutchison
Seconded by Councillor Matheson

WHEREAS there is a national and international competition between communities for recruiting family doctors;

AND WHEREAS the City of Kingston is therefore in direct competition with other communities in recruiting family doctors;

MOTIONS (CONTINUED)

AND WHEREAS in the KEDCO experience, other communities are offering a mix of cash or equivalent incentives including for medical school educational expenses, salary top-ups, subsidized turn-key clinic space and equipment, paid housing expenses, moving expenses and dental/medical benefits;

AND WHEREAS KEDCO finds that the current lack of cash or equivalent incentives available to offer to prospective family doctors is seriously undermining the City's ability to attract new family doctors;

THEREFORE BE IT RESOLVED that City staff in conjunction with KEDCO research and report to Council on a family doctor recruitment support plan that would effectively make Kingston competitive in this area for consideration for the City's and/or KEDCO's 2008 operating budgets.

DEFERRED

(6) Moved by Councillor Schmolka

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Seconded by Councillor Foster

WHEREAS Upper Canada Ethanol Inc. has applied to the Ministry of the Environment seeking approval to discharge into the natural environment other than water (i.e. air), EPA, s. 6, with respect to by-products of production at its ethanol plant at 5242 Taylor Kidd Boulevard in Loyalist Township; and,

WHEREAS the application for the certificate of approval has been posted on the Ontario government's Environmental Registry, under registry number 010-0335, with a deadline for receiving comments of October 20, 2007; and,

WHEREAS the posting indicates that the plant will be discharging volatile organic contaminants, suspended particulates, and products of combustion including nitrogen oxides, and carbon monoxide; and,

WHEREAS the City of Kingston is directly adjacent to this facility and will be a recipient of any pollution emitted from this plant;

THEREFORE BE IT RESOLVED that the City of Kingston reply to the Environmental Registry posting by the deadline date indicating that:

- (i) the City of Kingston is concerned about the impact of the airborne discharges from this facility on the health of Kingston citizens and on the environment
- (ii) the City of Kingston seeks assurances that the discharges will not exceed the acceptable levels established by federal and provincial regulations
- (iii) the City of Kingston requests that regular, daily monitoring of these regulated discharges take place at the plant with public disclosure of this data through existing reporting systems, and
- (iv) the City of Kingston requests that a system be put in place to alert neighbouring municipalities to the facility immediately whenever a discharge occurs that exceeds the acceptable levels established by federal and provincial regulations.

- and further -

THAT the City of Kingston requests the Certificate of Approval be conditional on the Ministry of the Environment undertaking enhanced air and water quality monitoring in the City of Kingston for the purpose of establishing baseline conditions downwind of the Upper Canada Ethanol Plant to enable detection of any future impacts from that operation.

CARRIED

- (7) Moved by Councillor Osanic
Seconded by Councillor Schmolka

WHEREAS the City of Kingston is fortunate to have been selected as a location for the not-for-profit Project Porchlight program, which provides a free low energy compact fluorescent light bulb to every household, and is sponsored by the Ontario Ministry of Environment, the Ontario Trillium Foundation, and Ontario Power Generation; and,

MOTIONS (CONTINUED)

WHEREAS volunteers are needed to help to distribute the free light bulbs throughout Kingston; and,

WHEREAS the launch will be at the Giant Tiger at 1412 Bath Road, on Saturday October 20 at 12:00 noon;

THEREFORE BE IT RESOLVED THAT City Councillors encourage their constituents to help to distribute the free light bulbs if they can and to switch a light bulb in their homes to the free compact fluorescent light bulb to enjoy the energy savings right away.

CARRIED

NOTICES OF MOTION

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Moved by Councillor Schmolka
Seconded by Councillor Hutchison

THAT the Minutes of City Council Meeting No. 20-2007, held Tuesday, October 2, 2007 be amended on Page 588 to delete the word "walkathon" and replace it with "walkolution", so that Motion (2) shall now read as follows:

(2) Moved by Councillor Schmolka
Seconded by Councillor Smith

THAT Kingston City Council encourage all citizens to join the World Record Walkolution of one kilometre tomorrow (October 3, 2007) beginning at 12:30 p.m. at Market Square.

CARRIED

and confirmed as amended.

CARRIED

TABLING OF DOCUMENTS

2007-51 Cataraqui Region Conservation Authority
Full Authority Meeting Minutes – September 26, 2007
(File No. CSU-D03-000-2007)

COMMUNICATIONS

Council consented to the addition of Communications 21-628 and 21-629.

Filed

21-600 From the Association of Municipalities of Ontario (AMO), advising that its subsidiary, Local Authority Services (LAS), has authorized Power Application Group Incorporated to contact member municipalities to obtain data necessary to produce a report that summarizes the sector's load profile and conservation potential.
(File No. CSU-A01-004-2007)
(Digitally distributed to all Members of Council on October 1, 2007)

COMMUNICATIONS (CONTINUED)

21-601 From the Association of Municipalities of Ontario (AMO), sending a reminder of the deadline for the Ministry of Citizenship and Immigration 2007-2008 application guide for Ontario-based municipalities interested in establishing locally produced, web-based resources for newcomers, which is October 31st, 2007.
(File No. CSU-R08-000-2007)
(Digitally distributed to all Members of Council on October 1, 2007)

21-602 From the Association of Municipalities of Ontario (AMO), providing registration information regarding the 2007 Counties, Regions, Single Tier Municipalities and District Social Services Administration Boards Conference, which will be held October 21st to 24th in Cornwall.
(File No. CSU-A04-000-2007)
(Digitally distributed to all Members of Council on October 2, 2007)

21-605 From the Corporation of the City of Sarnia, acknowledging receipt of Council's motion regarding the student levy.

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(File No. CSU-F22-000-2007)

- 21-606 From the County of Elgin, advising of their support of Council's motion regarding the student levy.
(File No. CSU-F22-000-2007)
- 21-610 From the Regional Municipality of Durham, acknowledging receipt of Council's motion regarding the student levy.
(File No. CSU-F22-000-2007)
- 21-611 From the Association of Municipalities of Ontario (AMO), advising that its analysis of key campaign promises for 2007 has been updated.
(File No. CSU-A01-004-2007)
(Digitally distributed to all Members of Council on October 4, 2007)
- 21-613 From the City of Guelph, acknowledging receipt of Council's motion regarding the student levy.
(File No. CSU-F22-000-2007)
- 21-614 From the Association of Municipalities of Ontario (AMO), providing copies of the fall 2007 issue of the Local Authority Services (LAS) electricity and natural gas newsletters.
(File No. CSU-A01-004-2007)
(Digitally distributed to all Members of Council on October 5, 2007)
- 21-615 From the Cataraqui Region Conservation Authority (CRCA), providing an update regarding drinking water source protection initiative under the Ontario *Clean Water Act, 2006*.
(File No. CSU-E05-000-2007)
(Digitally distributed to all Members of Council on October 5, 2007)

COMMUNICATIONS (CONTINUED)

- 21-616 From 1684537 Ontario Limited, located at 371 Princess Street, an application for a liquor license from the Alcohol and Gaming Commission of Ontario.
(File No. CSU-P09-000-2007)
(Digitally distributed to all Members of Council on October 5, 2007)
- 21-624 From Dalton McGuinty, Premier of Ontario, acknowledging receipt of Council's resolution regarding minimum wage in Ontario and confirming that a copy has been sent to the Honourable Steve Peters, Ministry of Labour.
(File No. CSU-L11-000-2007)
- 21-625 From the Town of Markham General Committee, acknowledging receipt of Council's resolution regarding student levies.
(File No. CSU-F22-000-2007)

Referred to All Members of Council

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- 21-604 From Ms. Karen Gagnon, expressing her concerns regarding the proposed closure of Aberdeen Street for Queen's Homecoming weekend.
(File No. CSU-T08-000-2007)
(Distributed to all Members of Council on October 2, 2007)
- 21-607 From the Corporation of the Township of Wellington North, asking for Council's support of a resolution calling upon the government and the Honourable Minister of Environment to reduce the lead sampling requirements for small municipal water systems proportionately to the number of samples required for larger municipalities of 100,000 or more, and that amalgamated municipalities with numerous small water systems be allowed to consolidate these systems for the purposes of identifying the total population served and perform the required lead sampling proportionately within their water systems based on the total population served.
(File No. CSU-C10-000-2007)
- 21-612 From the Kingston Economic Development Corporation (KEDCO), advising that the Board of Directors passed a resolution recommending that Council approve funding for the Kingston Family Health Team in the total amount of \$46,014 in order to accommodate four new family physicians.
(File No. CSU-F25-000-2007)
- 21-619 From the Township of Burpee Mills, asking for Council's support of a resolution calling upon the government of Ontario to directly refund to municipalities the 75% Farmland, Managed Forest and Conservation Land Tax and if that is refused, that municipalities be permitted to tax these lands at 100% and the Province fund 75% of the tax directly to individual landowners.
(File No. CSU-C10-000-2007, CSU-F22-000-2007)

COMMUNICATIONS (CONTINUED)

- 21-620 From the Township of North Dumfries, asking for Council's support of a resolution calling upon the government of Ontario to consider increasing the fees and royalties charged to aggregate operators and to use the additional revenue exclusively for providing the MNR with resources to effectively staff an enforcement branch of the aggregate industry.
(File No. CSU-C10-000-2007)
- 21-621 From the Township of Brock, asking for Council's support of a resolution calling upon the Ministry of Environment to adhere to the recommendations of its own Panel of Experts by acknowledging paper fibre biosolids as a waste, by removing the exemption status for Sound-sorb and Nitro-sorb and by imposing the recommended regulatory control of a Certificate of Approval or legal instrument that provides protection for human health and the environment.
(File No. CSU-C10-000-2007, CSU-E11-000-2007)
- 21-622 From John and Maryanne Baker expressing concerns regarding Council's decision to ignore a solution to allow street sports in the City of Kingston.
(File No. CSU-R06-000-2007, CSU-T08-000-2007)

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- 21-623 From the Municipality of Brockton, asking for Council's support of a resolution calling upon the government of Ontario to revisit the funding formula currently used for Conservation Authorities, with the intent to increase the funding to allow enhanced staffing levels and response to development proposals in a more timely manner and that in the absence of additional funding that the mandate of the Conservation Authorities be revisited with respect to available engineering, planning, development and environmental expertise, to provide the required services in a timely manner.
(File No. CSU-C10-000-2007)
- 21-628 From Anne and Bob Storing, expressing their opinion that sports should be allowed on the streets.
(File No. CSU-R06-000-2007, CSU-T08-000-2007)
- 21-629 From Stephen Walker, providing a response to allegations regarding an incident relating to sports on his street.
(File No. CSU-R06-000-2007, CSU-T08-000-2007)

Referred to the Commissioner of Corporate Services

- 21-603 From Safe Kids Canada, asking that Council proclaim October 22nd to 28th, 2007 "Safe Crossing Week 2007".
(File No. CSU-M10-000-2007)

Referred to the Commissioner of Community and Development Services

- 21-608 From the Township of Leeds and the Thousands Islands, advising that, due to an administrative error, the City of Kingston was not circulated the notice of the public hearing or the notice of the passing of the by-law regarding Ontario Municipal Board (OMB) Case No. PL070523, File No. R070098, which is the Wollastonite Extraction.
(File No. CSU-L01-001-2007)

COMMUNICATIONS (CONTINUED)

- 21-617 From the Ontario Municipal Board, advising that the hearing scheduled for October 31, 2007, Ontario Municipal Board (OMB) Case No. PL070523, File No. R070098, which is the Wollastonite Extraction, has been cancelled and the file closed as proper procedures for enacting a by-law were not followed.
(File No. CSU-L01-001-2007)
- 21-626 From Edward G. Kenney, member of WIRE (Wolfe Island Residents for the Environment) bringing attention to an issue that will be of growing importance to the community – the impact of industrial-scale wind power generation in the Thousand Islands and including contact information for people and organizations that have information or are stakeholders.
(File No. CSU-E06-000-2007)
- 21-627 From the Ontario Municipal Board, a Decision on a Motion for Costs Delivered by J. S. Sutherland and Order of the Board in the matter of an Appeal by Gordon MacGregor of a Consent Application by Bernard Robinson (Robinson Properties Inc.) at 1554 Woodbine Road, OMB Case No. PL070002, OMB File No. C070001, Municipal File No. D10-186-2006, wherein the Board orders a cost award of \$2,500 against the Appellant Gordon MacGregor.
(File No. CSU-L01-001-2007)

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Referred to the Nominations Committee

21-609 From Mr. Gary Stefan, advising of his resignation from the Kingston Environmental Advisory Forum.
(File No. CSU-C12-000-2007)

Referred to the Commissioner of Public Works & Emergency Services

21-618 From Mr. Murray MacKenzie, asking that Council consider tarring roads.
(File No. CSU-T06 -000-2007)

BY-LAWS

Council consented to amend By-Laws (2) and (3).

(A) Moved by Councillor Hector
Seconded by Deputy Mayor MacLeod-Kane

THAT By-Laws (1), (2) (as amended), (3) (as amended) and (4) through (11) be given their first and second reading.
CARRIED

(B) Moved by Councillor Matheson
Seconded by Councillor Meers

THAT Clause 8.9 of By-Law No. 98-1 be suspended for the purpose of giving By-Law (8) three readings.
CARRIED

BY-LAWS (CONTINUED)

(C) Moved by Councillor Osanic
Seconded by Councillor Schmolka

THAT By-Laws (8) through (15) be given their third reading.
CARRIED

(1) A By-Law To Amend By-Law No. 2005-10, "A By-Law To Establish Fees And Charges To Be Collected By The Corporation Of The City Of Kingston" (amending section 2 (a))
FIRST AND SECOND READINGS PROPOSED NO. 2007-191
(See Clause (d), Report No. 103)

(2) A By-Law To Amend By-Law No. 24, "A By-Law For Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of the Highway Traffic Act" (Amend School Bus Loading Zones)
FIRST AND SECOND READINGS PROPOSED NO. 2007-192
(See Clause (e), Report No. 103)

(3) A By-Law To Establish And Regulate Fire And Rescue Services
FIRST AND SECOND READINGS PROPOSED NO. 2007-193
(See Clause (1), Report No. 107)

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- (4) A By-Law To Amend By-Law No. 2004-360, "A By-Law To Define The Composition And Terms Of Reference For Committees Established By The Corporation Of The City Of Kingston" (Establish the Arts Advisory Committee)
FIRST AND SECOND READINGS PROPOSED NO. 2007-194
(See Clause (2), Report No. 107)
- (5) A By-Law To Delegate Council's Power and Functions to the Assessment Review Board with Respect to Applications Under Section 358 of the Municipal Act, 2001
FIRST AND SECOND READINGS PROPOSED NO. 2007-195
(See Clause (1), Report No. 106)
- (6) A By-Law Of The City Of Kingston Appointing Local Authority Services Ltd. As The Investigator Pursuant To Sections 8, 9 10 And 239.1 Of The Municipal Act, 2001, As Amended
FIRST AND SECOND READINGS PROPOSED NO. 2007-196
(See Clause (4), Report No. 106)
- (7) A By-Law To Establish Tax Cap Program Decrease Limits for 2007
FIRST AND SECOND READINGS PROPOSED NO. 2007-197
(See Clause (5), Report No. 106)

BY-LAWS (CONTINUED)

- (8) A By-Law To Amend By-Law No. 98-9, "A By-Law To Appoint Municipal Law Enforcement Officers Of The Corporation Of The 'New' City Of Kingston" (to delete Debbie Boylan, Ashley Tipper, John Pollock, Jordan McGregor, Brenda Snyder, Pat Hogan, Paul Carleton, Steven Knetsch, Lisa Moore, Brandi Timpson and Tom Tucker, and add Tina Todd, Daniel Hazell, Luis Talledo, Mary Shultz and Eric Mercer)
THREE READINGS PROPOSED NO. 2007-198
(See Clause (b), Report No. 103)
- (9) A By-Law To Amend Zoning By-Law 76-26, "A By-Law To Regulate The Use Of Lands And The Character, Location And Use Of Buildings And Structures In The Township Of Kingston" (Modify Site Specific Zoning – 'C7-6', 2628 Princess Street)
THREE READINGS PROPOSED NO. 2007-199
(See Clause (1), Report No. 105)
- (10) A By-Law To Provide For The Assumption Of The Public Highways As Laid Out On Reference Plan 13R-4353, In The City Of Kingston, In Accordance With Section 31(4) Of The Municipal Act, Chapter 25, S.O. 2001; As Amended
THREE READINGS PROPOSED NO. 2007-200
(Delegated Authority)
- (11) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, October 16, 2007
THREE READINGS PROPOSED NO. 2007-201
(City Council Meeting No. 21-2007)

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- (12) A By-Law To Repeal By-Law No. 2002-239, "A By-Law To Appoint KPMG As The City Of Kingston's Auditors For A Period Of Five Years (2002-2006)"
THIRD READING PROPOSED NO. 2007-180
(See Clause (b), Report No. 99)
- (13) A By-Law To Appoint KPMG As The City Of Kingston's Auditors For A Period Of Three Years (2007-2009) With The Option Of Appointing For An Two Additional Years (2010 and 2011)
THIRD READING PROPOSED NO. 2007-181
(See Clause (b), Report No. 99) (Mayor Rosen Abstained)
- (14) A By-Law To Amend By-Law No. 2003-209, "A By-Law To Regulate Traffic" (amend designated streets and lanes – traffic lanes - to implement dual left-turn lanes at Gardiners and Bath Road and on Centennial Drive at Taylor Kidd Boulevard)
THIRD READING PROPOSED NO. 2007-182
(See Clause (c), Report No. 99)

BY-LAWS (CONTINUED)

- (15) A By-Law To Amend By-Law No. 2003-209, "A By-Law To Regulate Traffic" (amend turning regulations – u-turn restrictions - to prohibit u-turns at the intersections of 1) Centennial Drive and Fernmoor Drive and at 2) Taylor Kidd Boulevard and the private entrance to the RioCan Centre)
THIRD READING PROPOSED NO. 2007-183
(See Clause (d), Report No. 99)

ADJOURNMENT

Council adjourned at 11:15 pm.

(Signed)

Carolyn Downs
City Clerk

Harvey Rosen
Mayor