

CITY COUNCIL MEETING NO. 03-2010

The Regular Meeting of City Council was held on Tuesday, December 15, 2009, and was called to order at 7:00 pm in the Council Chamber, City Hall. Regular business commenced at 7:40 pm. His Worship Mayor Harvey Rosen presided.

There was an "In Camera" meeting of the Committee of the Whole from 7:05 pm to 7:30 pm in the Councillors' Lounge.

(Council Chamber)

ROLL CALL

Present: Mayor Rosen, Councillor Foster, Councillor Garrison, Councillor Gerretsen, 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:

Ms. P. Burns, Director, Human Resources and Organization Development

Mrs. C. Downs, City Clerk

Mr. G. Hunt, Chief Administrative Officer

Ms. D. Roberge, Manager, Human Resources and Organization Development

Mr. L. Thurston, Commissioner of Community Development Services

COMMITTEE OF THE WHOLE "IN CAMERA"

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

THAT Council resolve itself into the Committee of the Whole "In Camera" to consider the following item(s):

- (a) Labour relations or employee negotiations – Professional Firefighter Association; Ontario Nursing Association

CARRIED

(Council Chamber)

Administrative Staff Present:

Ms. C. Beach, Commissioner of Sustainability and Growth

Mr. J. Bolognone, Deputy City Clerk

Mr. J. de Hoop, Director, Community and Family Services

Mrs. C. Downs, City Clerk

Ms. C. Hitchen, Manager, Community Programs Administration Unit, Community and Family Services

Mr. G. Hunt, Chief Administrative Officer

Ms. L. Hurdle, Director, Recreation and Leisure Services

Mr. J. Johnson, Manager, Facilities, Corporate Asset Operations

Mr. B. Kaplan, Accessibility Coordinator, Sustainability and Growth

Mr. D. Leger, Commissioner of Corporate Services

Mr. H. Linscott, Director, Legal Services

Mr. J. Miller, Manager, Technical Services, Utilities Kingston

Mr. M. Morris, Director, Transportation

Ms. J. Reichstein, Research and Policy Analyst, Office of the Chief Administrative Officer

Mr. R. Steele, Manager, Fleet

Mr. L. Thurston, Commissioner of Community Development Services

Mr. G. Wallace, Director, Planning and Development

REPORT OF THE COMMITTEE OF THE WHOLE "IN CAMERA"

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

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

CARRIED

DISCLOSURE OF PECUNIARY INTEREST

Councillor Hector declared a possible pecuniary interest in the matter of Clause (1) of Report No. 8 of the Chief Administrative Officer and Information Report No. (5) as she has a contract with Hughes Downey Architects.

Councillor Hutchison declared a possible pecuniary interest in the matter of Clause (1) of Report No. 8 of the Chief Administrative Officer and Information Report No. (5) as his employer, Kingston Co-operative Homes, Inc., may have an interest in applying for funding under the DOORS program or the Affordable Housing Program in the future and it is unclear under which of these programs, if either, such an application may come. Councillor Hutchison declared a possible pecuniary interest in the matter of Information Report No. (4) as his employer may be a beneficiary of the program.

Councillor Garrison declared a possible pecuniary interest in the matter of Motion No. (2) as he is an employee of the Algonquin Lakeshore Catholic District School Board (ALCDSB).

Councillor MacLeod-Kane declared a possible pecuniary interest in the matter of Motion No. (2) as she is an employee of the Limestone District School Board.

Councillor Meers declared a possible pecuniary interest in the matter of Motion No. (2) due to her academic and professional association with the school boards.

Councillor Gerretsen declared a possible pecuniary interest in the matter of Motion No. (2) as his mother is an employee of the Algonquin Lakeshore Catholic District School Board (ALCDSB).

PRESENTATIONS

DELEGATIONS

Council consented to the amendment of Delegation No. (1) to delete Gordon Manning and replace him with Daryl Bell.

- (1) Reverend Daryl Bell was present and spoke to Council regarding the proposed affordable housing project in Barriefield village.
(See Clause (1), Report No. 8, Page No. 46)

BRIEFINGS

- (1) Ms. Claudette Richardson, KFPL Board Chair, Ms. Elizabeth Bowes, Calvin Park Building Committee Chair, and Ms. Deborah Defoe, Chief Librarian/Chief Executive Officer, were present and provided Council with a final report on the Calvin Park Library building project.

BRIEFINGS (CONTINUED)

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- (2) Mr. Glenn Outhwaite, Chair of the Municipal Accessibility Advisory Committee, was present and spoke to Council regarding the City of Kingston 2010 Accessibility Plan.
(See Clause (2), Report No. 8, Page No. 47)

PETITIONS

Council consented to the addition of the following Petitions:

- (1) A petition bearing approximately 47 signatures was received by the Clerk's Department and referred to Mayor and Council and reads as follows:

"We, the undersigned, who are not residents of Barriefield, wish to register our displeasure at the intent of Kingston Council to build a housing project on the "buffer lands" attached to the village. We also wish to register our concern about the secretive and undemocratic nature by which the Kingston Council has approached this issue. We ask the Kingston Council to abandon this plan."

REFERRED TO MAYOR AND COUNCIL

- (2) A petition bearing approximately 51 signatures was received by the Clerk's Department and referred to Mayor and Council and reads as follows:

"We, the undersigned, are asking Kingston City Council to put an end to the City's proposed housing development on DND lands in the historic village of Barriefield as it contravenes the City's Official Plan and the Barriefield Conservation District Plan. Instead, we ask that all DND lands in Barriefield Village be left as a green buffer to maintain the two-hundred-year-old significance of Barriefield as a unique heritage village in a rural setting. We also wish to voice our concern with respect to the secretive and undemocratic way that the City of Kingston has approached the issue, and the way it is seeking to rush the development process without adequate time for consultation, study and reflection."

REFERRED TO MAYOR AND COUNCIL

- (3) A petition bearing approximately 650 signatures was received by the Clerk's Department and referred to Mayor and Council and reads as follows:

"We, the undersigned, who are not residents of Barriefield Village, are asking Kingston City Council to put an end to the City's proposed housing development on DND lands in the historic village of Barriefield as it contravenes the City's Official Plan and the Barriefield Conservation District Plan. Instead, we ask that all DND lands in Barriefield Village be left as a green buffer to maintain the two-hundred-year-old significance of Barriefield as a unique heritage village in a rural setting. We also wish to voice our concern with respect to the secretive and undemocratic way that the City of Kingston has approached the issue, and the way it is seeking to rush the development process without adequate time for consultation, study and reflection."

REFERRED TO MAYOR AND COUNCIL

- (4) A petition bearing approximately 543 signatures was presented by Councillor Garrison and referred to Mayor and Council and reads as follows:

"We the undersigned urge the City to continue to pursue the consultation and planning for a not-for-profit housing development in Barriefield Village.

- We believe that it is possible to build homes that will be compatible with heritage of the village.
- Land costs are a major obstacle to building affordable housing. It would be irresponsible to pass up the offer of these lands for \$1.00.
- We believe that all neighbourhoods in Kingston should be open and welcoming to all people.

REFERRED TO MAYOR AND COUNCIL

MOTIONS OF CONGRATULATIONS/CONDOLENCES/SPEEDY RECOVERY

Council consented to the addition of Motions of Congratulations No. (1) and (2).

Motions of Condolence

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

THAT the sincere condolences of Kingston City Council be extended to Brian Smith, Health and Safety Coordinator, Human Resources and Organization Development Department, and family, on the death of his father on November 26, 2009.

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

THAT the sincere condolences of Kingston City Council be extended to the family of Dave Cornwall, former employee of the City of Kingston, past CUPE 109 President from 1988 to 2000, and trustee for the Limestone District School Board, who passed away on December 7, 2009.

Motions of Congratulations

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

THAT the Council of the City of Kingston say thank you to Barclay Mayhew, Promotion and Project Manager, Recreation and Leisure Services, on his retirement after 39 years of service to the City, and particularly for all his work on the INVISTA Centre. All the best.

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

THAT the congratulations of Kingston City Council be extended to Councillor Hector, Chair of the Olympic Torch Relay Committee, and all members of the committee for the outstanding job they did in preparing for and implementing the ceremonies held on December 14 and 15 in Springer Market Square, at the Portsmouth Olympic Harbour and throughout the streets of Kingston.

CARRIED

INFORMATION REPORTS

(1) **K-ROCK Centre Year-to-Date Operations Report for the Period Ending September 30, 2009**

The purpose of this report is to allow Arcturus/SMG the opportunity to provide its quarterly review of operations, and the corresponding financial results, for the nine months ending September 30, 2009, relative to the expected results based on their 2009 budget submission.

(The Report of the Commissioner of Corporate Services (09-340) was attached as Schedule Pages 1-14)
(File No. CSU-R05-001-2010)

REPORTS

Report No. 7 the Chief Administrative Officer (Consent)

Moved by Councillor Gerretsen

Seconded by Councillor Meers

THAT Report No. 7 of the Chief Administrative Officer (Consent) be received and adopted.

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

Report No. 7

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

THAT Schedule 'A' to By-Law No. 2010-10 be amended to establish the per visit rate at \$3.00 and the monthly parking rate at \$40.00 at Rideaucrest Home for 2010;

- and further -

THAT a by-law be presented to amend By-Law No. 2005-10, as amended, being "A By-Law To Establish Fees And Charges To Be Collected By The Corporation Of The City Of Kingston", in order to establish fees and charges for 2010;

- and further -

THAT a by-law be presented to amend By-Law No. 4489, as amended, being "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"; in order to consolidate fees into By-Law 2005-10, as amended;

- and further -

THAT a by-law be presented to amend By-Law No. 2006-213, as amended, being "A By-Law To License, Regulate And Govern Certain Businesses", in order to consolidate fees into By-Law 2005-10, as amended;

- and further -

REPORTS (CONTINUED)

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Report No. 7 the Chief Administrative Officer (Consent)

THAT the aforementioned by-laws be given three readings and passed.
(The Report of the Deputy Treasurer (10-003) was attached as Schedule Pages 15-57)
(File No. CSU-F21-000-2010)
(See By-Law No. (5), 2010-10, By-Law No. (6), 2010-11 and By-Law No. (7), 2010-12)

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

Moved by Councillor Osanic
Seconded by Councillor MacLeod-Kane

THAT Clause (a) of Report No. 7 of the Chief Administrative Officer (Consent) be amended to add the following as the first paragraph:

“**THAT** Schedule ‘A’ to By-Law No. 2010-10 be amended to establish the per visit rate at \$3.00 and the monthly parking rate at \$40.00 at Rideaucrest Home for 2010;”

CARRIED

(b) Lease Agreement with Transport Canada for Part of Anglin Parking Lot

THAT Council authorize the Mayor and Clerk to execute an agreement to extend the lease between the City of Kingston and with Transport Canada, for a part lot at the foot of Bay Street in the Anglin Parking Lot for a four year term ending December 31, 2013, at a rate of \$4,174 per annum and that the agreement shall be in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Corporate Services (10-009) was attached as Schedule Pages 58-60)
(File No. CSU-L07-000-2010)

Council consented to the separation of Paragraph 1 and 2 of Clause (c).

(c) Reduced Parking Fees for Long Term Construction at Queen’s University

THAT Council approve the waiving of 50% of the parking fees associated with displaced parking on Union and Division Streets during construction of the Queen’s Centre;

LOST (4:9)
(See Recorded Vote)

- and further -

THAT staff be directed to report back to the Environment, Infrastructure and Transportation Policies Committee with a policy governing displaced parking for long term construction projects, for its consideration in the first quarter of 2010.

(The Report of the Commissioner of Corporate Services (10-010) was attached as Schedule Pages 61-65)
(File No. CSU-T02-000-2010)

CARRIED
(See Motion To Defer Which Was LOST)

Moved by Councillor Foster
Seconded by Councillor Smith

THAT Clause (c) of Report No. 7 of the Chief Administrative Officer (Consent) be deferred.

LOST

REPORTS (CONTINUED)

Report No. 7 the Chief Administrative Officer (Consent)

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A Recorded Vote was requested by Councillor Garrison

YEAS: Councillor Foster, Councillor Hector, Mayor Rosen, Councillor Smith (4)

NAYS: Councillor Garrison, Councillor Gerretsen, Councillor Glover, Councillor Hutchison, Councillor MacLeod-Kane, Councillor Matheson, Councillor Meers, Councillor Osanic, Councillor Schmolka (9)

(d) **Stop Up and Close an Unopened Road Allowance in the Cataraqui Estate Business Park to Facilitate Plan of Subdivision Application**

THAT Council give two readings to the by-law attached as Exhibit C, to stop up and close the portion of unopened road allowance described as the Road Allowance between Concessions 3 and 4, part of Lots 11 and 12, former Township of Kingston, more particularly described as Part 1 on the draft reference plan 13R- -----, as depicted in Exhibit A;

- and further -

THAT Council authorize and direct the City Clerk, in accordance with the City of Kingston Notice By-Law No. 2003-15 as amended, to give notice of Council's intention to stop up and close the portion of unopened road allowance described as the Road Allowance between Concessions 3 and 4, part of Lots 11 and 12, former Township of Kingston, more particularly described as Part 1 on the draft reference plan 13R- -----, as depicted in Exhibit A;

- and further -

THAT Council, upon providing the prescribed public notice of Council's intent, give third reading and approve the attached by-law to stop up and close the portion of unopened road allowance described as the Road Allowance between Concessions 3 and 4, part of Lots 11 and 12, former Township of Kingston, more particularly described as Part 1 on the draft reference plan 13R- -----, as depicted in Exhibit A.

(The Report of the Commissioner of Corporate Services (10-018) was attached as Schedule Pages 66-71)

(File No. CSU-T09-000-2010)

(See By-Law No. (1), 2010-6)

(e) **Award of RFP for One 2010 Seven-Passenger Minivan to Thompson Chrysler**

THAT the RFP F31-CS-FL-2009-21 for the purchase of one 7-passenger minivan be awarded to Thompson Chrysler for the purchase price of \$20,157 plus applicable taxes.

(The Report of the Commissioner of Corporate Services (10-027) was attached as Schedule Pages 72-73)

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

(f) **Award of Tender for One 31' Mid-Size, Rear-Wheel Drive, Low Floor Transit Bus to Leeds Transit Inc.**

THAT the tender F18-CS-FL-2009-20 for the purchase of one 31' mid-size, rear-wheel drive, and low-floor transit coach be awarded to Leeds Transit Inc. for the purchase price of \$215,900 plus applicable taxes;

- and further -

THAT \$186,698.21 plus applicable taxes, the net of insurance proceeds less the deductible, be funded from the Transit Equipment Replacement Reserve Fund.

(The Report of the Commissioner of Corporate Services (10-028) was attached as Schedule Pages 74-75)

(File No. CSU-F18-004-2010)

REPORTS (CONTINUED)

Report No. 7 the Chief Administrative Officer (Consent)

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(g) **Award of RFP for One Compact Pickup Truck to Edwards Ford Ltd.**

THAT the RFP F31-CS-FL-2009-19 for the purchase of one compact pickup truck be awarded to Edwards Ford Ltd. for the purchase price of \$18,534 plus applicable taxes.

(The Report of the Commissioner of Corporate Services (10-031) was attached as Schedule Pages 76-77)

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

(h) **Award of RFP for Architectural Design Services for Leo Lafleur Pool/Aquatic Centre and Memorial Gardens to Cannon Design**

THAT Council award the contract for architectural design services for the Leo Lafleur Pool/Aquatic Centre and Memorial Gardens at Memorial Centre site to Cannon Design;

- and further -

THAT Mayor and Clerk be authorized to enter into an agreement with Cannon Design, subject to the satisfaction of the Director of Legal Services;

- and further -

THAT Council approve a capital budget amendment of \$270,000 with funding from the Municipal Capital Reserve Fund, to allow for the construction completion of the Memorial Gardens project.

(The Report of the Commissioner of Sustainability and Growth (10-032) was attached as Schedule Pages 78-80)

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

CARRIED

(i) **Award of RFP for the Purchase of a Portable Stage to Stage Line Mobile Stage Inc.**

THAT Council award the contract for the purchase of a portable stage, to be used for special events including FebFest and Rocking at the Clock, and additional options, to Stage Line Mobile Stage Inc. for \$144,000, exclusive of GST.

(The Report of the Commissioner of Sustainability and Growth (10-033) was attached as Schedule Pages 81-83)

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

(j) **Award of RFP for Engineering Design Services for Two (2) International Size Soccer Fields and a Washroom Building at John Machin Park to MMM Group**

THAT the RFP No. EN-2009-14 be awarded to MMM Group for the price of \$133,840 (excluding taxes);

- and further -

THAT Mayor and Clerk be authorized to enter into a contract with MMM Group, to the satisfaction of the Director of Legal Services, for engineering design services for two (2) international size soccer fields and a washroom building at John Machin Park at a cost of \$133,840.

(The Report of the Commissioner of Sustainability and Growth (10-034) was attached as Schedule Pages 84-87)

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

REPORTS (CONTINUED)

Report No. 7 the Chief Administrative Officer (Consent)

(k) **Stop Up and Close an Unopened Road Allowance at 4080 Bath Road**

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THAT Council give two readings to the by-law attached as Exhibit C, to stop up and close the portion of unopened road allowance described as the Road Allowance between Mile Square Lot and Lot 1, Concession 2, lying between Bath Road and the waters of Collins Bay, more particularly defined as the portion of road allowance within the property known as 4080 Bath Road, as depicted in Exhibit A;

- and further -

THAT Council authorize and direct the City Clerk, in accordance with the City of Kingston Notice By-Law No. 2003-15 as amended, to give notice of Council's intention to stop up and close the portion of unopened road allowance described as the Road Allowance between Mile Square Lot and Lot 1, Concession 2, lying between Bath Road and the waters of Collins Bay, more particularly defined as the portion of road allowance within the property known as 4080 Bath Road, as depicted in Exhibit A;

- and further -

THAT Council, upon providing the prescribed public notice of Council's intent, give third reading and approve the attached by-law to stop up and close the portion of unopened road allowance described as the Road Allowance between Mile Square Lot and Lot 1, Concession 2, lying between Bath Road and the waters of Collins Bay, more particularly defined as the portion of road allowance within the property known as 4080 Bath Road, as depicted in Exhibit A.

(The Report of the Commissioner of Corporate Services (10-036) was attached as Schedule Pages 88-94)

(File No. CSU-T09-000-2010)

(See By-Law No. (2), 2010-7)

(l) **Appointment of a Municipal By-Law Enforcement Officer**

THAT By-Law No. 98-9, "A By-Law To Appoint Municipal Law Enforcement Officers Of The Corporation Of The 'New' City Of Kingston", be amended under Section 1 by adding Tara Buchan, who will be appointed as a Municipal Law Enforcement Officer who shall be a Peace Officer 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 (10-039) was attached as Schedule Pages 95-98)

(File No. CSU-P01-000-2010)

(See By-Law No. (8), 2010-13)

(m) **Installation of Pay and Display Parking on Earl Street between Division Street and University Avenue**

THAT a by-law be presented to Council to amend "Schedule 1A" of 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 By-Law No. 24, "A By-Law For Regulating Traffic In The Highways Of The City Of Kingston", to convert the south side of Earl Street between University Avenue and Division Street to Pay and Display parking.

(The Report of the Commissioner of Corporate Services (10-040) was attached as Schedule Pages 99-104)

(File No. CSU-T02-000-2010)

(See By-Law No. (3), 2010-8 and By-Law No. (4), 2010-9)

CARRIED

(Clauses (b), (d) through (g), (i) through (m))

REPORTS (CONTINUED)

Report No. 7 the Chief Administrative Officer (Consent)

(n) **City of Kingston Response to the Ministry of Municipal Affairs and Housing (MMAH) Affordable Housing Strategy for Ontario**

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THAT the "City of Kingston's Response to the Ministry of Municipal Affairs and Housing (MMAH) Consultation on the Long Term Affordable Housing Strategy", attached to this report as Exhibit "A" be amended under Section 3 to delete the following wording:

"An example is the use of terminology such as "owing" arrears in the SHRA. If the intent is to not have a time limitation on this eligibility criterion, as defined in the Limitations Act, then a change to the use of the word "has" arrears will provide more clarity and consistency."

- and further -

THAT the response be further amended to include the following wording in the appropriate portion of the report, as determined by staff:

"- and further -

THAT the Province institute a new housing subsidy program as fundamental to housing the maximum number of people in need of affordable housing and for affordable housing developments to be financially viable over the full life cycle of the developments."

- and further -

THAT, as amended, the response be approved for submission to the Ministry of Municipal Affairs and Housing before December 31, 2009.

(The Report of the Commissioner of Community Development Services (10-041) was attached as Schedule Pages 105-110)

(File No. CSU-S18-000-2010)

**CARRIED AS AMENDED
(See Motions To Amend Which Were CARRIED)**

Moved by Councillor Schmolka

Seconded by Councillor Garrison

THAT Clause (n) of Report No. 7 of the Chief Administrative Officer (Consent) be amended to delete the following wording under Section 3 of Exhibit "A":

"An example is the use of terminology such as "owing" arrears in the SHRA. If the intent is to not have a time limitation on this eligibility criterion, as defined in the Limitations Act, then a change to the use of the word "has" arrears will provide more clarity and consistency."

CARRIED

Moved by Councillor Hutchison

Seconded by Councillor MacLeod-Kane

THAT Clause (n) of Report No. 7 of the Chief Administrative Officer (Consent) be amended by adding the following in the appropriate portion of the report, as determined by staff:

"and further that the Province institute a new housing subsidy program as fundamental to housing the maximum number of people in need of affordable housing and for affordable housing developments to be financially viable over the full life cycle of the developments."

CARRIED

REPORTS (CONTINUED)

Report No. 8 of the Chief Administrative Officer (Recommend)

Council consented to the addition of the recommendation for Clause (2) of Report No. 8 of the Chief Administrative Officer (Recommend).

Moved by Councillor Schmolka

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Seconded by Councillor Gerretsen

THAT Report No. 8 of the Chief Administrative Officer (Recommend) be received and adopted, clause by clause.

Report No. 8

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

Councillors Hector and Hutchison withdrew from the meeting.

(1) Exploring Merits of Affordable Housing Development in Barriefield Village on Surplus Federal Lands

THAT subject to its approval of Clause 1, Report No. 102 on the October 20, 2009, Council agenda (Barriefield affordable housing concept), Council hereby:

1. Receive the preliminary affordable housing development concept plan prepared by Hughes/Downey Architects attached to Report No. 09-312 of the Commissioner of Community Development Services as Exhibit A, for lands described as Part 3 on Plan 13R-18296 as shown on the map contained in the concept plan report, showing 32 units in 8 buildings;
2. Direct staff to undertake a broad and inclusive public consultation process to seek neighbourhood and community input into the question of developing the subject lands for affordable housing purposes in accordance with the concept plan developed by Hughes/Downey Architects;
3. Direct staff to investigate and report back on development partnership opportunities with a local housing provider;
4. Earmark up to \$2.46 million from the city's DOOR Affordable Housing Construction Reserve towards the possible development of twenty (20) housing units as phase one on lands labeled as Part 3 consistent with the concept prepared by Hughes/Downey architects;
5. Authorize staff to submit an application for funding through the Canada-Ontario Affordable Housing Extension 2009 – Year Two, or subsequent funding programs as they may become available, for an additional twelve (12) housing units on the remaining portion of land described as Part 3 on Plan 13R18296, consistent with the concept prepared by Hughes/Downey architects.

(The Report of the Commissioner of Community Development Services (09-312) is attached as Schedule Pages 111-129)

(File No. CSU-S18-000-2010)

(Note: This item originally appeared as Clause (3) of Report No. 104 of the Chief Administrative Officer (Recommend) and was deferred from the Council meeting on October 20, 2009, due to lack of time. This item then appeared as Clause (2) of Report No. 111 of the Chief Administrative Officer (Recommend) for the meeting held on November 3, 2009, and was deferred in order that staff could report back after consultation with the public or to the second meeting of Council in December, whichever was earliest.)

(See Information Report No. (5), Page No. 57)

DEFERRED

(See Motion To Defer Which Was CARRIED)

REPORTS (CONTINUED)

Report No. 8 of the Chief Administrative Officer (Recommend)

Moved by Councillor Foster

Seconded by Councillor Glover

THAT Clause (1) of Report No. 8 of the Chief Administrative officer (Recommend) be deferred until the public meeting and consultation have been held, which is inherent in the Council motion.

CARRIED (7:4)

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(See Recorded Vote)

A Recorded Vote was requested by Councillor Garrison

YEAS: Councillor Foster, Councillor Gerretsen, Councillor Glover, Councillor Osanic, Mayor Rosen, Councillor Schmolka, Councillor Smith (7)

NAYS: Councillor Garrison, Councillor MacLeod-Kane, Councillor Matheson, Councillor Meers (4)

ABSENT: Councillor Hector, Councillor Hutchison (2)

Councillor Hector and Hutchison returned to the meeting.

(2) **Approval of the City of Kingston 2010 Accessibility Plan**

THAT the City of Kingston 2010 Accessibility Report-Plan, dated December 2009, be approved.

(The Report of the Commissioner of Sustainability and Growth (10-045) was distributed separately from the agenda.)
(File No. CSU-S14-000-2010)

CARRIED

Report No. 9 of the Planning Committee

Moved by Councillor Schmolka
Seconded by Councillor Glover

THAT Report No. 9 of the Planning Committee be received and adopted.

Report No. 9

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.

December 3, 2009

1. **Application for Official Plan Amendment and Zoning By-Law Amendment for 247-249 Brock Street**

THAT the application for Official Plan Amendment (Our File No. D09-048-2009) submitted by George Edward Lloyd and Jean Marc Rapin, for the property located at 247-249 Brock Street, **BE APPROVED**.

REPORTS (CONTINUED)

Report No. 9 of the Planning Committee

AND BE IT FURTHER RESOLVED THAT the City of Kingston Official Plan be amended as follows:

1. The City of Kingston Official Plan, as amended, is hereby further amended by the following map and text change, which shall constitute Amendment No. 41 to the City of Kingston Official Plan:
 - (a) **AMEND** Schedule 'C', 'Site and Area Specific Policies', of the City of Kingston Official Plan, so as to designate the property located at 247-249 Brock Street, as shown on Schedule 'A' to By-Law No. 2010-14, as 'Site Specific Policy Area No. 37'.

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2. That the Official Plan for the City of Kingston, as amended, be further amended by adding the following new Site Specific Policy as Section 4.8(t):

“(t) **247-249 Brock Street**

Notwithstanding the policies of the Official Plan, a residential use shall be permitted on the ground floor of the building in addition to the existing permitted commercial uses.”

AND BE IT FURTHER RESOLVED THAT the application for Zoning By-Law Amendment (Our File No. D14-161-2009) submitted by George Edward Lloyd and Jean Marc Rapin, for the property located at 247-249 Brock Street, **BE APPROVED.**

AND BE IT FURTHER RESOLVED THAT the Downtown and Harbour Zoning By-Law No. 96-259, as amended, be further amended as follows:

1. That Zoning Map No. 1 of Zoning By-Law No. 96-259, as amended, is hereby further amended by changing the zone symbol of the subject site from ‘C1-1’ to ‘C1-28’ as shown on Schedule ‘A’ attached hereto and forming part of By-Law No. 2010-15.
2. That the following be added as Section 7.3.28 of the Zoning By-Law:

“7.3.28 247-249 Brock Street (C1-28):

7.3.28.1 **REGULATIONS**

Notwithstanding any provisions of the By-Law to the contrary, the following shall only apply to the ‘C1-28’ Zone:

- (a) Conversion of Commercial Buildings for Residential Use
Residential Uses may be permitted on the ground floor.”

AND BE IT FURTHER RESOLVED THAT the by-laws be presented to City Council for all three readings.

(See **By-Law No. (9), 2010-14** and **By-Law No. (10), 2010-15**)

(Note: A copy of the draft by-laws were attached as Schedule Pages 130-134)

2. **Delegation of Authority to Staff for All Uncontested Consent Applications**

THAT no action be taken on the request for further delegation of approval authority to staff for all “uncontested” consent applications.

REPORTS (CONTINUED)

Report No. 9 of the Planning Committee

3. **Amendments To Site Plan Control By-Law No. 2006-65**

WHEREAS it is necessary to amend the method for calculating Site Plan Control securities in order to balance a proponent’s ability to finance their project and at the same time ensure the municipality has sufficient financial securities to complete any required works that may not be developed in accordance with the approved site plans or Agreement conditions:

THEREFORE BE IT RESOLVED THAT Council amend By-Law No. 2006-65 as follows:

- (a) By deleting Section 7(7) Financial Securities and replacing it with the following new Section 7(7):

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“(7) Financial Securities

Where an agreement is required pursuant to Section 7 of this By-law, and said agreement requires the submission of financial securities to ensure the satisfactory completion / maintenance of the works required by the Agreement and approved plans listed therein, the amount of the financial security shall be calculated as follows:

50% of on site improvements (paving, grading, stormwater management, and landscaping; includes all hard and soft landscaping, walkways, retaining walls, and fencing), exclusive of buildings or structures, is required as part of the Site Plan Control Agreement; and

Where a proposed development covers 100% of the site, the method for calculating securities shall be as follows:

- 10% of the first \$500,000.00 of the total value of construction; plus
- 1% of the balance of the value of construction in excess of \$500,000.00.

For all works on municipal property, 100% of the cost of the works is required.”

(See By-Law No. (11), 2010-16)

(Note: A copy of the draft by-law was attached as Schedule Pages 135-136)

CARRIED

Report No. 10 of the Arts, Recreation and Community Policies Committee

Moved by Councillor Hutchison

Seconded by Councillor Osanic

THAT Report No. 10 of the Arts, Recreation and Community Policies Committee be received and adopted.

Report No. 10

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.

December 2, 2009

REPORTS (CONTINUED)

Report No. 10 of the Arts, Recreation and Community Policies Committee

1. Childcare Fee Subsidy Policy Changes

THAT in order to ensure limited provincial funding allocations are used for the intended program purposes of providing support to families participating in the workforce or pursuing education and training, the following policy changes to the Childcare Fee Subsidy Program are to be implemented effective January 1, 2010:

1. The Fee subsidy program return to its original program rules pertaining to referral and recreation fee subsidy assistance;
2. Fee Subsidy to enable parents to job search will only be provided to Ontario Works participants or on-going child care subsidy families at the end of their education training program or in the case of employment loss;
3. Childcare service providers will no longer be reimbursed for unpaid parent fees;

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4. Income testing will be done for all applicants seeking child care subsidies including foster parents;

- and further -

THAT staff prepare a report that can be used as a submission by the City of Kingston to the provincial and federal governments outlining the concerns the City has with the inadequate level of funding currently provided to the City for childcare subsidy and outlining the amount of funding the City requires from upper levels of government in order to meet the childcare subsidy needs in the City;

- and further -

THAT the recommendation be send to the Round Table on Poverty for their information and comments.

(Note: The Report of the Commissioner of Community Development Services (ARCP-10-001) was attached to the ARCP agenda as Schedule Pages 1-17.)

2. **Sport Field Allocation Policy**

THAT Council approve the Sports Field Allocation Policy and Guideline attached as Exhibit "A", to be effective January 1, 2010;

- and further -

THAT Section 19.1 of Exhibit 'A' be amended to add the words 'document' and 'policy' so the paragraph reads:

This policy **document** will be reviewed on an annual basis, initiated by the facility booking office. The facility booking office has the authority to adjust procedural items related to timing, process, etc., as appropriate and to respond to overarching Council **policy** directions related to revenue achievement and strategic business approaches.

(Note: The Report of the Commissioner of Sustainability and Growth Group (ARCP-10-007) was attached to the ARCP agenda as Schedule Pages 39-55.)

(Note: A copy of the amended Sports Field Allocation Policy and Guideline with the proposed changes was attached as Schedule Pages 137-148)

3. **City of Kingston Special Events Policy for City Parks and Recreational Facilities**

THAT the City of Kingston Special Events Policy, attached as Exhibit "A" to Report No. ARCP-10-002, be approved and that the policy be implemented on January 1, 2010.

(Note: The Report of the Commissioner of Sustainability and Growth Group (ARCP-10-002) was attached to the agenda as Schedule Pages 56-70.)

CARRIED

REPORTS (CONTINUED)

Report No. 11 of the Kingston Municipal Heritage Committee (LACAC)

Council consented to the correction of Clause 3 of Report No. 11 of the Kingston Municipal Heritage Committee (LACAC).

Moved by Councillor Glover

Seconded by Councillor Meers

THAT Report No. 11 of the Kingston Municipal Heritage Committee (LACAC) be received and adopted.

Council consented to the separation of Clauses 2 and 3.

Report No. 11

To the Mayor and Members of Council:

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

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

December 7, 2009

Note: There are no clauses (below) which must be dealt with this evening in order to meet the requirements of the Ontario Heritage Act, which states that a decision must be made regarding each application within 90 days of notice of receipt being served on the applicant.

1. Facility Accessibility Design Standards

WHEREAS the City of Kingston Facility Accessibility Design Standards, attached as Exhibit 'C' to the Facility Accessibility Design Standards (FADS) report was approved by Council on November 17, 2009, with the exception of the following proposed amendments which were recommended by the Municipal Accessibility Advisory Committee:

- Section 4.1.4 Accessible Routes, Paths & Corridors (FADS p. 14), seventh bullet point under "Design Requirements" – Included the words "as a minimum" at the end, so the section reads as follows: "for accessible exterior circulation routes, the existing municipal standard of 1500 mm may be used, as a minimum."
- Section 4.2.2 Toilet Stalls (FADS p. 36 and 37) – Changed the minimum clear opening (width) of the stall door from 900 mm to 950 mm. This change was applied to the sixth bullet point under "Design Requirements" on page 37 and to Figure 4.2.2.1 on page 36, and

WHEREAS the proposed amendments to the FADS standards were deferred and referred to the Kingston Municipal Heritage Committee for consideration,

THEREFORE IT IS RESOLVED THAT the following amendments to the policy be approved:

- Section 4.1.4 Accessible Routes, Paths & Corridors (FADS p. 14), seventh bullet point under "Design Requirements" – Included the words "as a minimum" at the end, so the section reads as follows: "for accessible exterior circulation routes, the existing municipal standard of 1500 mm may be used, as a minimum."
- Section 4.2.2 Toilet Stalls (FADS p. 36 and 37) – Changed the minimum clear opening (width) of the stall door from 900 mm to 950 mm. This change was applied to the sixth bullet point under "Design Requirements" on page 37 and to Figure 4.2.2.1 on page 36.

REPORTS (CONTINUED)

Report No. 11 of the Kingston Municipal Heritage Committee (LACAC)

2. Request for Staff Review of Current Zoning with respect to Natural and Cultural Heritage for Department of National Defence Land in Barriefield Village

WHEREAS the Barriefield Heritage Conservation District Plan has not been reviewed since 1992;

THEREFORE BE IT RESOLVED THAT the Heritage Committee recommend to Council that staff be directed to review the zoning with respect to natural and cultural heritage on the Department of National Defence land in Barriefield;

- and further -

THAT should it be deemed desirable to amend the current zoning, that the process for doing so also be examined;

- and further -

THAT staff report back to the March meeting of the Heritage Committee on the zoning and Heritage District Plan recommendation;

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- and further -

THAT the Planning Committee be advised of this direction to staff.

DEFERRED
(See Motion To Defer Which Was CARRIED)

Moved by Councillor Garrison
Seconded by Councillor Matheson

THAT Clauses 2 and 3 of Report No. 11 of the Kingston Municipal Heritage Committee (LACAC) be deferred until Council has made a decision on the Barriefield project.

CARRIED
(Councillors Foster, Glover and Hector Opposed)

3. **Updating the Barriefield Heritage Conservation District Plan**

WHEREAS the Ontario Heritage Act requires Heritage Conservation District Plans to be updated; and,

WHEREAS a review of the Barriefield Heritage Conservation District Plan has been scheduled for 2011; and,

WHEREAS the Barriefield Heritage Conservation District has changed significantly since the previous review in 1992;

THEREFORE BE IT RESOLVED THAT the Kingston Municipal Heritage Committee request that Council give consideration to the urgency of updating the Barriefield Heritage Conservation District Plan.

DEFERRED

4. **Approval for an Application for the Removal of Elements within the Sanctuary and Installation of a Subfloor and Flooring located at 82 Sydenham Street also known as Sydenham Street United Church**

THAT Application P18-362-001-2010 for a property located at 82 Sydenham Street requesting approval for the removal of choir pews, wooden fences and screens from the front of the church sanctuary, risers under the pews, carpet and tile flooring from raised chancel area, and the installation of a level smooth subfloor, flooring to match the adjacent sanctuary floor, and storage of items removed **BE APPROVED** in accordance with details described within a submission filed October 28, 2009, and deemed complete by the Planning and Development Department November 05, 2009;

- and further -

THAT it be understood that if any structural requirements are identified with regard to the floor leveling, a building permit will be required;

REPORTS (CONTINUED)

Report No. 11 of the Kingston Municipal Heritage Committee (LACAC)

- and further -

THAT the proponent take care to carefully remove and store choir pews and the wooden fences/screens from the front of the church sanctuary to allow for a return to the current conditions should the opportunity occur in the future.

5. **Approval for an Application for Repainting, Eavestroughing and Landscaping at 18 Wellington Street**

THAT Application P18-382-003-2010 for a property located at 18 Wellington Street requesting approval for repainting exterior elements of the house, sheds, the installation of new eavestroughing, and landscaping to include new fencing, patio, sheds, driveway and walkway **BE APPROVED** in accordance with details described within a submission filed November 10, 2009, and deemed complete by the Planning and Development Department November 13, 2009, with the understanding that the fence and shed should be painted in a different way than the porch so as not to detract from the architectural element of the porch;

- and further -

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

- and further -

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

- and further -

THAT the applicant be requested to ensure that the municipal walk be kept clean and clear of construction materials to ensure safe use by pedestrians;

- and further -

THAT any alteration to grading does not negatively impact adjacent properties.

6. **Approval for an Application for the Modification and Replacement of a Wood Ramp with a Concrete Ramp at 34 Barrie Street**

THAT Application P18-058-006-2010 for a property located at 34 Barrie Street requesting approval for the modification of a wood ramp and replacement of a concrete ramp **BE APPROVED** in accordance with details described within a submission filed November 20, 2009, and deemed complete by the Planning and Development Department November 25, 2009;

- and further -

THAT the ramp should be reversible to allow for a return to the original conditions in the future should the need for the structure be re-examined;

- and further -

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

REPORTS (CONTINUED)

Report No. 11 of the Kingston Municipal Heritage Committee (LACAC)

- and further -

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

- and further -

THAT signage should be provided at the Front Entrance and adjacent to the Barrier Free Path indicating the appropriate route;

- and further -

THAT it be understood that the proposed walk on the south side of 34 Barrie Street will be partially located within the City owned right of way. Though every effort is made when works are undertaken within the right of way by City forces and agents of the City to replace private walks there is no guarantee that the reinstatement of the sidewalk will be in the exact same form in the event of excavation of the area in question.

7. **Final Approval for a Heritage Property Grant for the Costs of Work to be Done for Repointing of Damaged and Missing Masonry Fill at 329 Division Street**

WHEREAS the owner of 329 Division Street has requested final approval for Heritage Grant Application HG-18-2006; and,

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

THEREFORE BE IT RECOMMENDED THAT Heritage Property Grant HG-18-2006 for 329 Division Street **BE APPROVED** for the costs of the work to be done for repointing of damaged and missing masonry fill;

- and further -

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

8. **Final Approval for a Heritage Property Grant for the Costs of Work to be Done for the Replacement of Roof Covering on Main Dwelling and Rear Single Storey Addition, and the Installation of a Metal Cap over the Southwest Parapet at 106 Montreal Street**

WHEREAS the owner of 106 Montreal Street has requested final approval for Heritage Grant Application HG-012-2009; and,

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

THEREFORE BE IT RECOMMENDED THAT Heritage Property Grant HG-012-2009 for 106 Montreal Street **BE APPROVED** for the costs of the replacement of roof covering on main dwelling and rear single storey addition, and the installation of a metal cap over the southwest parapet;

- and further -

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

REPORTS (CONTINUED)

Report No. 11 of the Kingston Municipal Heritage Committee (LACAC)

9. **Final Approval for a Heritage Property Grant for the Costs of Work to be Done for the Restoration of the Front of the House with Original Window, Porch Posts and Gingerbread Detail at 404 Regent Street**

WHEREAS the owner of 404 Regent Street has requested final approval for Heritage Grant Application HG-003-2007; and,

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

THEREFORE BE IT RECOMMENDED THAT Heritage Property Grant HG-003-2007 for 404 Regent Street **BE APPROVED** for the costs for the restoration of the front of the house with original window, porch posts and gingerbread detail;

- and further -

THAT staff be authorized to issue a cheque for \$1813.83 as per the process outlined in By-Law No. 2005-258, 'A By-Law to Establish a Heritage Grants Program'.

CARRIED
(Clauses 1 and 4 through 9)

REPORTS (CONTINUED)

Report No. 12 of the Arts, Recreation and Community Policies Committee and the Kingston Municipal Heritage Committee

Moved by Councillor Hutchison
Seconded by Councillor Glover

THAT Report No. 12 of the Arts, Recreation and Community Policies Committee and the Kingston Municipal Heritage Committee be received and adopted.

Report No. 12

To the Mayor and Members of Council:

The Arts, Recreation and Community Policies Committee and the Kingston Municipal Heritage Committee reports and recommends as follows:

1. **Proposed Renaming of Breakwater Park**

THAT the name Breakwater Park be maintained;

- and further -

THAT staff be directed to work with the Kingston Historical Society to develop and erect a plaque, in accordance with the requirements of the Kingston Remembers program, which will recognize Lieutenant-Colonel John Bradstreet in Breakwater Park;

- and further -

THAT staff, in consultation with suitable experts, develop the Kingston Remembers Program to commemorate other locations of aboriginal and French historical importance.

CARRIED

REPORTS (CONTINUED)

Report No. 14 of the Environment, Infrastructure and Transportation Policies Committee

Council consented to the addition of Report No. 14 of the Environment, Infrastructure and Transportation Policies Committee.

Moved by Councillor Foster
Seconded by Councillor Hutchison

THAT Report No. 14 of the Environment, Infrastructure and Transportation Policies Committee be received and adopted.

Report No. 14

To the Mayor and Members of Council:

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

December 9, 2009

1. **Motion Regarding Winter Control Measures and On-Street Permit Parking Pilot Project**

THAT the residential on-street parking pilot project proceed based on the approved terms of reference;

- and further -

THAT permit holders be granted access to overnight parking in the Court House Municipal Parking Lot or the Pump House Municipal Parking Lot throughout the entire winter overnight parking ban period with no additional increase in the Residential On-Street Parking Permit fees.

CARRIED

INFORMATION REPORTS

(2) **Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of October 2009**

The purpose of this report is to advise Council of tenders/RFPs approved and contracts awarded greater than \$50,000 that meet the established criteria of delegated authority for the month of October 2009 and to report additional information on contracts awarded by senior staff between the \$20,000 and \$50,000 level for the month of October 2009.

(The Report of the Deputy Treasurer (10-002) was attached as Schedule Pages 149-153)
(File No. CSU-F18-000-2010)

(3) **City/Queen's Shared Solutions**

This report provides Council with an update on the progress of the various working groups established to address common issues of Queen's University and the City of Kingston.

(The Report of the Chief Administrative Officer (10-013) was attached as Schedule Pages 154-159)
(File No. CSU-R07-000-2010)

Councillor Hutchison withdrew from the meeting.

INFORMATION REPORTS (CONTINUED)

(4) **Toilet Rebate Program**

The purpose of this report is to provide Council with an update regarding the toilet rebate program for 2009.
(The Report of the President and CEO of Utilities Kingston (10-042) was attached as Schedule Pages 160-161)
(File No. CSU-E06-000-2010)

Councillor Hector withdrew from the meeting.

(5) **Barriefield Village, Potential Acquisition of Federal Surplus Land for Affordable Housing**

The purpose of this report is to provide an update to Council on efforts to date to investigate the possibility of constructing affordable housing on available surplus Federal lands within the limits of the Barriefield Village Heritage Conservation District.

(The Report of the Commissioner of Community Development Services (10-043) was attached as Schedule Pages 162-169)
(File No. CSU-S18-000-2010)
(See Clause (1), Report No. 8, Page No. 46)

Councillors Hector and Hutchison returned to the meeting.

MISCELLANEOUS BUSINESS

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

THAT the following appointments, provided by the Kingston Arts Council, for membership to the Arts Advisory Committee, for the term ending November 30, 2010, be confirmed:

- Liz Schell
- Ebon Gage
- Doug Rooks
- Jan Allen
- Matt Rogalsky
- Harry Symons
- Joanne Page
- Margaret Hughes.

CARRIED

MOTIONS

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

WHEREAS the District system is the preferred choice of this and previous Councils' since amalgamation; and,

WHEREAS it has been 10 years since amalgamation and Kingston has experienced growth and population redistribution; and,

WHEREAS currently there is not a process in place to review Kingston's electoral District system nor the current boundaries; and,

MOTIONS (CONTINUED)

NOW THEREFORE BE IT RESOLVED THAT the City Clerk report back with a process to review Kingston's current District boundaries and population distribution within each, with a suggested timeline for review, that allows for public input and adequate Council deliberation; and,

BE IT FURTHER RESOLVED THAT this review process be brought back to Council for consideration by May 2010, for a target date for review by within the 2nd year of office of the next Council, so that any new District format would be in place by 2014.

CARRIED AS AMENDED
(With Agreed To Amendments)
(See Motions To Amend Which Were CARRIED)
(See Motions To Amend Which Were LOST)

- Moved by Councillor Foster
Seconded by Councillor Smith

THAT Paragraph 1 of Motion No. (1) be amended by deleting the following wording: "representing the desires for governance of the majority of Citizens in Kingston" and will now read as follows:

"**WHEREAS** the District system is the preferred choice of this and previous Councils' since amalgamation;"

CARRIED (8:5)
(See Recorded Vote No. 1)

- Moved by Councillor Glover

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Seconded by Councillor Gerretsen

THAT Motion No. (1) be amended by deleting the fourth "Whereas" clause, which reads as follows:

"**WHEREAS** each District should be divided as closely as possible by population numbers, so that citizens are fairly represented;"

CARRIED

Note: The following Motions to Amend were presented and dealt with at the meeting held on October 6, prior to the entire Motion being deferred due to lack of time.

Moved by Councillor Garrison

Seconded by Councillor Meers

THAT Motion No. (1) be amended to add the following:

- and further -

THAT as part of this process, the Clerk take into account such factors as, but not limited to, the following:

1. The importance of established neighbourhoods and communities, socio-demographic factors, geographic boundaries, natural barriers and identifiable growth areas;
2. The under-representation of certain demographic groups (e.g. students, renters) in the current census data and the need to obtain population data from other sources such as, but not limited to, the Kingston Community Profile;

LOST (4:5)

(See Recorded Vote No. 2)

3. The need for input from independent experts with experience in issues pertaining to establishing electoral boundaries;

LOST

- and further -

MOTIONS (CONTINUED)

THAT as part of this process, the Clerk be authorized to consider the possibility of increasing the number of electoral districts.

LOST (3:6)

(See Recorded Vote No. 3)

1. A Recorded Vote was requested by Councillor Garrison

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

NAYS: Councillor Garrison, Councillor Hutchison, Councillor MacLeod-Kane, Councillor Matheson, Councillor Meers (5)

2. A Recorded Vote was requested by Councillor Garrison

YEAS: Councillor Garrison, Councillor Meers, Councillor Osanic, Councillor Smith (4)

NAYS: Councillor Foster, Councillor Gerretsen, Councillor Glover, Councillor MacLeod-Kane, Councillor Matheson (5)

ABSENT: Councillor Hector, Councillor Hutchison, Mayor Rosen, Councillor Schmolka (4)

3. A Recorded Vote was requested by Councillor Meers

YEAS: Councillor Garrison, Councillor Meers, Councillor Osanic (3)

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NAYS: Councillor Foster, Councillor Gerretsen, Councillor Glover, Councillor MacLeod-Kane, Councillor Matheson, Councillor Smith (6)

ABSENT: Councillor Hector, Councillor Hutchison, Mayor Rosen, Councillor Schmolka (4)

Councillors Garrison, Gerretsen, MacLeod-Kane and Meers withdrew from the meeting.

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

WHEREAS communities across Ontario are concerned with the Accommodation Review Committee process and the impact this flawed process has on the socio-economic fabric of our municipalities; and,

WHEREAS many schools are the hubs of their communities, a better accommodation review system is needed to address the educational facility needs of our residents; and,

WHEREAS a system to address the educational facility needs in Ontario must ensure that school boards and municipal councils partner on decisions regarding education infrastructure; and,

WHEREAS greater accountability for school board decisions is needed; and,

WHEREAS a thorough review of the governance model for school accommodation decisions must include an opportunity to appeal these decisions; and,

WHEREAS the accommodation review process should respect and value the input of students, parents, the community and municipality;

MOTIONS (CONTINUED)

NOW THEREFORE BE IT RESOLVED THAT the Province of Ontario be petitioned to implement a "smart moratorium" on disputed school closings to provide the opportunity for the Ministry of Education, school boards and municipalities to work together to develop policies addressing such issues as planning for declining enrolments, a mutually agreed upon Accommodation Review Committee process, a review of funding to rural and small community schools, and transparency and accountability between municipalities and school boards;

AND BE IT FURTHER RESOLVED THAT a copy of this resolution be sent to The Honourable Kathleen Wynne, Minister of Education, Mowat Block, 900 Bay Street, Toronto, Ontario M7A 1L2, Canada and to the Community Schools Alliance, 399 Ridout Street N, London, Ontario, N6A 2P1, reycraft@mdlsx.ca

CARRIED

Councillors Garrison, Gerretsen, MacLeod-Kane and Meers returned to the meeting.

- Moved by Councillor Hector
Seconded by Councillor Gerretsen

THAT Report No. 13 of the Committee of the Whole be considered at this point in the meeting, prior to consideration of Motion No. (3).

CARRIED
(See Page No. 64)

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

THAT the following motion, considered at the July 14th/15th, 2009 Council be reconsidered:

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"THAT a by-law be presented to amend By-Law 2006-122 being "A By-Law to Provide for the Regulation of Water Supply for the City of Kingston" to allow for the use of children's water sprinklers/toys during the period June 15 to September 15 for the sole purpose of allowing children to play and remain cool during the summer, it being understood that children must be present when these toys are in use, and the devices are not to be used as a means to circumvent the watering by-law; and

THAT staff report back regarding enforcement at the August 4th, 2009 Council meeting, prior to Third Reading."

LOST (7:6)

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

(See Recorded Vote)

A Recorded Vote was requested by Councillor Matheson

YEAS: Councillor Garrison, Councillor Gerretsen, Councillor MacLeod-Kane, Councillor Matheson, Councillor Meers, Councillor Osanic, Councillor Smith (7)

NAYS: Councillor Foster, Councillor Glover, Councillor Hector, Councillor Hutchison, Mayor Rosen, Councillor Schmolka (6)

- (4) Moved by Councillor MacLeod-Kane
Seconded by Councillor Osanic

WHEREAS Council has asked the Arts, Recreation and Community Policies Committee to review the Fire & Rescue Action Plan 2010-2015; and,

MOTIONS (CONTINUED)

WHEREAS a Maclean's magazine report on cities, July 27, 2009, gives Kingston's fire services a "D" rating for effectiveness, judged by monetary losses per fire, and ranks costs to taxpayers per dwelling at \$394, significantly higher than, for example, top ranking Quebec City of \$198 per dwelling and Saskatoon at \$295 per dwelling;

NOW THEREFORE BE IT RESOLVED THAT Council asks the Arts, Recreation and Community Policies Committee to include in its report to Council on the Fire & Rescue Action Plan any recommendations it deems appropriate with respect to the effectiveness and costs of fire services in Kingston.

CARRIED

- (5) Moved by Councillor MacLeod-Kane
Seconded by Councillor Meers

WHEREAS the City's lease on the British Whig is coming to an end in the near future; and,

WHEREAS Kingston Utilities has indicated the need to expand their building on John Counter Boulevard; and,

WHEREAS the current economic situation should encourage Council to practice fiscal restraint;

THEREFORE BE IT RESOLVED THAT City staff make all preparations necessary to have the Midland Ave Building ready for occupancy, as a minimum, for the following staff, Planning, Engineering, and Buildings and Licensing Departments and a payment centre no later than February 2010; and,

BE IT FURTHER RESOLVED THAT Kingston Utilities report to Council on the probable impact of their office space requirements over the next ten years, including the need to expand the building, if the Planning, Engineering, and Building and Licensing Departments vacate their current space, no later than the first Council meeting in September 2009.

(See Clause (4), Report No. 90, which was approved and in part resulted in Council re-endorsing 1211 John Counter Blvd. as the administrative hub and including 1425 Midland Ave. as part of a parcel of land to be assembled for employment lands)

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RULED OUT OF ORDER

- (6) Moved by Councillor Hutchison
Seconded by Councillor Garrison

WHEREAS Ontario's 2009 budget has proposed to harmonize sales taxes, the implementation of which will apply to electricity rates starting July 1, 2010, having the effect of increasing electricity rates by 8% across the Province; and,

WHEREAS this increase in taxation on electricity bills will provide undue hardship to the residents and businesses of Ontario, particularly middle and low income families who are being hard pressed during the current economic recession due to reduced incomes and job losses and small businesses that are struggling to stay financially viable;

THEREFORE BE IT RESOLVED THAT the Province of Ontario be requested to exempt electricity sales from the provincial portion of the single harmonized sales tax;

- and further -

THAT this resolution be forwarded to all Ontario municipalities with a population over 50,000 for their support;

- and further -

THAT this Resolution be forwarded to the Premier, Deputy Premier/Minister of Energy and Infrastructure, Minister of Finance, Minister of Municipal Affairs and Housing, and the AMO.

CARRIED

MOTIONS (CONTINUED)

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

THAT it is Council's request that the Kingston Community Roundtable on Poverty Reduction brief Council on a regular basis on its endeavours in the community.

CARRIED

- (8) Moved by Councillor Hutchison
Seconded by Councillor Schmolka

WHEREAS it has been contended in the public that the City has numerous sites or properties available for affordable housing development;

BE IT RESOLVED THAT staff be requested to report back to Council with a list of all properties owned by the City that may be utilized for affordable housing and that list identify the properties that are either vacant, or have been declared surplus, or any City owned properties with or without buildings that may have potential for the building of affordable housing;

- and further -

THAT a separate list be provided identifying lands that are (a) brownfields in tax default or (b) subject to potential tax sales in the next year;

- and further -

THAT both lists be annotated as to the suitability of the lands for affordable housing.

CARRIED

- (9) Moved by Councillor Smith
Seconded by Councillor Hector

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WHEREAS, a global reduction in the emissions of carbon dioxide (CO₂) and its significant contribution to the creation of greenhouse gases (GHG) is necessary to slow climate change and reduce the risks to our economy, human health, the physical environment and quality of life; and,

WHEREAS, human activities have caused a dramatic increase in the amount of carbon dioxide (CO₂) in the earth's atmosphere. Since the mid 1700s, the concentration of CO₂ has risen from about 280 parts per million (ppm) to reach 387 ppm in 2009. This amount is likely the highest concentration in the atmosphere in the past 20 million years; and,

WHEREAS, evidence presented in the Intergovernmental Panel of Climate Change (IPCC) November 2007 report indicates that "Warming of the climate system is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting of snow and ice and rising global average sea level" and "Most of the observed increase in global average temperatures since the mid-20th century is very likely due to the observed increase in anthropogenic GHG concentrations. It is likely that there has been significant anthropogenic warming over the past 50 years averaged over each continent (except Antarctica)."; and,

WHEREAS, reducing greenhouse gases makes economic sense. New and improved infrastructure, renewable energy technologies, energy efficiency, energy conservation, waste reduction, building retrofits, transit, walking, cycling, water conservation, better fleet management, more effective wastewater treatment and distribution, etc., can reduce short-term and/or long-term municipal operating costs and help maintain community services, while having a positive impact on the environment; and,

WHEREAS the impacts of climate change as well as the responsibility for mitigation will fall primarily on the municipalities; and,

MOTIONS (CONTINUED)

WHEREAS, in December, national governments from around the world will meet in Copenhagen, Denmark to negotiate terms and conditions of a global climate agreement for the period after 2012 (i.e., after the Kyoto Protocol). It is critical that Canada has the support it needs during these negotiations to conclude negotiations; and,

WHEREAS, mayors and municipal leaders responsible for the well-being of communities across Canada have urged federal and provincial/territorial governments to make climate protection a priority;

BE IT RESOLVED THAT the Corporation of the City of Kingston send a strong message to the Federal Government of Canada of the importance to the citizens and businesses of the City of Kingston of a world-wide climate agreement;

- and further -

THAT we encourage municipalities across Ontario and Canada to join the City of Kingston in requesting the Federal Government to make every effort to reach an international agreement on climate change;

- and further -

THAT we urge the Federation of Canadian Municipalities to rally the support of its membership and send a strong message to the Federal Government of Canada of the importance to the citizens and businesses of a world-wide climate agreement.

CARRIED

- (10) Moved by Councillor Smith
Seconded by Councillor Foster

THAT Council authorize the Kingston and District Sports Hall of Fame to present their inductees for 2010 at the Council meeting scheduled for January 5, 2010.

CARRIED

Council consented to separate part 1 and 2 of the "therefore" clause in Motion No. (11).

- (11) Moved by Councillor Glover

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Seconded by Councillor Gerretsen

WHEREAS on 14 August 2007 Council authorized staff to "explore" options with the Hotel Dieu Hospital about their parking needs in relation to the Chown Parking Garage; and,

WHEREAS subsequent to further direction from Council to staff on 5 February 2008, on 17 June 2008 Council approved an arrangement for the sale of the structure while retaining ownership of the land; and,

WHEREAS at that time representation had been made as to the urgency of progressing the work to provide additional parking by December 2008; and,

WHEREAS in December 2009 the approved sale has yet to be concluded;

THEREFORE BE IT RESOLVED THAT staff be directed to report to Council not later than 19 January 2010 on:

1. The status of the discussions with the Hotel Dieu Hospital about the sale; and,
2. The legal obstacles that would prevent Council from rescinding its 17 June 2008 approval.

CARRIED

CARRIED

NOTICES OF MOTION

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

THAT staff be directed to organize a fireworks display at Grass Creek Park during the evening of Canada Day, for the year 2010.

REPORTS (CONTINUED)

Report No. 13 of the Committee of the Whole

Moved by Councillor Hector
Seconded by Councillor Matheson

THAT Report No. 13 of the Committee of the Whole be received and adopted.

Report No. 13

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

November 23–25, 2009

1. Approval of the 2010 Municipal Utility Operating Budgets

THAT Council approve the 2010 Municipal Utility Operating Budgets in the amounts noted below:

SEWER

Operating Budget	\$10,951,574
Debt Costs	\$2,871,943
Transfer to Capital Reserve Fund	\$8,903,140

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WATER

Operating Budget	\$9,895,765
Debt Costs	\$418,907
Transfer to Capital Reserve Fund	\$6,089,950

GAS

Operating Budget	\$3,714,868
Purchase & Transportation	\$40,000,000
Debt Costs	\$596,112
Transfer to Gas Capital Reserve Fund	\$1,615,095
Transfer to City Municipal Capital Reserve Fund	\$3,000,000

APPLIANCE RENTAL BUSINESS

Operating Budget	\$356,119
Transfer to Appliance Rentals Capital Reserve Fund	\$493,881
Transfer to City Environment Fund	\$750,000

REPORTS (CONTINUED)

Report No. 13 of the Committee of the Whole

2. Approval of the Local Distribution Rate Changes for 2010 for the Gas Utility

THAT Council approve:

- 1) The proposed Gas Rate changes effective January 1, 2010 to April 30, 2010, and the proposed Gas Rate changes effective May 1, 2010, as detailed in Report No. 09-346.
- 2) By-Law No. 2010-17 – “A By-Law To Impose Gas Rates” (1425445 Ontario Limited operating as Utilities Kingston) to reflect the approved Gas Rates effective January 1, 2010 to April 30, 2010, and the approved Gas Rates effective May 01, 2010 (Exhibit A).
- 3) The repeal of By-Law No. 2009-2, “A By-Law To Impose Gas Rates” (1425445 Ontario Limited operating as Utilities Kingston)
- 4) Three readings of the aforementioned by-laws at the same Council meeting.
(See **By-Law No. (12), 2010-17 and By-Law No. (13), 2010-18**)

3. Approval of Rate Changes for 2010 for Miscellaneous Charges and the Appliance Rental Business

THAT Council approve:

- 1) The proposed Miscellaneous Charges and Appliance Rental rates adjustments as detailed in Report No. 09-347, effective January 1, 2010.
- 2) By-Law No. 2010-19 – “A By-Law To Impose Miscellaneous Charges And Appliance Rental Rates” to reflect the approved rates for 2010 (Exhibit A).
- 3) The repeal of By-Law No. 2009-4, “A By-Law To Impose Miscellaneous Charges And Appliance Rental Rates” at the effective date of By-Law No. 2010-20.
- 4) Three readings of the aforementioned by-laws at the same Council meeting.
(See **By-Law No. (14), 2010-19 and By-Law No. (15), 2010-20**)

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4. **Approval of the 2010 City of Kingston General Municipal Operating Budget**

THAT the 2010 City of Kingston General Municipal Operating Budget in the amount of \$281,067,115 be approved as amended as follows by:

- decreasing the Kingston Frontenac Public Library Board budget amount from \$5,239,344 to \$5,204,606;
- increasing the Cataraqui Region Conservation Authority budget amount from \$957,993 to \$1,008,626;

- and further -

THAT a by-law be presented to Council, for three readings, to adopt these estimates.

(See By-Law No. (16), 2010-21)

(Note: A copy of the draft by-law was attached as Schedule Pages 170-192)

CARRIED

MINUTES

THAT the Minutes of City Council Meeting No. 21-2009, held Tuesday, November 3, 2009, and Meeting No. 22-2009, held Tuesday, November 17, 2009, be confirmed.

DEFERRED

TABLING OF DOCUMENTS

2010-03 Cataraqui Region Conservation Authority
Minutes – Full Authority Meeting – October 28, 2009
(File No. CSU-D03-000-2010)

2010-04 Local Authority Services Ltd. (LAS)
Annual Report 2008
(File No. CSU-A01-004-2010)

2010-05 HIV/AIDS Regional Services
Newsletter – Fall 2009
(File No. CSU-M07-000-2010)

2010-06 Cataraqui Region Conservation Authority
Agenda – Full Authority Meeting – December 9, 2009
(File No. CSU-D03-000-2010)

2010-07 Cataraqui Region Conservation Authority
Agenda – Cataraqui Source Protection Committee Meeting – December 10, 2009
(File No. CSU-D03-000-2010)

COMMUNICATIONS

Council consented to the addition of Communications 03-025 and 03-026.

Filed

03-009 From the Committee of Adjustment, a Notice of Decision for the following applications:

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CONSENT – In respect of an application for the purpose of a technical consent to sever the property at 3029 Creekford Road, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is December 21, 2009.
(File No. CSU-D19-000-2010)

03-019 From the Association of Municipalities of Ontario (AMO), advising that municipal governments in Ontario are still waiting to hear about OMPF allocations for 2010 and about whether OMPF Mitigation Funding will be provided again in 2010.
(File No. CSU-F11-000-2010)
(Digitally distributed to all Members of Council on December 8, 2009)

03-020 From the Association of Municipalities of Ontario (AMO), advising that the Ministry of the Environment (MOE) has amended O.Reg. 170/03 and O.Reg. 248/03 with regard to requirements for lead sampling in municipal systems and schools and day nurseries, respectively.
(File No. CSU-L11-000-2010)
(Digitally distributed to all Members of Council on December 8, 2009)

COMMUNICATIONS (CONTINUED)

03-021 From the Association of Municipalities of Ontario (AMO), providing an update from the Economic Development Task force.
(File No. CSU-D02-000-2010)
(Digitally distributed to all Members of Council on December 8, 2009)

03-022 From the Association of Municipalities of Ontario (AMO), advising that the Ministry of the Environment (MOE) has issued proposed draft compost guidelines for consultation.
(File No. CSU-E07-000-2010)
(Digitally distributed to all Members of Council on December 8, 2009)

Referred to All Members of Council

03-010 From the District Municipality of Muskoka, asking for Council's support of a resolution requesting that municipalities be eligible for a 100% rebate on the Ontario portion of the proposed Harmonized Sales Tax similar to the existing rebate for the Federal Goods and Services Tax.
(File No. CSU-C10-000-2010)

03-011 From Mr. Tom Adam, urging Council to publicly state its position on Ontario's proposed Harmonized Sales Tax and the Mayor to urge other provincial mayors to do the same.
(File No. CSU-F00-000-2010)

03-014 From the Regional Municipality of Durham, asking for Council's support of a resolution petitioning the Premier of Ontario to take the necessary steps in a timely manner to amend the Ombudsman Act to include hospitals under the jurisdiction of the Ombudsman.
(File No. CSU-C10-000-2010, CSU-L11-000-2010)

03-015 From the Township of McNab/Braeside Disaster Relief Committee, asking Council for financial assistance to their community due to a torrential rainstorm on July 24, 2009, that caused such localized flooding that the

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Ministry of Municipal Affairs and Housing declared the affected area a "Disaster Area" for the purposes of the Ontario Disaster Relief Program.
(File No. CSU-P03-000-2010)

03-016 From the Corporation of the Township of Madawaska Valley, asking for Council's support of a resolution petitioning the Province of Ontario to financially assist municipalities to pay for those legislated province requirements including a financial plan and the required operational plan so that water users in the Province of Ontario pay the same amount for a cubic metre for clean, safe drinking water.
(File No. CSU-C10-000-2010)

03-017 From the Corporation of the City of St. Catharines, asking for Council's support for the Private Members Bill introduced by Welland MP Malcolm Allen, asking that the Royal Canadian Legion be exempt from GST on purchases of red lapel poppies.
(File No. CSU-C10-000-2010)

COMMUNICATIONS (CONTINUED)

03-018 From the Town of Niagara-on-the-Lake, asking for Council's support of a resolution asking lower tier municipalities across Ontario to follow the lead of Niagara municipalities and negotiate with their upper tier partners a benefit-sharing agreement that distributes the uploading tax room with each municipality in both the upper and lower tiers.
(File No. CSU-C10-000-2010)

03-023 From the Corporation of the City of Oshawa, asking for Council's support of a resolution asking that the Province be mandated to compel owners and managers of condominiums and apartments to ensure that all key holders are bonded and obtain police criminal checks.
(File No. CSU-C10-000-2010)

03-024 From the Corporation of the Township of Madawaska Valley, asking for Council's support of a resolution requesting that the Province of Ontario change the legislation of property assessment back to values of 2008, a more realistic value for property owners based on the current market and a more realistic value for a tax rate to be based on and also, back to a one year annual assessment better to react to a current real estate market; and that legislation be drafted to recognize the significant tax burden carried by those owners of waterfront properties who may be forced to sell their homes due to unrealistic assessed value provided for their homes.
(File No. CSU-C10-000-2010, CSU-F22-000-2010)

03-025 From Helga and Klaus Stegemann, expressing their opinions regarding the affordable housing project proposed for Barriefield Village.
(File No. CSU-S18-000-2010)

03-026 From Mr. James Thompson, Committee Clerk, advising that the Memorial Centre Revitalization Advisory Committee, at their meeting held on December 14, 2009, endorsed the recommendation regarding the award of the RFP for architectural design services for Leo Lafleur Pool/Aquatic Centre and Memorial Gardens.
(File No. CSU-F31-000-2010)
(See Clause (h), Report No. 7)

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Referred to the Commissioner of Community Development Services

- 03-012 From Home Base Housing, providing information regarding funding for their programs and requesting that Council reconsider the decision to eliminate Municipal Bridge Funding.
(File No. CSU-S13-000-2010)

Referred to the Awards Committee

- 03-013 From the Ministry of Citizenship and Immigration, providing information regarding Ontario's volunteer recognition programs for 2010.
(File No. CSU-R08-000-2010)

BY-LAWS

- (A) Moved by Councillor Meers
Seconded by Councillor Glover
THAT By-Laws (1) through (4), (5) as amended, and (6) through (18) be given their first and second reading.
CARRIED
- (B) Moved by Councillor Smith
Seconded by Councillor Meers
THAT Clause 8.9 of By-Law No. 98-1 be suspended for the purpose of giving By-Laws (5) through (8) and (12) through (17) three readings.
CARRIED
- (C) Moved by Councillor Schmolka
Seconded by Councillor Gerretsen
THAT By-Laws (5) as amended and (6) through (18) be given their third reading.
CARRIED
- (1) A By-Law To Stop Up And Close The Portion Of Highway Described As The Road Allowance Between Concessions 3 And 4, Part Of Lots 11 And 12, Former Township Of Kingston, More Particularly Described As Part 1 On Draft Reference Plan 13R-____
FIRST AND SECOND READINGS PROPOSED NO. 2010-6
(To be held for Third Reading pending the Notice Provisions By-Law)
(See Clause (d), Report No. 7)
- (2) A By-Law To Stop Up And Close The Portion Of Highway Described As The Road Allowance Between Mile Square Lot And Lot 1, Concession 2, Lying Between Bath Road And The Waters Of Collins Bay, More Particularly Defined As The Portion Of Road Allowance Within The Property Known As 4080 Bath Road
FIRST AND SECOND READINGS PROPOSED NO. 2010-7
(To be held for Third Reading pending the Notice Provisions By-Law)
(See Clause (k), Report No. 7)
- (3) A By-Law To Amend "Schedule 1A" of 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" (amend parking restrictions on Earl Street)
FIRST AND SECOND READINGS PROPOSED NO. 2010-8

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(See Clause (m), Report No. 7)

- (4) A By-Law To Amend By-Law No. 24, "A By-Law For Regulating Traffic In The Highways Of The City Of Kingston" (amend parking restrictions on Earl Street)
FIRST AND SECOND READINGS PROPOSED NO. 2010-9
(See Clause (m), Report No. 7)
- (5) 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" (to delete Section 2 (c) and to replace Schedule A)
THREE READINGS PROPOSED NO. 2010-10
(See Clause (a), Report No. 7)

BY-LAWS (CONTINUED)

- (6) 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" (various amendments)
THREE READINGS PROPOSED NO. 2010-11
(See Clause (a), Report No. 7)
- (7) A By-Law To Amend By-Law No. 2006-213, "A By-Law To License, Regulate And Govern Certain Businesses" (to replace Schedule A-1)
THREE READINGS PROPOSED NO. 2010-12
(See Clause (a), Report No. 7)
- (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 appoint Tara Buchan for the purpose of enforcing the Bylaws of the City of Kingston)
THREE READINGS PROPOSED NO. 2010-13
(See Clause (l), Report No. 7)
- (9) A By-Law To Amend The Official Plan Of The City Of Kingston Planning Area (Amendment No. 41, known municipally as 247-249 Brock Street)
THREE READINGS PROPOSED NO. 2010-14
(See Clause (1), Report No. 9)
- (10) A By-Law To Amend By-Law No. 96-259, "Downtown And Harbour Zoning By-Law For The Corporation Of The City Of Kingston" (Zone Change from 'C1-1' to 'C1-28', 247-249 Brock Street)
THREE READINGS PROPOSED NO. 2010-15
(See Clause (1), Report No. 9)
- (11) A By-Law To Amend By-Law No. 2006-65, "A By-Law To Designate The Whole Of The City Of Kingston As A Site Plan Control Area, Pursuant To Section 41 Of The *Planning Act*, R.S.O. 1990, Chapter P.13, As Amended, And To Adopt Certain Procedures For The Processing Of Site Plan Control Applications, And To Exempt Certain Classes Of Development From Approval Of Plans And Drawings, And To Repeal And Replace By-Law No. 98-91 In Its Entirety" (Administrative Amendments – Financial Securities)
THREE READINGS PROPOSED NO. 2010-16

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(See Clause (3), Report No. 9)

- (12) A By-Law To Impose Gas Rates (1425445 Ontario Limited operating as Utilities Kingston)
THREE READINGS PROPOSED NO. 2010-17
(See Clause (2), Report No. 13)

- (13) A By-Law To Repeal By-Law No. 2009-2, "A By-Law To Impose Gas Rates (1425445 Ontario Limited operating as Utilities Kingston)"
THREE READINGS PROPOSED NO. 2010-18
(See Clause (2), Report No. 13)

BY-LAWS (CONTINUED)

- (14) A By-Law To Impose Miscellaneous Charges And Appliance Rental Rates (Utilities Kingston)
THREE READINGS PROPOSED NO. 2010-19
(See Clause (3), Report No. 13)

- (15) A By-Law To Repeal By-Law No. 2009-4, "A By-Law To Impose Miscellaneous Charges And Appliance Rental Rates (Utilities Kingston)"
THREE READINGS PROPOSED NO. 2010-20
(See Clause (3), Report No. 13)

- (16) A By-Law To Adopt The 2010 Operating Budget
THREE READINGS PROPOSED NO. 2010-21
(See Clause (4), Report No. 13)

- (17) A By-Law To Amend By-Law 2004-360, "A By-Law To Define The Composition And Terms Of Reference For Committees Established By The Corporation Of The City Of Kingston" (To change the composition of the Environment, Infrastructure and Transportation Policies Committee from 7 Members of Council to 6 for 2009-2010 term)
THREE READINGS PROPOSED NO. 2010-22
(See Miscellaneous Business Item No. 5, Meeting No. 01-2010)

- (18) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, December 15, 2009
THREE READINGS PROPOSED NO. 2010-23
(City Council Meeting No. 03-2010)

ADJOURNMENT

Moved by Councillor Glover
Seconded by Councillor Gerretsen

THAT Council do now adjourn.

CARRIED

Council adjourned at 11:00 pm.

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(Signed)

Carolyn Downs
City Clerk

Harvey Rosen
Mayor