

## CITY COUNCIL MEETING NO. 10-2010

The Regular Meeting of City Council was held on Tuesday, March 23, 2010, and was called to order at 5:00 pm in the Council Chamber, City Hall. Regular business commenced at 7:30 pm. His Worship Mayor Harvey Rosen presided.

There was an "In Camera" meeting of the Committee of the Whole from 5:15 pm to 7:20 pm in the Councillors' Lounge.

### (Council Chamber)

#### ROLL CALL

Present: Mayor Rosen, Councillor Garrison (arrived 7:30 pm), Councillor Gerretsen (arrived 5:10 pm), Councillor Glover, Councillor Hector, Councillor Hutchison, Councillor MacLeod-Kane, Councillor Matheson, Councillor Meers (arrived 5:55 pm), Councillor Osanic (arrived 5:16 pm), Councillor Schmolka, Councillor Smith (12)

Absent: Councillor Foster (1)

### (Councillors' Lounge)

#### Administrative Staff Present:

Ms. C. Beach, Commissioner, Sustainability and Growth  
Mr. J. Bolognone, Deputy City Clerk  
Mrs. C. Downs, City Clerk  
Mr. G. Hunt, Chief Administrative Officer  
Mr. S. Kanellos, Director, Real Estate and Construction Services  
Ms. D. Krakow, Project Manager, Real Estate and Construction Services  
Mr. D. Leger, Commissioner, Corporate Services  
Mr. H. Linscott, Director, Legal Services  
Mr. A. McLeod, Senior Legal Counsel, Legal Services  
Mr. G. Wallace, Director, Planning and Development

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### COMMITTEE OF THE WHOLE "IN CAMERA"

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

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

- (a) A proposed or pending acquisition or disposition of land by the municipality or local board – Municipal Accommodation;
- (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 – Appraisal of Land.

**CARRIED**

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### (Council Chamber)

#### Administrative Staff Present:

Ms. C. Beach, Commissioner, Sustainability and Growth  
Mr. J. Bolognone, Deputy City Clerk  
Mr. J. DaCosta, Project Manager, Corporate Asset Operations  
Mrs. C. Downs, City Clerk  
Mr. J. Hale, Driver/Labourer, Public Works  
Mr. G. Hunt, Chief Administrative Officer  
Ms. L. Hurdle, Director, Recreation and Leisure Services  
Mr. J. Johnson, Manager, Facilities, Corporate Asset Operations

#### Administrative Staff Present (continued):

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Mr. S. Kanellos, Director, Real Estate and Construction Services  
Mr. J. Keech, President and CEO, Utilities Kingston  
Ms. S. Kidd, Director, Corporate Asset Operations  
Mr. D. Leger, Commissioner, Corporate Services  
Mr. H. Linscott, Director, Legal Services  
Mr. P. MacLatchy, Director, Strategy, Environment and Communications  
Mr. B. McCurdy, Director, Cultural Services  
Mr. R. McKelvie, Chief Information Officer, Information Systems and Technology  
Ms. P. Nichols, Manager, Parking, Transportation  
Mr. R. Steele, Manager, Fleet, Corporate Asset Operations  
Mr. G. Wallace, Director, Planning and Development  
Mr. C. Wiginton, Manager, Cultural Services  
Mr. T. Willing, Acting Commissioner, Community Development Services

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**REPORT OF THE COMMITTEE OF THE WHOLE "IN CAMERA"**

(2) Moved by Councillor Gerretsen  
Seconded by Councillor Meers

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

**CARRIED**

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**DISCLOSURE OF PECUNIARY INTEREST**

Councillor Hector declared a possible pecuniary interest in the matter of Clause 14 and 15 of Report No. 46 of the Kingston Municipal Heritage Committee (LACAC) as she has a contract with Hughes Downey Architects.

Councillor Hutchison declared a possible pecuniary interest in the matter of Clause 14 and 15 of Report No. 46 of the Kingston Municipal Heritage Committee (LACAC) 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.

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**PRESENTATIONS**

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**DELEGATIONS**

Moved by Councillor Glover  
Seconded by Councillor Schmolka

THAT Council waive the rules of By-Law No. 98-1, "Council Procedural By-Law", as amended, in order to allow Delegation (1) to speak to Council for 20 minutes on the J.K. Tett Centre and Queen's Performing Arts Centre.

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

**DELEGATIONS (CONTINUED)**

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- (1) Dr. Daniel Woolf, Principal of Queen's University, Ms. Ann Browne, Vice-Principal (Finance and Administration) of Queen's University, and an architect were present and spoke to Council regarding the J.K. Tett Centre and Queen's Performing Arts Centre.

(See Clause (3), Report No. 40, Page No. 8)

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**BRIEFINGS**

- (1) Mr. Ross Toller, Regional Deputy Commissioner for Correctional Service of Canada, was present and spoke to Council regarding the implications of closing the prison farms in Kingston.

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**PETITIONS**

- (1) A petition bearing approximately 28 signatures was presented to the Clerk's Department and referred to the President and CEO of Utilities Kingston and reads as follows:

"We, the enclosed petitioners, respectfully request that you consider our request to lower the speed limit along Unity Road to 60 km/hr in the present area now posted as 80 km/hr between Glenburnie and Elginburg. We all reside in this area and in the buffering areas adjacent to it. Our reasons are as follows.

1. The distance between the Glenburnie 60 km/hr zone and the 50 km/hr zone is only 750 meters. This is a very short distance for a high speed zone and seems impractical. If one were to literally start accelerating at the beginning of the zone and decelerate before reaching the next zone, you would barely be traveling at the 80 km/hr posted rate for but a few seconds. Human nature is such that drivers accelerate much before they should and decelerate much after they should, which is dangerous for the slower zones. Excessive speed is the norm in the slower regions because of this short area of high speed.
2. This is an environmentally sensitive area. The high speed area is traversing a marsh which is home to many species of wildlife. A lower speed in this area would be less noisy for the wildlife and safer for the animals that frequently cross the road here.
3. Often fog settles in this area as it is low. Drivers frequently are surprised by the area of fog by the time they have sped up to the posted speed limit.
4. There are hidden driveways along the ends of the slower zones which aren't seen by drivers as they speed up too soon or slow down too late entering or leaving the high speed zone.

REFERRED TO THE PRESIDENT AND CEO OF UTILITIES KINGSTON

- (2) A petition bearing approximately 500 signatures was presented by Councillor Smith and referred to the Arts, Recreation and Community Policies Committee and reads as follows:

"We, the undersigned, citizens of the City of Kingston, "*Canada's Most Sustainable City*", urge Kingston City Council to amend the city bylaws to allow for the responsible keeping of a small number of backyard hens.

Hen's eggs are an affordable, healthy source of local, organic food in one's own backyard, thereby reducing greenhouse gas emissions and solid waste.

Dozens of leading North American municipalities, including Guelph, Brampton, Niagara Falls, Victoria, Vancouver, and Burnaby allow backyard hens. In all cases, the rule-changes have resulted in very few, and sometimes zero, bylaw complaints. The KFLA Board of Health produced a report in June 2009, and assessed backyard hens to pose no health concerns."

REFERRED TO THE ARTS, RECREATION AND COMMUNITY POLICIES COMMITTEE

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**MOTIONS OF CONGRATULATIONS/CONDOLENCES/SPEEDY RECOVERY**

Motions of Condolence

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

**THAT** the sincere condolences of Kingston City Council be extended to the family, friends and colleagues of Carolyn Davies, who passed away suddenly on March 2, 2010. Ms. Davies was a former member of the City's Affordable Housing Development Committee and the Roundtable on Poverty Reduction, in addition to her involvement in many other local community organizations.

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

**THAT** the sincere condolences of Kingston City Council be extended to the family and friends of Joan Rita Kizell, who passed away on March 8, 2010. Mrs. Kizell was a long-time resident of Kingston, a giving volunteer and an active member of our community.

**CARRIED**

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**REPORTS**

**Report No. 39 the Chief Administrative Officer (Consent)**

Moved by Councillor Schmolka  
Seconded by Councillor Gerretsen

**THAT** Report No. 39 of the Chief Administrative Officer (Consent) be received and adopted.

Council agreed to the separation of Clause (c).

**Report No. 39**

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) **Required Up-grade of Emergency Diesel Fuel Storage Tank at Rideaucrest Home**

**THAT** Council approve the purchase of the diesel fuel storage tank up-grade from M.A. Barr Service Station Maintenance Ltd. at a cost of \$58,850.00.  
(The Report of the Acting Commissioner of Community Development Services (10-075) was attached as Schedule Pages 1-4)  
(File No. CSU-P03-000-2010)

(b) **Approval of Applied GeoLogics Inc. to Provide Cartegraph – Geographic Information System (GIS) Integration Services**

**THAT** Council approve the single sourcing of Applied GeoLogics Inc. to provide Cartegraph – GIS Integration Services in the amount of \$59,600 exclusive of applicable GST as per the provisions of Section 4.5(ii) of the Purchasing By-Law No. 2000-134, as amended.  
(The Report of the President and CEO of Utilities Kingston (10-093) was attached as Schedule Pages 5-7)  
(File No. CSU-A03-000-2010)

(c) **Request for Extension of Noise Exemption from Empire Life Insurance**

**THAT** Empire Life Insurance Co. be granted an exemption from the normal 7:00 p.m. to 7:00 a.m. restriction under Schedule "B" of By-Law No. 2004-52, "A By-Law To Regulate Noise", in order to allow for concrete restoration work between the hours of 6:00 a.m. and 7:00 a.m. and also between the hours of 7:00 p.m. and 11:00 p.m.;

- and further -

**THAT** the exemption be in effect from Monday through Thursday from 6:00 a.m. to 11:00 p.m. until April 15, 2010.  
(The Report of the Acting Commissioner of Community Development Services (10-095) was attached as Schedule Pages 8-13)  
(File No. CSU-P01-002-2010)

**CARRIED**

**REPORTS (CONTINUED)**

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Report No. 39 the Chief Administrative Officer (Consent)

(d) Capital Project Status Report for the Fourth Quarter of 2009

THAT Council approve the financing of capital projects or (return of funds), as outlined in Appendix A of this report as follows:

Source of Financing	
<b>Municipal Capital Reserve Fund</b>	<b>(\$409,634)</b>
Crawford Wharf Reserve Fund	\$2,769
Facility Repair Reserve Fund	(\$11,881)
KAS Reserve Fund	(\$300,000)
Transit Reserve Fund	\$8,873
Rideaucrest Capital Reserve Fund	\$9,826
Development Charges	\$1,308,626
Industrial Land Reserve Fund	\$7,982
<b>Total-Other Reserve Funds</b>	<b>\$1,026,195</b>
<b>Total Reserve Funds</b>	<b>\$616,561</b>

- and further -

THAT Council approve the increase (reduction) of approved debenture financing with reference to specific project as outlined in Appendix A of this report as follows:

Source of Financing	
Municipal Capital Reserve Fund	\$1,263,121
Library Capital Reserve Fund	\$200,000
<b>Total Net Debenture Requirement (reduction)</b>	<b>\$1,463,121</b>

- and further -

THAT Council authorize the internal borrowing as an investment from reserve funds, as determined by the Treasurer, the sum of \$10,000,000, open, at a rate of 4.5% compounded semi-annually over an amortization term of 25 years, with repayments beginning on September 30, 2010;

- and further -

THAT a by-law be presented, "A By-Law To Authorize The Borrowing Of The Principal Amount Of \$10,000,000 Towards The Cost Of Capital Works From The Corporation Of The City Of Kingston" and given three readings. (The Report of the Deputy Treasurer (10-099) was attached as Schedule Pages 14-35) (File No. CSU-F05-000-2010) (See By-Law No. (7), 2010-61)

(e) Award of RFP for the Supply and Delivery of Furnace Oil to McKeown and Wood Fuels

THAT Request for Proposal (RFP) F31-FS-PS-2009-11 for the supply and delivery of furnace oil be awarded to McKeown and Wood Fuels, having submitted the highest scoring proposal based on the predetermined evaluation criteria;

**REPORTS (CONTINUED)**

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- and further -

**THAT** the Mayor and Clerk be authorized to enter into a contract with McKeown and Wood Fuels to the satisfaction of the Director of Legal Services, for the supply and delivery of furnace oil.  
(The Report of the Deputy Treasurer (10-100) was attached as Schedule Pages 36-39)  
(File No. CSU-F31-000-2010)

(f) **Award of RFP for the Purchase of One Hybrid SUV to Edwards Ford Sales (Kingston) Limited**

**THAT** the RFP F31-CS-FL-2010-03 for the purchase of one Hybrid SUV be awarded to Edwards Ford Sales (Kingston) Limited for the purchase price of \$33,595.00 plus applicable taxes.  
(The Report of the Commissioner of Corporate Services (10-104) was attached as Schedule Pages 40-42)  
(File No. CSU-F31-000-2010)

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

**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 Dean Perrett , Rick Metzler, Ken Gilpin, Lianne Ruttan, Tanya Thake, Shevaun Dowe, and Michael Hayes who will be appointed as Municipal Law Enforcement Officers and 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** By-Law No. 98-9, "A By-Law To Appoint Municipal Law Enforcement Officers of The Corporation of The 'New' City of Kingston", Section 1, be amended to remove Ken Steele;

- and further -

**THAT** the by-law receive all three readings.  
(The Report of the Acting Commissioner of Community Development Services (10-105) was attached as Schedule Pages 43-45)  
(File No. CSU-P01-000-2010)  
(See By-Law No. (8), 2010-62)

**CARRIED**

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**Report No. 40 of the Chief Administrative Officer (Recommend)**

Moved by Councillor Hector  
Seconded by Councillor Osanic

**THAT** Report No. 40 of the Chief Administrative Officer (Recommend) be received and adopted, clause by clause.

Council consented to the withdrawal of Clause (3).

**Report No. 40**

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

**REPORTS (CONTINUED)**

**Report No. 40 of the Chief Administrative Officer (Recommend)**

(1) **Street Benches – Feasibility Study Conclusion**

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**WHEREAS** Kingston City Council passed a resolution on August 4, 2009, directing staff to report back to Council with a feasibility study on the placement policies/criteria and related cost of additional street benches;

**THEREFORE BE IT RESOLVED THAT** Kingston City Council approve the recommended criteria for placement of new street benches as listed in Report No. 10-097;

- and further -

**THAT** Kingston City Council approve in principle the inclusion of ten (10) new accessible street benches per year in the capital budget commencing in 2011 and extending over a five year period.

(The Report of the President and CEO of Utilities Kingston (10-097) was attached as Schedule Pages 46-53)

(File No. CSU-T06-000-2010)

**CARRIED**

(2) **Parking Capital Budget Re-Allocation**

**THAT** Council authorizes a capital budget reallocation of \$650,000 from the Hanson Parking Facility and \$320,000 from surface parking lots approved capital budgets to fund the immediate repairs required for the Robert Bruce and Chown parking facilities.

(The Report of the Commissioner of Corporate Services (10-101) was attached as Schedule Pages 54-57)

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

**CARRIED**

(3) **Project Funding Approval – J.K. Tett Centre and Queen’s Performing Arts Centre**

1. **THAT** a final capital project budget for J.K. Tett Centre, as part of the joint City/Queen’s project, be established at \$11.5M, funded by a contribution from Queen’s of \$8.5M and \$3.0M from the One Time Infrastructure reserve fund;

- and further -

2. **THAT** the City contribute \$6M to the Queen’s Performing Arts Centre portion of the project, as a condition of securing the grants from upper levels of government;

- and further -

3. **THAT** the contribution from the City be conditional upon entering into an agreement with Queen’s University in a form satisfactory to the Director of Legal Services setting out the project funding obligations of Queen’s and the City as well as their mutual obligation to work together to ensure that the two sites are constructed to meet ongoing needs for a vibrant cultural cluster comprised of the City’s J.K Tett Centre and the Queen’s Performing Arts Centre;

- and further -

4. **THAT** the Mayor and Clerk be authorized to sign the Agreement with Queen’s University;

- and further -

5. **THAT** funding for the operations of the new arts cluster at the J.K. Tett Centre budgeted in the 2011 operating budget.

(The Report of the Commissioner of Sustainability and Growth (10-102) was attached as Schedule Pages 150-161)

(File No. CSU-R05-000-2010)

**WITHDRAWN**

**REPORTS (CONTINUED)**

**Report No. 40 of the Chief Administrative Officer (Recommend)**

(4) **Approval for an Underground Tunnel Connecting the Tindal Field Underground Parking Structure to the Goodes Hall Underground Parking Structure at Queen’s University**

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THAT Council authorize the Mayor and the Clerk to enter into an agreement, subject to the satisfaction of the city's solicitor, with Queen's University that will contain the following:

- Technical requirements for the physical construction of a vehicular and pedestrian tunnel under Union Street that will connect the underground parking structures at Tindal Field with the proposed underground parking structure at the expansion of Goodes Hall;
- Provision for a temporary encroachment that permits Queen's to utilize the municipal right of way for the purposes of constructing the tunnel;
- Provision for a permanent easement within the Union Street right-of-way to allow for the on-going use of the municipal right-of-way for the tunnel; and
- The long term maintenance and insurance obligations as well as any annual fee requirements or lump sum payment so as to provide that the tunnel can exist under the Union Street right-of-way without future cost or liability to the City of Kingston.

(The Report of the President and CEO of Utilities Kingston (10-103) was attached as Schedule Pages 58-62)  
(File No. CSU-T02-000-2010)

**CARRIED**  
**(With Agreed To Amendments)**

**(5) RBC Cup 2012 – Fees and Costs Exemption**

THAT Council waive fees and costs to a maximum of \$48,760 (2012 value), as detailed in this report, for the RBC Cup 2012 event should the City of Kingston be selected as the successful host in May 2012.

(The Report of the Commissioner of Sustainability and Growth (10-110) was attached as Schedule Pages 63-84)

(File No. CSU-F00-000-2010)

**CARRIED**

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**Report No. 41 of the Chief Administrative Officer (Consider)**

Moved by Councillor Matheson

Seconded by Councillor Hutchison

THAT Report No. 41 of the Chief Administrative Officer (Consider) be considered.

**Report No. 41**

To the Mayor and Members of Council:

The Chief Administrative Officer reports and requests consideration as follows:

**(1) Church Athletic League (CAL) Home Ice Negotiations**

- A** 1) THAT Council relocate the Church Athletic League's home ice to the Memorial Centre at the end of the 2010- 2011 hockey season;

- and further -

**REPORTS (CONTINUED)**

**Report No. 41 of the Chief Administrative Officer (Consider)**

- 2) THAT Council direct staff to work with the Church Athletic League to implement upgrades and repairs at the Memorial Centre, to an upset limit of \$100,000, to accommodate the needs of the Church Athletic League relocation of home ice at the end of the 2010-2011 hockey season;

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- and further -

- 3) **THAT** Council direct staff to initiate plans to relocate the Domino Theatre to the Harold Harvey arena in 2011 with a proposed opening of September 2011.

- OR -

- B** 1) **THAT** Council direct staff to continue discussions and negotiations with the Church Athletic League in 2010 and 2011 in order to attempt to finalize an agreement by March 2011 for home ice relocation at the Memorial Centre;

- and further -

- 2) **THAT**, as per the February 17, 2010 Council motion, staff to add \$2,000,000 to the 10 year capital budget to convert the Harold Harvey direct ammonia system should staff and that Church Athletic League not be able to reach an agreement for relocation of home ice to the Memorial Centre by March 2011.

(The Report of the Commissioner of Sustainability and Growth (10-109) was attached as Schedule Pages 85-89)  
(File No. CSU-R05-000-2010)

Moved by Councillor Glover

Seconded by Councillor Matheson

**THAT** Council direct staff to follow Option A, which reads as follows:

- A** 1) **THAT** Council relocate the Church Athletic League's home ice to the Memorial Centre at the end of the 2010- 2011 hockey season;

- and further -

- 2) **THAT** Council direct staff to work with the Church Athletic League to implement upgrades and repairs at the Memorial Centre, to an upset limit of \$100,000, to accommodate the needs of the Church Athletic League relocation of home ice at the end of the 2010-2011 hockey season;

- and further -

- 3) **THAT** Council direct staff to initiate plans to relocate the Domino Theatre to the Harold Harvey arena in 2011 with a proposed opening of September 2011.

**DEFERRED**

**(See Motion To Defer Which Was CARRIED)**

Moved by Councillor Schmolka

Seconded by Councillor Garrison

**THAT** Option A of Clause (1) of Report No. 40 of the Chief Administrative Officer (Consider) be deferred and referred to the April 6, 2010, Council meeting for a further report from staff.

**CARRIED**

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**REPORTS (CONTINUED)**

**Report No. 42 of the Planning Committee**

Moved by Councillor Schmolka

Seconded by Councillor Glover

**THAT** Report No. 42 of the Planning Committee be received and adopted.

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Report No. 42

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.

March 4, 2010

1. **Application for Zoning By-Law Amendment for the Property Located at 271 Main Street**

**THAT** the Application for Zoning By-Law Amendment (Our File No. D14-166-2009) submitted by Barry Gordon, on behalf of David Gay and Melia Holder, for the property municipally known as 271 Main Street, **BE APPROVED**.

**AND FURTHER THAT** the former City of Kingston Zoning By-Law No. 32-74, as amended, be further amended as follows:

Map 3 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site to change from Holding Special Residential 'R1-47-H' Zone to Residential 'R1' Zone, as shown on Schedule "A" attached to and forming part of By-Law No. 2010-63.

1.2. By Modifying Section 9 (uu), R1-47-H thereto as follows:

"Notwithstanding any provisions of Sections 9(1)(a) and 9(2) hereof to the contrary, the lands zoned 'R1-47' on Schedule "A" hereto shall be used for no purpose other than a single family dwelling house, in accordance with the following provisions:

- (a) Lot Area (minimum): 630 square metres
- (b) Lot Frontage (minimum): 7 metres
- (c) Front Yard Depth (minimum): 30.5 metres
- (d) Exterior Side Yard Width (minimum): 1.2 metres
- (e) Interior Side Yard Width (minima):
  - (i) In the case of only 1 such yard: 3.9 metres
  - (ii) In the case of more than 1 such yard: 1.2 metres  
on one side and 3.9 metres on any other side provided that on that side where there is an attached private garage with no living space above, below, in front or behind, the minimum interior side yard width may be reduced from 3.9 metres to 1.2 metres.
- (f) Rear Yard Depth (minimum): 10.0 metres
- (g) Water Setback (minimum): 15.0 metres
- (h) Setback (minimum): 6.0 metres plus the minimum required front yard depth.
- (i) Yards for Accessory Buildings and Structures/Location of accessory buildings and Structures:

**REPORTS (CONTINUED)**

**Report No. 42 of the Planning Committee**

- (i) No accessory building or structure shall be located
  - a) within 30 metres of the high water mark
  - b) within 1.2 metres of any interior side lot line
  - c) within 1.2 metres of any exterior side lot line
  - d) within in any front yard

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- (ii) No detached accessory building or structure shall be located closer than 1.2 metres to a main building.
- (j) The provisions of Section 5(1)(c)(iv) shall not apply.
- (k) Lot Coverage:
  - (i) exclusive of accessory buildings and structures, with or without dwelling space below or above, steps, unenclosed porches, verandahs, balconies, decks, and patios (maximum): 400 square metres
  - (ii) accessory buildings and structures, (maximum): 28 square metres
  - (iii) steps; unenclosed porches; verandahs; balconies; and decks and patios more than 0.6 metres above the lowest ground level adjacent to the deck or patio (maximum) total: 45 square metres;
    - in rear yard (maximum): 22.5 square metres;
    - in front yard (maximum): 22.5 square metres;
  - (iv) decks and patios less than 0.6 metres above the lowest ground level adjacent to the deck or patio (maximum): 45 square metres
- (l) Height of Buildings (maximum): 95 metres (Canadian Geodetic Datum, this is the absolute elevation not the height above grade)  
For the purposes of this zone "Height" shall mean highest point of any structure exclusive of any accessory roof construction such as a chimney.
- (m) Dwelling Houses per Lot (maximum): 1 only
- (n) Location of Driveway:  
No part of any driveway shall be located within 3.5 metres of any zone other than a 'R1-47' zone. Nothing shall prevent the location of a driveway within an interior side yard that abuts a 'R1-47' zone. Abutting driveways are permitted.
- (o) Access/Width of Driveway (maximum): 3.0 metres
- (p) Number of Driveways: 1 only
- (q) Number of Parking Spaces Per Dwelling Unit (minimum): 2
- (r) Width of Parking Space (minimum): 3.0 metres
- (s) Length of Parking Space (minimum): 6.0 metres
- (t) Area of Parking Space (minimum): 18.0 square metres
- (u) Location of Parking Spaces:  
All yards, except a required rear yard or required front yard, provided that no part of any parking area is located closer than 1.2 metres to an interior side lot line. Nothing shall prevent the establishment of a required parking space directly behind or directly in front of another required parking space.
- (v) Flag poles, television antennae, satellite dishes, and similar radio and microwave antennae shall not be permitted within this Zone.

## REPORTS (CONTINUED)

### Report No. 42 of the Planning Committee

- (w) Yard Encroachments:  
The provisions of Section 5(23)(b) shall not apply, except that steps may project into any required rear yard a maximum distance of 1.5 metres and into any other required yard a maximum distance of 0.5 metres. The provisions of Section 5(23)(c) shall not apply, except that a deck or patio with no roof structure not more than 0.6 metres above the lowest ground level adjacent to the deck or

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patio and covering not more than 18 square metres of a required rear yard may project into a required rear yard not more than 5.5 metres.

- (x) Minimum Elevation:  
No dwelling house shall be erected with a floor elevation below 76.6 metres (Canadian Geodetic Datum).

(See By-Law No. (9), 2010-63)

(Note: A copy of the draft by-law was attached as Schedule Pages 90-94)

2. **Application for Zoning By-Law Amendment for the Property Located at 1368 Highway No. 15**

**WHEREAS** an application for Zoning By-Law Amendment has been submitted by N. and T. Dearsley, for the lands known municipally as 1368 Highway No. 15 to amend the zoning on 0.38 hectares (0.94 acres) of land from Residential Type 1 to Residential Type 1 Special Requirement (R1-49) Zone under Zoning By-Law No. 32-74 to allow a Bed and Breakfast operation of 4 bedrooms; and,

**WHEREAS** a Statutory Public Hearing was held on January 7<sup>th</sup>, 2010;

**THAT** the Application for Zoning By-Law Amendment (Our File No. D14-133-2008) submitted by N. and T. Dearsley for 0.39 hectares (0.94 acres) of property located in Lot 5 of Plan 628 formerly Township of Pittsburgh, now the City of Kingston, municipally known as 1368 Highway No. 15, **BE APPROVED.**

**AND FURTHER THAT** it be recommended to Council that the Township of Pittsburgh Zoning By-Law No. 32-74, as amended, be further amended as follows:

1. By-Law No. 32-74 of The Corporation of the City of Kingston, entitled "Zoning By-Law Township of Pittsburgh", as amended, is hereby further amended as follows:
  - 1.1. Map 4 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from R1 to R1-49, as shown on Schedule "A" attached to and forming part of By-Law No. 2010-64.
  - 1.2. By **Adding** a new subsection 9(3)(vv) thereto as follows:
    - "(vv) **1368 Highway No. 15 (R1-49 Zone)**  
Notwithstanding the provisions of Section 9(2)(b) hereof to the contrary, the lands zoned "R1-49" on Schedule 'A' hereto, may also be used for a "BED and BREAKFAST" in accordance with the following provisions:
      - (i) For the purpose of this section a "BED and BREAKFAST" shall be defined as a dwelling occupied by the owner and in which a maximum of four (4) rooms are provided with or without meals, for hire or pay, for the travelling or vacationing public.
      - (ii) Five (5) parking spaces shall be provided.
      - (iii) A sign identifying the "BED and BREAKFAST" is permitted on the property; the sign shall be less than 5 square metres in area."

**REPORTS (CONTINUED)**

Report No. 42 of the Planning Committee

**AND BE IT FURTHER RESOLVED** that the Amending By-Law be presented to City Council for all three readings.

(See By-Law No. (10), 2010-64)

(Note: A copy of the draft by-law was attached as Schedule Pages 95-97)

**CARRIED**

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Report No. 43 of the Environment, Infrastructure and Transportation Policies Committee

Moved by Councillor Hutchison

Seconded by Councillor Matheson

**THAT** Report No. 43 of the Environment, Infrastructure and Transportation Policies Committee be received and adopted.

Council consented to the separation of Clause 2.

**Report No. 43**

To the Mayor and Members of Council:

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

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

March 9 2010

1. **Process for Public Input Regarding Traffic-Related Matters**

**WHEREAS** the EITP Committee is currently the venue for the consideration of traffic-related policy matters and also provides a forum for public input; and,

**WHEREAS** the current process allows for Council, individual members of Council, members of the public (via Council), and/or staff to bring forward traffic-related matters for the EITP Committee to consider;

**THEREFORE BE IT RESOLVED THAT** that the following process be adopted when requests are made for specific traffic-related changes or upgrades:

Requests would be submitted to staff through the Traffic Division and;

- a. Staff will assess and review the requests in accordance with the Traffic Division's existing guidelines and policies.
- b. If supported and/or warranted, staff will present a report to Council recommending that a certain action take place; or;

If staff are not able to recommend approval of the request, then the applicant can write to the Environment, Infrastructure and Transportation Policies Committee and ask for the Committee to consider the matter; and further,

The Traffic Division will hold formal meetings with Kingston City Police representatives three to four times per year to review traffic-related concerns.

**REPORTS (CONTINUED)**

Report No. 43 of the Environment, Infrastructure and Transportation Policies Committee

2. **Kingston Transit – 2010-11 Service Improvement Recommendations**

**THAT** Kingston Transit implement the following routes in September 2010 at an estimated maximum operating cost in 2010 of \$351,376:

- New Local Route: East-West - John Counter Boulevard;
- New Local Route: Intercity Connector, subject to amending the current agreement with Queen's AMS in a form satisfactory to the Director of Legal Services to delete Route 18 and replace it with the Inter-City Connector Route;

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With funding of \$200,000 from the 2010 Transit approved operating budget and the remaining \$151,376 from the 2009 Transit revenue surplus (the Working Fund Reserve);

- and further -

**THAT** the annualized cost to provide these routes of approximately \$1,054,130 be included in the 2011 operating budget submission;

- and further -

**THAT** staff be directed to present a report to the Environment, Infrastructure and Transportation Policies Committee by September 2010 regarding the other potential service changes in 2011 and future years, including but not limited to the option of introducing Express Routes.

**CARRIED**

**(See Motion To Defer Which Was LOST)**

Moved by Councillor Garrison

Seconded by Councillor Meers

**THAT** Clause 2 of Report No. 43 of the Environment, Infrastructure and Transportation Policies (EITP) Committee be deferred and referred back to the EITP Committee in order to allow staff to provide options for increasing resources to transit in such a way that there are no service losses, particularly in regards to Route 1 on Princess Street; and that this item also be sent to the Kingston Community Roundtable on Poverty Reduction for their comments; and that the Roundtable comments be reported back to Council at the same meeting whereat the EITP Committee report will be presented.

**LOST (2:10)**

**(See Recorded Vote)**

A Recorded Vote was requested by Councillor Garrison

YEAS: Councillor Garrison, Councillor Meers (2)

NAYS: Councillor Gerretsen, Councillor Glover, Councillor Hector, Councillor Hutchison, Councillor MacLeod-Kane, Councillor Matheson, Councillor Osanic, Mayor Rosen, Councillor Schmolka, Councillor Smith (10)

ABSENT: Councillor Foster (1)

3. **Residential On-Street Parking Pilot Project Extension**

**THAT** the Residential On-Street Parking Pilot Project be extended to August 31, 2010 to allow for a period of program analysis and policy formulation.

**REPORTS (CONTINUED)**

Report No. 43 of the Environment, Infrastructure and Transportation Policies Committee

4. **Garbage and Recycling Receptacles at Parking Areas and Entries for Trails**

**WHEREAS** a motion from the Rural Affairs Advisory Committee recommending that garbage and recycling receptacles be placed at parking areas and entries for trails was considered at the March 9 Environment, Infrastructure and Transportation Policies Committee meeting;

**THEREFORE BE IT RESOLVED THAT** the placement of garbage and recycling receptacles at parking areas and entries for trails be considered;

- and further -

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THAT staff be directed to prepare a report on the costing implications.

5. **Lasalle Causeway – Installation of Remote Controlled Traffic Signal System for Emergency Vehicles**

**WHEREAS**, at this time, the only way for emergency vehicles to get to or from the east side of the Greater Cataraqui River is by using the Lasalle Causeway, Highway 401, or Kingston Mills Bridge; and,

**WHEREAS** the process towards adding another road crossing is still underway and many months from completion;

**THEREFORE BE IT RESOLVED THAT** staff be directed to report back to the Environment, Infrastructure and Transportation Policies Committee on the utility of installing an emergency priority traffic signal system at the approaches to the Lasalle Causeway that could be activated remotely by emergency vehicles;

- and further -

THAT staff include in the report a cost estimate and an implementation schedule;

- and further -

THAT the report come forward to the June 2010 Environment, Infrastructure and Transportation Policies Committee meeting at the latest.

**CARRIED**  
**(Clauses 1 and 3 through 5)**

\*\*\*\*\*

**Report No. 44 of the Administrative Policies Committee**

Moved by Councillor Hector  
Seconded by Councillor Smith

THAT Report No. 44 of the Administrative Policies Committee be received and adopted.

Council consented to the separation of Clause 1 and 2.

**Report No. 44**

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.

**REPORTS (CONTINUED)**

**Report No. 44 of the Administrative Policies Committee**

March 11, 2010

1. **Sunday Hunting**

THAT Council endorse Sunday hunting and request that the Ministry of Natural Resources add the City of Kingston to the list of Municipalities allowing Sunday gun hunting in Ontario.

**CARRIED**

2. **Overpopulation of Wildlife**

THAT no action be taken on the following motion:

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*"THAT Council request that the Ministry of Natural Resources immediately develop a plan of action to deal with the problem of the overpopulation of deer and the over population of coyotes and other similar predators encroaching urban areas and threatening livestock in rural areas."*

**CARRIED (8:4)**  
**(See Recorded Vote)**

A Recorded Vote was requested by Councillor Garrison

YEAS: Councillor Glover, Councillor Hector, Councillor Hutchison, Councillor MacLeod-Kane, Councillor Matheson, Mayor Rosen, Councillor Schmolka, Councillor Smith (13)

NAYS: Councillor Garrison, Councillor Gerretsen, Councillor Meers, Councillor Osanic (4)

ABSENT: Councillor Foster (1)

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**Report No. 45 of the Arts, Recreation and Community Policies Committee**

Moved by Councillor Hutchison

Seconded by Councillor Osanic

**THAT** Report No. 45 of the Arts, Recreation and Community Policies Committee be received and adopted.

Council consented to the separation of Clauses 1 and 3.

**Report No. 45**

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.

February 25, 2010

**REPORTS (CONTINUED)**

**Report No. 45 of the Arts, Recreation and Community Policies Committee**

1. **Poet Laureate**

**THAT** the Description of the Goals, Duties, Support and Eligibility, and, the Appointment Criteria of the Poet Laureate as described in the Terms of Reference be adopted;

- and further -

**THAT** the Cultural Services Department review with other City Departments as necessary the mechanics for the term and appointment process of the Poet Laureate.

(The above motion was approved at the Arts Advisory Committee on February 11, 2010 and was forwarded to ARCP for consideration. A copy of 'A Proposal for a Poet Laureate for the City of Kingston – Terms of Reference' was attached to the ARCP agenda as Schedule Pages 1-2 and was re-attached here as Schedule Pages 98-99.)

**CARRIED**

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2. **Artillery Park Refurbishing and Enhancing Plan**

**THAT** the Artillery Park Refurbishing and Enhancing Plan and Costs, dated January 8, 2010, attached as Exhibit B to Report No. ARCP-10-015 be approved;

- and further -

**THAT** the 2011 capital budget include \$1.3M to complete Phase 1 and Phase 2, to be financed from debt through the Municipal Capital Reserve Fund which will ensure the provision of accessible family change rooms within Artillery Park;

- and further -

**THAT** staff be directed to amend the 10 year capital budget to include additional funding in future capital budgets to complete Phases 3, 4 and 5 of the plan.

(The Report of the Commissioner, Sustainability and Growth Group (ARCP-10-015) was attached to the ARCP agenda as Schedule Pages 3-9.)



March 3, 2010

3. **Boys and Girls Club of Kingston & Area Capital Funding Request**

**THAT** a \$200,000 contribution, through a ten (10) year forgivable loan to the Boys and Girls Club of Kingston & Area for capital upgrades at Robert Meek Community Centre, to be completed by March 31, 2011, be approved subject to the provision of the following documents to the satisfaction of staff:

- i.* the most recent year audited statement;
- ii.* a business plan projection for future operations or comparable forward looking document;
- iii.* a construction elements schedule.

(Note: The Report of the Commissioner of Sustainability and Growth Group (ARCP-10-019) was attached to the ARCP agenda as Schedule Pages 1-26. A new Exhibit 'C' to the report was attached to the ARCP addendum.)

**DEFERRED DUE TO LACK OF TIME  
(See Motion To Defer Which Was LOST)**

**REPORTS (CONTINUED)**

**Report No. 45 of the Arts, Recreation and Community Policies Committee**

Moved by Councillor Schmolka  
Seconded by Councillor Hector

**THAT** Clause 3 of Report No. 45 of the Arts, Recreation and Community Policies Committee be deferred to the April 6, 2010, Council meeting and that staff be directed to report back to Council at the April 6 meeting on the critical elements of the referenced documents.

**LOST (5:7)  
(See Recorded Vote)**

A Recorded Vote was requested by Councillor Garrison

YEAS: Councillor Glover, Councillor Hector, Mayor Rosen, Councillor Schmolka, Councillor Smith (5)

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NAYS: Councillor Garrison, Councillor Gerretsen, Councillor Hutchison, Councillor MacLeod-Kane, Councillor Matheson, Councillor Meers, Councillor Osanic (7)

ABSENT: Councillor Foster (1)

Moved by Councillor Matheson

Seconded by Councillor Hutchison

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

**LOST**

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

**4. Business Plan for the J.K. Tett Centre for Creativity and Learning**

**THAT** the J.K. Tett Centre for Creativity and Learning Business Plan, dated February 2010, attached to the ARCP agenda as Exhibit "A" be endorsed as a basis for proceeding to the next steps of finalizing the rehabilitation of the J. K. Tett Building;

- and further -

**THAT** City staff work with the groups identified in the business plan to finalize an operational model prior to the final award of construction contracts for the City's project;

- and further -

**THAT** staff be directed to enter into any agreements required to facilitate the finalization and creation of the operational model, subject to approval of the capital project for rehabilitation of the J.K. Tett Building and that the Mayor and Clerk be authorized to execute said agreements.

(Note: The Report of the Commissioner of Sustainability and Growth Group (ARCP-10-020) was attached to the ARCP addendum.)

**CARRIED**

**(Clauses 2 and 4)**

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**REPORTS (CONTINUED)**

**Report No. 46 of the Kingston Municipal Heritage Committee (LACAC)**

**Report No. 46**

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.

March 8, 2010

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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. **Request that Staff Review the Exterior of the Outer Montreal Street Train Station Regarding Possible Public Safety Concerns due to a Rapidly Deteriorating Façade and Report Back to KMHC**

THAT staff be requested to review the exterior of the Outer Montreal Street Train Station in regard to possible public safety concerns due to the rapidly deteriorating façade;

- and further -

THAT staff be requested to report back to the Kingston Municipal Heritage Committee in May 2010.

2. **Approval of an Application for a Temporary Structure at 75 Mowat Avenue**

THAT Application P18-256-012-2010 for a property located at 75 Mowat Avenue requesting approval for a temporary structure **BE APPROVED** in accordance with details described within a submission filed January 27, 2010, and deemed complete by the Planning and Development Department February 1, 2010;

- and further -

THAT a Professional Engineer is required to confirm that the design conforms to Division B, Part 4 (Structural Design) of the Ontario Building Code;

- and further -

THAT this temporary roof for the porch be dismantled when the applicant moves out of the property in question and that the mortar be repaired as necessary.

3. **Approval of an Application for Revisions to Existing Front Dormer, New Rear Dormer and Side and Rear Window Changes at 115 Gore Street**

THAT Application P18-147-013-2010 for a property located at 115 Gore Street requesting approval for revisions to existing front dormer, new rear dormer and side and rear window changes **BE APPROVED** in accordance with details described within a submission filed January 27, 2010, and deemed complete by the Planning and Development Department February 2, 2010;

- and further -

THAT it be understood that the dormers be finished with either siding or shingling and that the simple line be maintained;

## REPORTS (CONTINUED)

### Report No. 46 of the Kingston Municipal Heritage Committee (LACAC)

- and further -

THAT a soldier course head be added over the proposed French doors, and a precast concrete stone sill added where the new window is located to match the other sills on the building.

4. **Approval of an Application for a Dormer and Basement Access at 103 Wellington Street**

THAT Application P18-389-014-2010 for a property located at 103 Wellington Street requesting approval for a dormer and basement access **BE APPROVED** in accordance with details described within a submission filed January 28, 2010, and deemed complete by the Planning and Development Department February 4, 2010;

- and further -

THAT proper drainage is to be maintained;

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- and further -

**THAT**, if accessing the property from other than the driveway, proper/permission is required;

- 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;

- 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.

5. **Approval of an Application for the Repair of Windows and a Door at 130 Johnson Street**

**THAT** Application P18-045-015-2010 for a property located at 130 Johnson Street requesting approval for the repair of double hung windows and west door **BE APPROVED** in accordance with details described within a submission filed January 28, 2010, and deemed complete by the Planning and Development Department February 4, 2010;

- and further -

**THAT**, if accessing property from other than driveway, proper permit/permission is required;

- and further -

**THAT**, prior to commencement of the work, the applicant will be required to make application to the Engineering Department for a temporary encroachment permit in the event that the materials required to undertake the alteration encroach in the public right of way (i.e. scaffolding, dumpsters). In particular there will need to be consideration for the rerouting of pedestrian traffic if the works require closure of the sidewalk.

6. **Approval of an Application for the Repair and Refurbishment of a Door and Windows at 80 Gore Road**

**THAT** Application P18-510-016-2010 for a property located at 80 Gore Road, Barriefield Village requesting approval for repair and refurbishment of door and windows **BE APPROVED** in accordance with details described within a submission filed January 28, 2010, and deemed complete by the Planning and Development Department February 4, 2010;

**REPORTS (CONTINUED)**

**Report No. 46 of the Kingston Municipal Heritage Committee (LACAC)**

- and further -

**THAT**, if accessing property from other than driveway, proper permit/permission is required.

7. **Approval of an Application for the Installation of a Shielding System for the Ice Groomer Gazebo at 216 Ontario Street**

**THAT** Application P18-273-017-2010 for a property located at 216 Ontario Street also known as City Hall requesting approval for the installation of a shielding system for the ice groomer gazebo **BE APPROVED** in accordance with details described within a submission filed January 28, 2010, and deemed complete by the Planning and Development Department February 11, 2010;

- and further -

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THAT a building permit will be required and in addition to the project being designed by a mechanical engineer, a structural engineer will be required for the design of attachment of the sound panels to the existing "ribs" specifically but not limited to wind loads;

- and further -

THAT, if accessing property from other than driveway, proper permit/permission is required;

- and further -

THAT, prior to commencement of the work, the applicant will be required to make application to the Engineering Department for a temporary encroachment permit in the event that the materials required to undertake the alteration encroach in the public right of way (i.e. scaffolding, dumpsters). In particular there will need to be consideration for the rerouting of pedestrian traffic if the works require closure of the sidewalk.

8. **Approval of an Application for the Restoration of a Porch at 1 Emily Street**

THAT Application P18-141-018-2010 for a property located at 1 Emily Street requesting approval for the restoration of a porch **BE APPROVED** in accordance with details described within a submission filed January 29, 2010, and deemed complete by the Planning and Development Department February 4, 2010.

9. **Approval of the Installation of Solar Panels at 220 Green Bay Road, Barriefield Village**

THAT Application P18-720-019-2010 for a property located at 220 Green Bay Road, Barriefield Village requesting approval for the installation of solar panels **BE APPROVED** in accordance with details described within a submission filed January 29, 2010, and deemed complete by the Planning and Development Department February 4, 2010;

- and further -

THAT, if accessing property from other than driveway, proper permit/permission is required;

- and further -

THAT, prior to commencement of the work, the applicant will be required to make application to the Engineering Department for a temporary encroachment permit in the event that the materials required to undertake the alteration encroach in the public right of way (i.e. scaffolding, dumpsters). In particular there will need to be consideration for the rerouting of pedestrian traffic if the works require closure of the sidewalk. The encroachment application can be found in the City's website at <http://www.cityofkingston.ca/business/development/engineeringfees.asp>.

## REPORTS (CONTINUED)

### Report No. 46 of the Kingston Municipal Heritage Committee (LACAC)

10. **Approval of an Application for the Reconstruction of a Roof at 218 King Street East**

THAT Application P18-720-020-2010 for a property located 218 King Street East requesting approval for the reconstruction of a roof **BE APPROVED** in accordance with details described within a submission filed January 29, 2010, and deemed complete by the Planning and Development Department February 4, 2010.

11. **Approval of an Application for an Electrical Service Upgrade at 6 Princess Street**

THAT Application P18-282-021-2010 for a property located at 6 Princess Street requesting approval for an electrical service upgrade **BE APPROVED** in accordance with details described within a submission filed March 1, 2010 and deemed complete by the Planning and Development Department March 1, 2010;

- and further -

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**THAT** it be understood that the preference is that the power source go right into the building at ground or below grade level, and that it not be located on the face of the building.

12. **Reaffirmation of Approval for the Replacement of Asphalt Shingles at 73 Sydenham Street**

**THAT** Application P18-361-011-2010(EMG) for a property located at 73 Sydenham Street which received an Emergency Approval for the replacement of black asphalt shingles **BE REAFFIRMED** in accordance with details described within a submission filed January 28, 2010 and deemed complete by the Planning and Development Department February 1, 2010.

13. **Final Approval for a Heritage Property Grant for the Costs of Work to be Done for the Repair and Replacement of Various Windows, and Re-Building of Two Brick Chimneys at 76 Mowat Avenue**

**WHEREAS** the owner of 76 Mowat Avenue has requested final approval for Heritage Grant Application HG-015-2009; and,

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

**THEREFORE BE IT RESOLVED THAT** Heritage Property Grant HG-015-2009 for 76 Mowat Avenue **BE APPROVED** for the costs of work done for the repair and replacement of various windows, and re-building of two brick chimneys;

- 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'.



Note: The following items appeared as Clauses 2 and 3 of Report No. 11 of the Kingston Municipal Heritage Committee (LACAC) on the agenda for the Council meeting held on December 15, 2009 and were deferred until Council made a decision on the proposed Barriefield affordable housing project. Council has provided direction with regard to Barriefield and therefore these motions are being brought forward.

**REPORTS (CONTINUED)**

Report No. 46 of the Kingston Municipal Heritage Committee (LACAC)

14. **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;

- and further -

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

15. **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**

\*\*\*\*\*

**Report No. 47 of the Municipal Accessibility Advisory Committee**

**Report No. 47**

To the Mayor and Members of Council:

The Municipal Accessibility Advisory Committee reports and recommends as follows:

March 4, 2010

1. **Approval of the Accessibility Consultation Process Policy**

THAT Council approve the Accessibility Consultation Process Policy, attached as Exhibit "A" to Report No. MAAC-10-001.

(Note: The Report of the Commissioner of Sustainability and Growth Group (MAAC-10-001) was distributed separately from the MAAC agenda.)

**REPORTS (CONTINUED)**

**Report No. 47 of the Municipal Accessibility Advisory Committee**

2. **Approval of Municipal Accessibility Advisory Committee (MAAC) Working Group Mandates**

THAT Council approve the mandates of the three (3) MAAC working groups.

(Note: Copies of the mandates were attached as Schedule Pages 100-102)

3. **Accessibility Statement**

THAT Council adopt "Committed to Accessibility for All" as the City of Kingston Accessibility Statement;

- and further -

THAT staff be directed to report back to MAAC on where this statement could be used including associated costs.



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Note: Clause 4 was deferred at the Council meeting held on August 4, 2009, and referred to staff for an appropriate interpretation on the declaration of all parallel transit as an essential service including implications to the City. (See Information Report No. (6), Page No. 26)

4. **Approval of Motion Regarding Declaration of Parallel Transit as Essential Service**

**WHEREAS** the Municipal Accessibility Advisory Committee (MAAC) recommends solutions to deal with the provision of goods and services as defined within the City Municipal Accessibility Advisory Committee mandate; and,

**WHEREAS** the City of Kingston has publicly committed to accessibility for all its citizens; and,

**WHEREAS** the City of Kingston operates Kingston Transit buses for its residents; and,

**WHEREAS** Kingston Access Services operates buses as a parallel transit to Kingston Transit for disabled residents; and,

**WHEREAS** the Access Bus is the only option for transportation for most people with disabilities; and,

**WHEREAS** accessibility to parallel transit was denied to citizens during the recent access bus strike;

**THEREFORE BE IT RESOLVED THAT** the Municipal Accessibility Advisory Committee (MAAC) request that City Council approve the following motion, and that a copy of the following motion be forwarded to the Premier Dalton McGuinty, Hon. John Gerretsen, M.P.P. for Kingston and the Islands, Association of Municipalities of Ontario (AMO) and all municipalities with a population of over 50,000, requesting that they also request the Provincial Government to declare all parallel transit an essential service:

**WHEREAS** the Access Bus is the only option for transportation for most people with disabilities; and,

**WHEREAS** accessibility to parallel transit was denied to citizens during a recent access bus strike;

**THEREFORE BE IT RESOLVED THAT** City Council request the Provincial Government to declare all parallel transit an essential service.

**DEFERRED**

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**INFORMATION REPORTS**

(1) **Statement of Remuneration and Expenses Paid to Council Members for 2009**

The purpose of this report is to provide an itemized statement on remuneration and expenses paid in 2009 to each member of Council.

(The Report of the Deputy Treasurer (10-070) was attached as Schedule Pages 103-107)  
(File No. CSU-F16-000-2010)

(2) **2010 Municipal Debt Limits**

The purpose of this report is to provide the annual report to Council with respect to the municipality's existing levels of long-term debt as well as the additional long-term borrowings that could be available as per the provincial guidelines.

(The Report of the Deputy Treasurer (10-071) was attached as Schedule Pages 108-115)  
(File No. CSU-F11-000-2010)

(3) **Green Fleet Policy Information Report**

The purpose of this report is to update Council on the implementation of the Green Fleet Policy during the first two years, 2008 and 2009.

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(The Report of the Commissioner of Corporate Services (10-079) was attached as Schedule Pages 116-121)  
(File No. CSU-V00-000-2010)

(4) **K-Rock Centre 2009 Annual Report**

The purpose of this report is to allow Arcturus/SMG (ASMG) the opportunity to provide its year-end review of operations, and the corresponding financial results, for the twelve months ending December 31, 2009, relative to the expected results based on their 2009 budget submission.

(The Report of the Commissioner of Corporate Services (10-082) was attached as Schedule Pages 122-137)  
(File No. CSU-R05-001-2010)

(5) **Description of City Activities for Earth Hour 2010**

The purpose of this report is to update Council regarding the activities to be held in the City of Kingston on Saturday, March 27, 2010 as part of the Earth Hour event.

(The Report of the Commissioner of Sustainability and Growth (10-106) was attached as Schedule Pages 138-144)  
(File No. CSU-E05-000-2010)

(6) **Proposal to Request the Province to Declare All Parallel Transit an Essential Service**

The purpose of this report is to follow up on a recommendation from the Council meeting held on August 4, 2009, that was deferred and referred to City staff for an appropriate interpretation of the terms used in the motion and any other implications to the Corporation that would be the outcome of this motion.

(The Report of the Director of Legal Services and the Commissioner of Sustainability and Growth (10-113) was attached as Schedule Pages 145-149)

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

(See Clause 4, Report No. 47, Page No. 25)

DEFERRED

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**MISCELLANEOUS BUSINESS**

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**MOTIONS**

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**NOTICES OF MOTION**

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

**WHEREAS** the resolution that calls for Council members to be reimbursed for legal opinions of pecuniary interest was established in May of 1999; and,

**WHEREAS** this resolution has never been reviewed since its inception;

**THEREFORE BE IT RESOLVED THAT** Council direct staff to review the by-law to determine whether it is still appropriate or should be discontinued, or whether the current \$1,000. limit per calendar year should be altered and whether other changes are necessary and bring back a report with recommendations to the Administrative Policies Committee by the last meeting in May, 2010.

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**MINUTES**

THAT the Minutes of City Council Meeting No. 07-2010, held Tuesday, February 16 and Wednesday, February 17, 2010, and Meeting No. 09-2010, held Tuesday, March 2, 2010, be confirmed.  
(Distributed to all Members of Council on Friday, March 12, 2010)

DEFERRED

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**TABLING OF DOCUMENTS**

Council consented to the addition of Documents 2010-38 through 2010-41.

- 2010-30 Association of Municipalities of Ontario  
Newsletter – Weekly Watch File – February 18, 2010  
(File No. CSU-A01-004-2010)
  
- 2010-31 Cataraqui Region Conservation Authority  
Agenda – Cataraqui Source Protection Committee – March 11, 2010  
(File No. CSU-D03-000-2010)
  
- 2010-32 Cataraqui Region Conservation Authority  
Minutes – Cataraqui Source Protection Committee, Meeting #26 – January 21, 2010  
(File No. CSU-D03-000-2010)

**TABLING OF DOCUMENTS (CONTINUED)**

- 2010-33 Association of Municipalities of Ontario  
Newsletter – Weekly Watch File – March 4, 2010  
(File No. CSU-A01-004-2010)
  
- 2010-34 Association of Municipalities of Ontario (AMO) / Local Authority Services (LAS)  
Newsletter – “Energy NewsFLASH” – February 2010  
(File No. CSU-A01-004-2010)
  
- 2010-35 Association of Municipalities of Ontario  
Newsletter – Weekly Watch File – February 25, 2010  
(File No. CSU-A01-004-2010)
  
- 2010-36 Association of Municipalities of Ontario  
Newsletter – Weekly Watch File – March 11, 2010  
(File No. CSU-A01-004-2010)
  
- 2010-37 Cataraqui Region Conservation Authority

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Minutes – Full Authority Meeting – February 24, 2010  
(File No. CSU-D03-000-2010)

2010-38 KFL&A Public Health  
Agenda – Board Meeting – March 24, 2010  
(File No. CSU-S08-001-2010)

2010-39 Cataraqui Region Conservation Authority  
Agenda – Full Authority Meeting – March 24, 2010  
(File No. CSU-D03-000-2010)

2010-40 Association of Municipalities of Ontario  
Newsletter – Weekly Watch File – March 18, 2010  
(File No. CSU-A01-004-2010)

2010-41 Cataraqui Region Conservation Authority  
Agenda – Cataraqui Source Protection Committee Meeting – March 24, 2010  
(File No. CSU-D03-000-2010)

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## COMMUNICATIONS

Moved by Councillor Schmolka  
Seconded by Councillor Smith

**THAT** Council consent to the disposition of the Communications as listed in the agenda and addendum.

**CARRIED**

### Filed

- 10-144 From the City of Thunder Bay, acknowledging receipt of Council's resolution regarding fundraising efforts and debt relief for Haiti.  
(File No. CSU-P03-000-2010)
- 10-145 From The Ruffled Feather Ltd., an application for a liquor licence from the Alcohol and Gaming Commission of Ontario for an establishment located at 135 Ontario Street, Suite 2.  
(File No. CSU-P09-000-2010)
- 10-151 From the Limestone Chapter of the Ontario Woodlot Association, providing information regarding an upcoming talk on responsible wood heating, which will be held on March 17, 2010 in Odessa.  
(File No. CSU-A01-000-2010)
- 10-153 From Ontario Small Urban Municipalities (OSUM), providing information regarding the 57<sup>th</sup> Annual Conference and Trade Show, which will be held in Stratford from May 5 to 7, 2010.  
(File No. CSU-A04-000-2010)

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- 10-154 From the City of Hamilton, acknowledging receipt of Council's resolution regarding fundraising efforts and debt relief for Haiti.  
(File No. CSU-P03-000-2010)
- 10-156 From the Association of Municipalities of Ontario (AMO), providing information regarding the 2010 federal budget.  
(File No. CSU-F05-000-2010)  
**(Digitally distributed to all Members of Council on March 5, 2010)**
- 10-157 From the Association of Municipalities of Ontario (AMO), providing information regarding two energy management workshops, which will be held on March 23 in London and on March 29 in Belleville.  
(File No. CSU-A04-000-2010)  
**(Digitally distributed to all Members of Council on March 5, 2010)**
- 10-161 From Pabellon Gastropub, an application for a liquor licence from the Alcohol and Gaming Commission of Ontario for an establishment located at 1187 Princess Street, Unit 1.  
(File No. CSU-P09-000-2010)
- 10-164 From the Association of Municipalities of Ontario (AMO), providing information regarding the 2010 Urban Symposium, which will be held in Hamilton on April 15 and 16, 2010.  
(File No. CSU-A04-000-2010)  
**(Digitally distributed to all Members of Council on March 12, 2010)**
- 10-165 From the Association of Municipalities of Ontario (AMO), providing information regarding the Ontario throne speech, which was given on March 8, 2010.  
(File No. CSU-A01-004-2010)  
**(Digitally distributed to all Members of Council on March 12, 2010)**

**COMMUNICATIONS (CONTINUED)**

- 10-166 From the Association of Municipalities of Ontario (AMO), providing information regarding the OMERS pension fund deficit.  
(File No. CSU-H02-000-2010)  
**(Digitally distributed to all Members of Council on March 12, 2010)**
- 10-167 From the Federation of Canadian Municipalities (FCM), providing information regarding the "Eureka Exchange", and event bringing together green innovations and businesses, which will be held in Meaford on March 20, 2010.  
(File No. CSU-E05-000-2010)  
**(Digitally distributed to all Members of Council on March 12, 2010)**
- 10-168 From the County of Lambton, acknowledging receipt of Council's resolution regarding fundraising efforts and debt relief for Haiti.  
(File No. CSU-P03-000-2010)
- 10-171 From Zappas Bar and Grill, an application for a liquor licence from the Alcohol and Gaming Commission of Ontario for an establishment located at 178 Ontario Street.  
(File No. CSU-P09-000-2010)
- 10-174 From Transportation Options, providing information regarding the "Complete Streets Forum", which will be held in Toronto on April 23, 2010.  
(File No. CSU-T00-000-2010)  
**(Digitally distributed to all Members of Council on March 19, 2010)**

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- 10-179 From the Association of Municipalities of Ontario (AMO), advising that the Minister of Finance has released the final reconciliation of the 2008 Ontario Municipal Partnership Fund (OMPF), which means that 128 municipalities from across the province will receive payments totalling \$18.4 million.  
(File No. CSU-F00-000-2010)  
**(Digitally distributed to all Members of Council on March 22, 2010)**

**Referred to All Members of Council**

- 10-146 From Dianne Singer, expressing her concerns regarding breed-specific legislation for dogs.  
(File No. CSU-L11-000-2010)
- 10-147 From the City of Woodstock, providing information regarding the "Power Pledge Community Challenge", which encourages reduction in electricity use and will be held on August 11, 2010.  
(File No. CSU-E06-000-2010)
- 10-152 From the Canadian Commission for UNESCO, providing information regarding the Third Meeting of the Canadian Coalition of Municipalities against Racism and Discrimination (CMARD), to be held in Toronto on May 31, 2010.  
(File No. CSU-R08-000-2010)
- 10-158 From the Corporation of the County of Huron, asking for Council's support of a resolution recommending that the Mandatory Septic System Maintenance Inspection Program for Huron County proceed in 2010 as a user pay program and that an application be made to the Provincial Government for assistance for residential repair or replacement of rural septic systems.  
(File No. CSU-C10-000-2010)

**COMMUNICATIONS (CONTINUED)**

- 10-159 From the Corporation of the County of Huron, asking for Council's support of a resolution recommending support of the Ontario Agriculture Sustainability Coalition (OASC) consisting of the Ontario Pork Producers, Ontario Cattlemen's Association, Ontario Veal Producers, Ontario Fruit and Vegetable Growers' Association, the Grain Farmers of Ontario, the Ontario Federation of Agriculture and the Huron County Federation of Agriculture by requesting a meeting with Huron-Bruce MPP Carol Mitchell at the ROMA/OGRA conference to support the OASC lobbying for immediate adjustments to the Agri-Stability program and that this motion be presented to the Southwest Economic Alliance (SWEA) for their support as agri-business is a vital economic industry in South Western Ontario.  
(File No. CSU-C10-000-2010)
- 10-162 From Doug Warren, on behalf of Sgt. Alan Hutchison, requesting approval of Council to appoint Doug Smith as a By-Law Enforcement Officer for the purpose of issuing tickets under By-Law No. 99-166 on the property of Norman Rogers Airport (Kingston), and to remove Geoff Dawson, Dennis Hartlin, Mike Allen, Garry Saunders, John T.C. Sexsmith, Daniel Herrick, Chad Ferland, Mike Taylor, Raymond Payette and Wesley Banks, and that the by-law receive all three readings.  
(File No. CSU-P01-003-2010)  
**(See By-Law No. (11), 2010-65)**
- 10-163 From Melanie Prevost, Administrative Assistant, Emergency Management, Security and Life Safety, Kingston Hospitals, requesting approval of Council to update the names of By-Law Enforcement Officers for the purpose of issuing tickets under By-Law No. 99-166 on the properties of: Community Support Services, Providence Care, Mental Health Services, 525 Montreal Street; Hotel Dieu Hospital; Kingston General Hospital; Kingston Psychiatric Hospital (Mental Health Services, 752 King Street West); Providence Manor, 275 Sydenham Street; and St. Mary's of the Lake Hospital.  
(File No. CSU-P01-003-2010)

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(See By-Law No. (1), 2010-55, By-Law No. (2), 2010-56, By-Law No. (3), 2010-57, By-Law No. (4), 2010-58, By-Law No. (5), 2010-59, By-Law No. (6), 2010-60)

- 10-169 From Beth Abbott, expressing her opinions regarding the importance of the J.K. Tett Centre to the City of Kingston, its residents, and any participants in cultural/arts community groups.  
(File No. CSU-R05-000-2010)
- 10-170 From Mike Payne, Urban Agriculture Kingston, providing information regarding their petition in support of by-law changes to allow backyard hens.  
(File No. CSU-D14-000-2010)  
**(Note: Petition to be presented at the Council meeting.)**
- 10-172 From Dorothy Young, expressing her opinions regarding the re-development of the J.K. Tett Centre.  
(File No. CSU-R05-000-2010)  
**(Distributed to all Members of Council on March 19, 2010)**
- 10-173 From Katherine Porter, Executive Director of H'art School, expressing her opinions regarding the re-development of the J.K. Tett Centre.  
(File No. CSU-R05-000-2010)  
**(Distributed to all Members of Council on March 19, 2010)**
- 10-175 From Sylvia Currie, expressing her opinions regarding the re-development of the J.K. Tett Centre.  
(File No. CSU-R05-000-2010)  
**(Distributed to all Members of Council on March 23, 2010)**

**COMMUNICATIONS (CONTINUED)**

- 10-176 From Kim Renders, Artistic Director of Theatre Kingston, expressing her opinions regarding the re-development of the J.K. Tett Centre.  
(File No. CSU-R05-000-2010)  
**(Distributed to all Members of Council on March 23, 2010)**
- 10-177 From Mary Wyatt, expressing her opinions regarding the government's plans to close six Canadian prison farms.  
(File No. CSU-M04-000-2010)  
**(Distributed to all Members of Council on March 23, 2010)**
- 10-178 From URS Canada Inc., providing information regarding the transportation study to examine access between Wolfe Island and the mainland, public meetings for which will be held on March 29 and 30.  
(File No. CSU-T10-000-2010)  
**(Distributed to all Members of Council on March 23, 2010)**
- 10-180 From Mike Lamarche, providing his opinions regarding the Kingston Transit 2010-11 service improvement recommendations.  
(File No. CSU-T03-000-2010)  
**(Distributed to all Members of Council on March 23, 2010)**

**Referred to the City Clerk**

- 10-148 From the Frontenac, Lennox & Addington Unit of the Canadian Cancer Society, asking that Council proclaim April 2010 as "Daffodil Month" in the City of Kingston.  
(File No. CSU-M10-000-2010)

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- 10-149 From the Kingston Humane Society, asking that Council proclaim May 2010 as "Kingston Humane Society Month" in the City of Kingston.  
(File No. CSU-M10-000-2010)
- 10-160 From the Ukrainian Canadian Club of Kingston, asking that Council proclaim June 7 to 13, 2010, as "Folklore Week" in the City of Kingston.  
(File No. CSU-M10-000-2010)

**Referred to the City Treasurer**

- 10-150 From the Cataraqui Region Conservation Authority (CRCA), providing information regarding, and asking for payment of, the municipal levies for 2010.  
(File No. CSU-D03-000-2010)

**Referred to the Awards Committee**

- 10-155 From the Ontario Ministry of Citizenship and Immigration, providing information regarding the Lincoln M. Alexander Award, which honours young Ontarians who have demonstrated exemplary leadership in contributing toward the elimination of racial discrimination.  
(File No. CSU-R08-000-2010)

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**BY-LAWS**

Council consented to the inclusion of By-Laws (14) and (15) for the purpose of numbering the by-laws, with the understanding that these by-laws were ordered by the Ontario Municipal Board (OMB).

- (A) Moved by Councillor Gerretsen  
Seconded by Councillor Glover

**THAT** By-Laws (1) through (12) be given their first and second reading.

**CARRIED**

- (B) Moved by Councillor MacLeod-Kane  
Seconded by Councillor Smith

**THAT** Clause 8.9 of By-Law No. 98-1 be suspended for the purpose of giving By-Laws (7) and (8) three readings.

**CARRIED**

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

**THAT** By-Laws (7) through (13) be given their third reading.

**CARRIED**

- (1) A By-Law To Amend By-Law 99-166, "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board" (Add Matt MacKay, Clarke Elston, Cole Moulton, Shane Henderson, Josh Overdulse, Les Madigan, Erin McCoy, Nadine Drapeau, Terry Wright, Agnes Lewandowski, Falin Darling and Ashley Ross; Delete Kevin Andress, Dan Dempster, Allan Good, Chris Howe, Alexandra Lewis, Michael Revenboer, Joe Schreuer, Mike Seeley, Chris Shaw,

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Melanie Sutherland, Ryan Tremblay, Mike Turner, Laura Walsh, Brad Gleeson, Dave Giroux, Falin Brygman and Ashley Gow - Community Support Services, Providence Care, Mental Health Services, 525 Montreal Street)

FIRST AND SECOND READINGS

PROPOSED NO. 2010-55

(See Communication No. 10-163)

- (2) A By-Law To Amend By-Law 99-166, "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board" (Add Matt MacKay, Clarke Elston, Cole Moulton, Shane Henderson, Josh Overdulse, Les Madigan, Erin McCoy, Nadine Drapeau, Terry Wright, Agnes Lewandowski, Falin Darling, and Ashley Ross; Delete Kevin Andress, Dan Dempster, Allan Good, Chris Howe, Alexandra Lewis, Michael Revenboer, Joe Schreuer, Mike Seeley, Chris Shaw, Melanie Sutherland, Ryan Tremblay, Mike Turner, Laura Walsh, Brad Gleeson, Dave Giroux, Falin Brygman and Ashley Gow - Hotel Dieu Hospital)  
FIRST AND SECOND READINGS  
(See Communication No. 10-163)

PROPOSED NO. 2010-56

#### BY-LAWS (CONTINUED)

- (3) A By-Law To Amend By-Law 99-166, "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board" (Add Matt MacKay, Clarke Elston, Cole Moulton, Shane Henderson, Josh Overdulse, Les Madigan, Erin McCoy, Nadine Drapeau, Terry Wright, Agnes Lewandowski, Falin Darling and Ashley Ross; Delete Allan Good, Chris Howe, Alexandra Lewis, Joe Schreuer, Mike Seeley, Chris Shaw, Ryan Tremblay, Mike Turner, Brad Gleeson, Falin Brygman, and Ashley Gow - Kingston General Hospital)  
FIRST AND SECOND READINGS  
(See Communication No. 10-163)
- (4) A By-Law To Amend By-Law 99-166, "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board" (Add Matt MacKay, Clarke Elston, Cole Moulton, Shane Henderson, Josh Overdulse, Les Madigan, Erin McCoy, Nadine Drapeau, Terry Wright, Agnes Lewandowski, Falin Darling and Ashley Ross; Delete Dan Dempster, Allan Good, Chris Howe, Alexandra Lewis, Michael Revenboer, Joe Schreuer, Mike Seeley, Chris Shaw, Melanie Sutherland, Ryan Tremblay, Mike Turner, Laura Walsh, Brad Gleeson, Dave Giroux, Falin Brygman, and Ashley Gow - Kingston Psychiatric Hospital (Mental Health Services, 752 King Street West))  
FIRST AND SECOND READINGS  
(See Communication No. 10-163)
- (5) A By-Law To Amend By-Law 99-166, "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board" (Add Matt MacKay, Clarke Elston, Cole Moulton, Shane Henderson, Josh Overdulse, Les Madigan, Erin McCoy, Nadine Drapeau, Terry Wright, Agnes Lewandowski, Falin Darling and Ashley Ross; Delete Kevin Andress, Dan

PROPOSED NO. 2010-57

PROPOSED NO. 2010-58

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Dempster, Allan Good, Chris Howe, Alexandra Lewis, Michael Revenboer, Joe Schreuer, Mike Seeley, Chris Shaw, Melanie Sutherland, Ryan Tremblay, Mike Turner, Laura Walsh, Brad Gleeson, Dave Giroux, Falin Brygman, and Ashley Gow - Providence Manor, 275 Sydenham Street)

FIRST AND SECOND READINGS  
(See Communication No. 10-163)

PROPOSED NO. 2010-59

- (6) A By-Law To Amend By-Law 99-166, "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board" (Add Matt MacKay, Clarke Elston, Cole Moulton, Shane Henderson, Josh Overdulse, Les Madigan, Erin McCoy, Nadine Drapeau, Terry Wright, Agnes Lewandowski, Falin Darling and Ashley Ross; Delete Allan Good, Chris Howe, Alexandra Lewis, Michael Revenboer, Joe Schreuer, Mike Seeley, Chris Shaw, Ryan Tremblay, Mike Turner, Laura Walsh, Brad Gleeson, Dave Giroux, Falin Brygman, and Ashley Gow - St. Mary's of the Lake Hospital)  
FIRST AND SECOND READINGS  
(See Communication No. 10-163)

PROPOSED NO. 2010-60

- (7) A By-Law To Authorize The Borrowing Of The Principal Amount Of \$10,000,000 Towards The Cost Of Capital Works From The Corporation Of The City Of Kingston  
THREE READINGS  
(See Clause (d), Report No. 39)

PROPOSED NO. 2010-61

**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 appoint Dean Perrett , Rick Metzler, Ken Gilpin, Lianne Ruttan, Tanya Thake, Shevaun Dowe and Michael Hayes; and to delete Ken Steele)  
THREE READINGS  
(See Clause (g), Report No. 39)

PROPOSED NO. 2010-62

- (9) A By-Law To Amend By-Law No. 32-74, "A By-Law To Regulate The Use Of Lands And The Character, Location And Use Of Buildings And Structures In The Township Of Pittsburgh" (Zone Change to modify the existing Holding Special Residential 'R1-47-H' Zone and to change from Holding Special Residential 'R1-47-H' Zone to Residential 'R1' Zone, 271 Main Street)  
THREE READINGS  
(See Clause 1, Report No. 42)

PROPOSED NO. 2010-63

- (10) A By-Law To Amend By-Law No. 32-74, "A By-Law To Regulate The Use Of Lands And The Character, Location And Use Of Buildings And Structures In The Township Of Pittsburgh" (Zone Change from R1 to R1-49, 1368 Highway No. 15)  
THREE READINGS  
(See Clause 2, Report No. 42)

PROPOSED NO. 2010-64

- (11) A By-Law To Amend By-Law 99-166, "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board" (Add Doug Smith; Delete Geoff Dawson, Dennis Hartlin, Mike Allen, Garry Saunders, John T.C. Sexsmith, Daniel Herrick, Chad Ferland, Mike Taylor, Raymond Payette and Wesley Banks – Norman Rogers Airport (Kingston))  
THREE READINGS  
(See Communication No. 10-162)

PROPOSED NO. 2010-65

City Council Meeting No. 10-2010  
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- (12) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, March 23, 2010  
THREE READINGS PROPOSED NO. 2010-66  
(City Council Meeting No. 10-2010)
- (13) A By-Law To Amend By-Law No. 99-166, "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or Local Board" (to appoint The Rev. Kris Michaelson, Al Thompson and Jim Anderson – St. Paul's Anglican Church, 137 Queen Street)  
THIRD READING PROPOSED NO. 2010-49  
(See Clause (d), Report No. 36)

**BY-LAWS (CONTINUED)**

- (14) A By-Law To Amend By-Law No. 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" (Zone Change from 'M1' to 'M1-11', 1035 and a portion of 1085 Gardiners Road)  
(OMB Authority) PROPOSED NO. 2010-67
- (15) A By-Law To Amend The Official Plan Of The Township Of Kingston Planning Area (Amendment No. 26, known municipally as 1035 and a portion of 1085 Gardiners Road)  
(OMB Authority) PROPOSED NO. 2010-68

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**ADJOURNMENT**

Moved by Councillor Glover  
Seconded by Councillor Hector  
**THAT** Council do now adjourn.

**CARRIED**

Council adjourned at 10:59 pm.

(Signed)

Carolyn Downs  
City Clerk

Harvey Rosen  
Mayor