

CITY COUNCIL MEETING NO. 13-2010

The Regular Meeting of City Council was held on Tuesday, May 4, 2010, and was called to order at 5:30 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 5:35 pm to 6:45 pm in the Councillors' Lounge.

There was a Kingston & Frontenac Housing Corporation Shareholders meeting from 7:00 pm to 7:15 pm.

(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

Mr. D. Leger, Commissioner, Corporate Services

Mr. H. Linscott, Director, Legal Services

Mr. G. Wallace, Director, Planning and Development

COMMITTEE OF THE WHOLE "IN CAMERA"

Council consented to the addition of Clause (e).

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

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

- (a) Personal matters about an identifiable individual, including municipal or local board employees – CAO Goals and Evaluation
- (b) Litigation including matters before administrative tribunals affecting the municipality and advice that is subject to solicitor-client privileged, including communications necessary for that purpose – City of Kingston Official Plan – OMB Appeals
- (c) Personal matters about an identifiable individual, including municipal or local board employees – Update on Organizational Structure
- (d) A proposed or pending acquisition or disposition of land by the municipality or local board – Chown Parking Garage
- (e) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Municipal Accommodations – Administration Centre

CARRIED

(Council Chamber)

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Administrative Staff Present:

- Ms. C. Beach, Commissioner, Sustainability and Growth
- Mr. J. Bolognone, Deputy City Clerk
- Mr. J. de Hoop, Director, Community and Family Services
- Mrs. C. Downs, City Clerk
- Ms. D. Green, Manager, Engineering
- Mr. G. Hunt, Chief Administrative Officer
- Ms. L. Hurdle, Director, Recreation and Leisure Services
- Mr. S. Kanellos, Director, Real Estate and Construction Services
- Mr. D. Leger, Commissioner, Corporate Services
- Mr. H. Linscott, Director, Legal Services
- Mr. B. McCurdy, Director, Cultural Services
- Mr. A. McLeod, Senior Legal Counsel
- Mr. M. Morris, Director, Transportation
- Mr. J. Sawarna, Capital Projects, Real Estate and Construction Services
- Mr. R. Steele, Manager, Fleet
- Ms. N. Taylor, Vice President, Utilities Kingston
- Mr. M. Van Buren, Director, Engineering
- Mr. G. Wallace, Director, Planning and Development
- Mr. C. Wiginton, Manager, Cultural Services
- Mr. T. Willing, Acting Commissioner, Community Development Services

REPORT OF THE COMMITTEE OF THE WHOLE "IN CAMERA"

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

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 matters of Clauses (2) and (6) of Report No. 64 of the Chief Administrative Officer (Recommend) and Clauses 1 and 9 of Report No. 67 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 matters of Clauses (2) and (6) of Report No. 64 of the Chief Administrative Officer (Recommend) and Clause 2 of Report No. 67 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.

Councillor Gerretsen declared a possible pecuniary interest in the matter of Clause 3 of Report No. 65 of the Planning Committee, as he is partial owner of a piece of property located near the subject land.

PRESENTATIONS

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DELEGATIONS

- (1) Mr. Gareth Green, St. Lawrence College Students in Free Enterprise, was present and spoke to Council regarding the restoration of the locomotive "The Spirit of Sir John A."
(See Clause (3), Report No. 64, Page No. 9)

- (2) Mr. John A. Craig was present and spoke to Council regarding the restoration of the locomotive "The Spirit of Sir John A."
(See Clause (3), Report No. 64, Page No. 9)

- (3) Mr. Bruce Todd was present and spoke to Council regarding the proposed Third Crossing of the Cataraqui River.
(See Clause (1), Report No. 64, Page No. 9)

Moved by Councillor Gerretsen
Seconded by Councillor MacLeod-Kane

THAT Council waive the rules of By-Law No. 98-1, "Council Procedural By-Law", in order to allow Craig Stephens to appear before Council as a delegation to speak to the potential acquisition of federal surplus land in Barriefield Village.

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

- (4) Mr. Craig Stephens was present and spoke to Council regarding the potential acquisition of federal surplus land in Barriefield Village.
(See Clause (2), Report No. 64, Page No. 9)

Moved by Councillor Garrison
Seconded by Councillor Matheson

THAT Clause (2) of Report No. 64 of the Chief Administrative Officer (Recommend) be moved forward and considered immediately following the Motions of Congratulations/Condolences/Speedy Recovery.

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

Moved by Councillor Schmolka
Seconded by Councillor MacLeod-Kane

THAT Motion (5) be moved forward and considered immediately after Clause (1A) of Report No. 64 of the Chief Administrative Officer (Recommend).

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

BRIEFINGS

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PETITIONS

- (1) A petition bearing approximately 55 signatures was received by the Clerk's Department and referred to the Commissioner of Sustainability and Growth and reads as follows:

"Lily Inglis resided at 23 Sydenham Street in Kingston for more than 40 years. She made a substantial contribution to Kingston's artistic and cultural life through her work as an architect, who designed significant buildings, such as the Kingston Frontenac Public Library on Brock Street. As an activist she took on a leadership role in advocating for issues as diverse as housing for the homeless and the restoration of the Newland's Pavilion on the waterfront. Her life benefitted the Kingston community greatly.

We, the undersigned, support the proposal to name the lane behind her house connecting Earl Street with West Street "Lily Lane" in her memory."

REFERRED TO THE COMMISSIONER OF SUSTAINABILITY AND GROWTH

- (2) A petition bearing approximately 417 signatures was presented by Councillor Glover and referred to the Commissioner of Sustainability and Growth and reads as follows:

"Lily Inglis resided at 23 Sydenham Street in Kingston for more than 40 years. She made a substantial contribution to Kingston's artistic and cultural life through her work as an architect, who designed significant buildings, such as the Kingston Frontenac Public Library on Brock Street. As an activist she took on a leadership role in advocating for issues as diverse as housing for the homeless and the restoration of the Newland's Pavilion on the waterfront. Her life benefitted the Kingston community greatly.

We, the undersigned, support the proposal to name the lane behind her house connecting Earl Street with West Street "Lily Lane" in her memory."

REFERRED TO THE COMMISSIONER OF SUSTAINABILITY AND GROWTH

- (3) A petition bearing approximately 52 signatures was presented by Councillor MacLeod-Kane and referred to the President and CEO of Utilities Kingston and reads as follows:

"Residents of: Kepler Road, Lee Road, Babcock Road

Last year the City of Kingston resurfaced our roads. The job that was performed is less than satisfactory for residents on the road. We have already experienced potholes, washboard, dips and crests where they shouldn't be, loss of gravel, dust, etc. The job was performed poorly in too cool a temperature and the asphalt chip was not set properly and did not adhere well. The city has already had to send a crew out to fix potholes this spring! The road we had was better than the one we have now!

We are asking residents on Kepler Road, Lee Road and Babcock Road who are dissatisfied with the current state of our roads to sign the petition below. We will then take it to the city and request corrective action to be taken to improve our road."

REFERRED TO THE PRESIDENT AND CEO OF UTILITIES KINGSTON

MOTIONS OF CONGRATULATIONS/CONDOLENCES/SPEEDY RECOVERY

Motions of Congratulations

- (1) Moved by Councillor Schmolka

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Seconded by Councillor Osanic

THAT the congratulations of Kingston City Council be extended to Malcolm Morris, Director of Transportation, who has accepted a position as Chief Administrative Officer for the Township of Leeds and the Thousand Islands.

Motions of Condolence

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

THAT the sincere condolences of Kingston City Council be extended to Chris Sleeth, Traffic Supervisor, and family, on the recent passing of his father, William.

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

THAT the sincere condolences of Kingston City Council be extended to John Hutton, Clerk's Department, and family, on the recent passing of his mother, Betty.

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

THAT the sincere condolences of Kingston City Council be extended to the family and friends of Howard Bradfield, who passed away on Sunday, April 25, 2010. Mr. Bradfield was a lifelong Kingston resident and business owner. Along with his wife, Barbara, Mr. Bradfield was the founder of Anchor Concrete Products in 1969. He was a graduate of the former Victoria Public School, KCVI and Queen's University. He was an active and positive contributor to the Kingston community, both as a businessman and volunteer, and he will be sorely missed.

- (4) Moved by Councillor Schmolka
Seconded by Councillor Glover

THAT the sincere condolences of Kingston City Council be extended to the family and friends of Graham Thomson, who died in his 101st year, on Sunday, April 18, 2010. Mr. Thomson was a dynamic citizen of Kingston who built a successful family business, and led and supported many local organizations including the Kingston General Hospital -- he was a life governor, the YMCA, RKY Camp, and many others. His contributions to this community live on.

- (5) Moved by Councillor Schmolka
Seconded by Councillor Glover

THAT the sincere condolences of Kingston City Council be extended to the family, friends, colleagues, and patients of Dr. Murray Overington, whose passing on April 10, 2010, leaves much sadness in this community. Dr. Overington was a leader in establishing the first family health network in Kingston. He will be missed.

CARRIED

REPORTS

Report No. 63 the Chief Administrative Officer (Consent)

Moved by Councillor Gerretsen

Seconded by Councillor Schmolka

THAT Report No. 63 of the Chief Administrative Officer (Consent) be received and adopted.

Council consented to the withdrawal of Clause (a) and the separation of Clauses (b) and (g).

Report No. 63

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) **Appointment of Jim English as the Drainage Superintendent for the City of Kingston**

THAT a by-law be presented to amend By-Law No. 98-8, "A By-Law To Appoint Statutory Officials Of The Corporation Of The City Of Kingston", by deleting Gord Donovan of McCormick Rankin Corporation and replacing his name with James English of the City Engineering Department as the Drainage Superintendent for the City of Kingston.

(The Report of the President and CEO of Utilities Kingston (10-137) was attached as Schedule Pages 1-4)

(File No. CSU-C12-000-2010)

(See By-Law No. (1), 2010-84)

WITHDRAWN

(b) **Renewal of the Parking Space Agreement with Patrys behind 261-265 Ontario Street**

THAT Council authorize the Mayor and Clerk to execute a license agreement with Blaine Patry, Donald Patry, Wayne Patry, Bryne Patry and Felix Patry, in a form satisfactory to the Director of Legal Services, for six parking spaces behind the building known as 261, 263, and 265 Ontario Street, at an annual license fee of \$4,425.04, plus applicable taxes, plus the amount equivalent to the annual property tax levy on the parking spaces, for a three year term commencing January 1, 2010, subject to annual increases of 2.5% with the option to renew for further terms upon mutual satisfactory agreement.

(The Report of the Commissioner of Corporate Services (10-139) was attached as Schedule Pages 5-7)

(File No. CSU-L15-000-2010)

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

Moved by Councillor Glover

Seconded by Councillor Schmolka

THAT Clause (b) of Report No. 63 of the Chief Administrative Officer (Consent) be amended by deleting "five year term" and inserting "three year term".

CARRIED

REPORTS (CONTINUED)

Report No. 63 the Chief Administrative Officer (Consent)

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(c) **Award of RFP for the Purchase of One Brush Chipper to Vermeer Canada Inc.**

THAT the RFP F31-CS-FL-2010-06 for the purchase of one brush chipper be awarded to Vermeer Canada Inc. for the purchase price of \$38,420 plus applicable taxes.

(The Report of the Commissioner of Corporate Services (10-151) was attached as Schedule Pages 8-10)

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

(d) **Authority to Enter into an Agreement with the Social Planning Council to Administer the City's 2010 Roundtable on Poverty Funding**

THAT Council authorize the Mayor and Clerk to execute a service agreement with the Social Planning Council of Kingston and Area to administer the City's 2010, final of three years, operating grant to the Roundtable on Poverty Reduction, in a form satisfactory to the Director of Legal Services and the Acting Commissioner of Community Development Services.

(The Report of the Acting Commissioner of Community Development Services (10-153) was attached as Schedule Pages 11-16)

(File No. CSU-F25-000-2010)

(e) **Application for License Assignment of a Serving Sidewalk Patio on the Ontario Street Frontage for 1382753 Ontario Limited, Operating as Zappas Bar and Grill, Located at 178 Ontario Street**

THAT Council authorize the Mayor and Clerk to enter into a License Agreement, in a form satisfactory to the Director of Legal Services, for the purpose of operating a serving sidewalk patio at 178 Ontario Street, with the owner of Zappas Bar and Grill, for the lease of City property adjacent to their store frontage on Ontario Street

(The Report of the President and CEO of Utilities Kingston (10-155) was attached as Schedule Pages 17-20)

(File No. CSU-D23-000-2010)

(f) **Partnership Agreement for Walls, Waves & Wonders Summer Camp Program**

THAT the Mayor and Clerk be authorized to enter into an agreement with The Boiler Room Climbing Gym, for the coordinated program delivery of the Walls, Waves & Wonders summer camp program, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Sustainability and Growth (10-157) was attached as Schedule Pages 21-24)

(File No. CSU-R06-000-2010)

(g) **Placement of a Cairn in Navy Memorial Park (Gore and Ontario St.)**

THAT Council authorize a partnership between the City of Kingston and Women's Royal Canadian Naval Services (WRCNS) to place a cairn in Navy Memorial Park;

- and further -

THAT staff be authorized to finalize the wording of the text on the plaque.

(The Report of the Commissioner of Sustainability and Growth (10-158) was attached as Schedule Pages 25-27)

(File No. CSU-R04-000-2010)

CARRIED

REPORTS (CONTINUED)

Report No. 63 the Chief Administrative Officer (Consent)

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(h) **Approval of Waiver of Fees and Charges By-Law for the 2010 Kids' Perch Derby at Portsmouth Olympic Harbour**

THAT Council waive the fees of \$790 for the 2010 Kids' Perch Derby at Portsmouth Olympic Harbour on May 29th, 2010 and that this be funded from the Working Fund Reserve.

(The Report of the Commissioner of Sustainability and Growth (10-161) was attached as Schedule Pages 80-84)

(File No. CSU-A21-000-2010)

(See **Communication No. 12-220**)

CARRIED
(Clauses (c) through (f), and (h))

Report No. 64 of the Chief Administrative Officer (Recommend)

Moved by Councillor Smith

Seconded by Councillor Matheson

THAT Report No. 64 of the Chief Administrative Officer (Recommend) be received and adopted, clause by clause.

Council consented to the addition of the recommendation for Clauses (4) and (5) and the addition of Clause (6) of Report No. 64 of the Chief Administrative Officer (Recommend).

Report No. 64

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

- (1A) **BRIEFING** - Mr. Dale Craig, Project Director, Mr. Dan Lalonde, Project Manager, Mr. Bryan Petzold, Senior Transportation Planner and Mr. Wes Paetkau, Assistant Project Manager, of J.L. Richards & Associates were present and spoke to Council regarding Stage 1 of the Environmental Assessment of the Third Crossing of the Cataraqui River.

Moved by Councillor Matheson

Seconded by Councillor Hector

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)

REPORTS (CONTINUED)

Report No. 64 of the Chief Administrative Officer (Recommend)

- (1) **Report on Stage 1 of the Environmental Assessment (EA) of the Third Crossing of the Cataraqui River and Approval to Proceed with Stage 2**

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THAT Council authorize staff to continue to Stage Two, the completion of the EA process with the previously approved engineering services contract award to J.L. Richards/Associated Engineering Joint Venture for the Environmental Assessment of the Third Crossing of the Cataraqui River.

(The Report of the Commissioner of Corporate Services (10-135) was attached as Schedule Pages 28-46)
(File No. CSU-E05-000-2010)

(Note: This item appeared as Clause (2) of Report No. 56 of the Chief Administrative Officer (Recommend) on the agenda for the meeting held on April 20, 2010, and was deferred due to lack of time.)

DEFERRED

- (2) **Award of RFP for Consultancy on Potential Acquisition of Federal Surplus Land in Barriefield Village to MHBC Planning Ltd.**

THAT Request for Proposal #F31-CDS-CFS-2010-1, Consultancy on Potential Acquisition of Federal Surplus land in Barriefield Village, be awarded to MHBC Planning Ltd., the proponent with the higher evaluation score based on the predetermined criteria;

- and further -

THAT the Mayor and Clerk be authorized to enter into a contract with MHBC Planning Ltd. to the satisfaction of the Director of Legal Services, for the Consultancy on Potential Acquisition of Federal Surplus land in Barriefield Village. (The Report of the Acting Commissioner of Community Development Services (10-147) was attached as Schedule Pages 47-50)

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

(Note: This item appeared as Clause (3) of Report No. 56 of the Chief Administrative Officer (Recommend) on the agenda for the meeting held on April 20, 2010, and was deferred to the May 4 meeting in order to allow staff time to speak to the Barriefield Residents Association.)

(See Information Report No. (13), Page No. 31)

DEFERRED

- (3) **Relocation and Restoration of the Locomotive "The Spirit of Sir John A."**

THAT the Mayor and Clerk be authorized to execute a Stewardship Agreement acceptable to the Director of Legal Services with the Southern Ontario Locomotive Restoration Society (SOLRS) to facilitate the restoration of "The Spirit of Sir John A." in the short-term as well as for its on-going maintenance and care in the long term;

- and further -

THAT the Mayor and City Council approve the allocation of additional funds in the amount of \$642,500 to be funded from the Municipal Capital Reserve Fund through debt financing to complete the relocation and restoration of "The Spirit of Sir John A." within Confederation Park.

(The Report of the Commissioner of Sustainability and Growth (10-127) was attached as Schedule Pages 51-79)

(File No. CSU-R01-000-2010)

DEFERRED

- (4) **Housekeeping Amendments to Fees and Charges By-Law No. 2005-10 and Incorporation of Changes to Meet the Requirements of the Harmonized Sales Tax Legislation**

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 to incorporate changes to meet the requirements of the Harmonized Sales Tax Legislation;

REPORTS (CONTINUED)

Report No. 64 of the Chief Administrative Officer (Recommend)

- and further -

THAT the aforementioned by-law be given three readings and passed.

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(The Report of the Deputy Treasurer (10-150) was distributed separately from the agenda on Friday, April 30, 2010, and then attached to the adds as Schedule Pages 122-187. The report was re-distributed as Pages 144-146 and 174-176 were inadvertently missing from the original distribution.)

(File No. CSU-F21-000-2010)

(See By-Law No. (15), 2010-95)

CARRIED

(5) **Update to By-Law No. 2006-118, "A By-Law Respecting the Kingston Public Market" and Update of First Capital Place – Programming and Operations Policy**

THAT a by-law be presented and given all three readings to amend By-Law No. 2006-118, to delete Schedule "A" to By-Law No. 2006-118 and replace it with Schedule "A" and updated map as attached to report to Council 10-159;

- and further -

THAT Council approve the addition of the updated map of the Kingston Public Market and the time and days of operation to the First Capital Place - Programming and Operations Policy in order to assist event planners by providing additional information on the use of Springer Market Square.

(The Report of the Commissioner of Sustainability and Growth (10-159) was distributed separately from the agenda on Friday, April 30, 2010)

(File No. CSU-A09-000-2010)

(See By-Law No. (16), 2010-96)

DEFERRED

(6) **Barriefield Potential Land Swap Option**

THAT in consideration of a potential land swap option for federal surplus lands in Barriefield the recommendation of staff in Report No. 10-147 be revised as follows:

THAT Request for Proposal #F31-CDS-CFS-2010-1, Consultancy on Potential Acquisition of Federal Surplus land in Barriefield Village, be awarded to MHBC Planning Ltd., the proponent with the higher evaluation score based on the predetermined criteria;

- and further -

THAT the Mayor and Clerk be authorized to enter into a contract with MHBC Planning Ltd. to the satisfaction of the Director of Legal Services, for the Consultancy on Potential Acquisition of Federal Surplus land in Barriefield Village to within the established budget and the following terms:

1. The first step in the consultancy assignment will be limited to an examination and recommendation to Council in July 2010 of the land swap option(s) at an additional consultancy expense of approximately \$34,000; and
2. That following the above review, should Council decide not to pursue the land swap option, then the original scope of work for RFP #F31-CDS-CFS-2010-1 would proceed to within an upset budget of \$198,180 with a report available to Council within 60 to 90 days reporting on the feasibility of proceeding with the affordable housing project in Barriefield.

(The Report of the Acting Commissioner of Community Development Services (10-164) was distributed separately from the agenda on Monday, May 3, 2010.)

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

DEFERRED

REPORTS (CONTINUED)

Report No. 65 of the Planning Committee

Moved by Councillor Schmolka

Seconded by Councillor Hector

THAT Report No. 65 of the Planning Committee be received and adopted.

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Council consented to the separation of Clauses 1, 2, 3, and 5.

Report No. 65

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.

April 15, 2010

1. **Application for a Zoning By-Law Amendment for the Property Located at 817 Division Street**

THAT the application for Zoning By-Law Amendment (Our File No. D14-157-2009) submitted by Frontenac Children's Aid Society, for the property located at 817 Division Street), **BE APPROVED**.

AND THAT the City of Kingston Zoning By-Law No. 8499, as amended, be further amended as follows:

THAT Zoning Schedule "A", Map 15 of Zoning By-Law No. 8499, as amended, is hereby further amended by changing the zone symbol to 'M9.392' of the lands shown as "Subject Lands Rezoned from M1 to M9.392" on Schedule "A" attached hereto and forming part of amending By-Law No. 2010-88.

1. That the by-law be amended by the addition of the following section to Part VIII – EXCEPTIONS TO VARIOUS ZONE CLASSIFICATIONS:
 - "392. **817 Division Street**
Notwithstanding any provisions of Section 31B.1 hereof to the contrary, on the lands zoned 'M9.392' on Schedule "A" attached hereto, the following provisions shall apply:
 - a) PERMITTED USES:
 - i) corporate administrative office
 - ii) day care centre, accessory to a corporate administrative office
 - b) MINIMUM YARDS:
 - (i) north property line - 10.0 metres
 - (ii) east property line – 7.5 metres
 - (iii) south property line - 6.0 metres
 - (iv) west property line - 7.5 metres
 - c) MINIMUM LOT OCCUPANCY: 12%
 - d) MINIMUM OFF-STREET PARKING:
 - i) corporate administrative office: 2.96 parking spaces per 100 m² of gross floor area
 - ii) day care centre: 0.85 parking spaces per 100 m² of gross floor area

REPORTS (CONTINUED)

Report No. 65 of the Planning Committee

- e) MINIMUM OFF-STREET LOADING FACILITIES:
 - i) 1 off-street loading space
 - ii) loading facilities shall be located at the rear or interior side of a building only
- f) LANDSCAPING AREA:

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- i) adjacent to existing or proposed street, not less than 7.5 metre of landscaped area, excluding driveway;"

AND THAT the amending by-law be presented to City Council for all three readings.

(See By-Law No. (5), 2010-88)

(Note: A copy of the draft by-law was attached as Schedule Pages 85-87)

CARRIED

2. **Final Subdivision Approval in Principle for the Lands Known as 1135 Maria Avenue (Woodhaven (Tamarack) Subdivision)**

THAT the application for Final Subdivision Approval submitted by FoTenn Consultants Inc., on behalf of Tamarack (Catarauqui West) Corporation respecting the lands municipally known as 1135 Maria Avenue, for the development of the first phase of a Draft plan of Subdivision identified as Woodhaven (Tamarack) Subdivision Phase 1, consisting of 323 residential dwelling lots and 1 park block be **APPROVED IN PRINCIPLE**;

AND THAT final approval of the application be referred back to staff and that the Director of Planning and Development be authorized to issue Final Subdivision Approval subject to:

- (a) All outstanding technical issues being resolved to the satisfaction of the City;
- (b) The Owner entering into a Subdivision Agreement with the City which shall list the approved plans and any special municipal conditions pertaining to the development; and
- (c) The owner submitting the required security deposit and certificate of insurance.

AND THAT the clause included in all Subdivision Agreements in the City of Kingston for developments containing cul-de-sacs and bulbed corners regarding snow clearing operations be required to be included in the Homeowners Manual in an unamended fashion in the section on snow storage;

AND THAT a new paragraph be added to the Homeowners Manual located under the definition of "accessory", but not included in the definition, stating:

"Examples of accessory uses include sheds, gazebos, pools and play structures etc."

AND THAT the Homeowners Manual be amended to have the first paragraph under "SNOW STORAGE" be a separate clause under the new heading "DRIVEWAY WIDTH", and that the second word in the last sentence of that paragraph be changed from "should" to "must" and that the word "written" be inserted between "the" and "approval" and that the paragraph precede the clause on "SNOW STORAGE".

CARRIED

Councillor Gerretsen withdrew from the meeting.

3. **Application for a Zoning By-Law Amendment for the Property Located at 143 Union Street, Queen's University, Goodes Hall**

THAT the application for Zoning By-Law Amendment (Our File No. D14-116-2008) submitted by Queen's University, for the property located at 143 Union Street), **BE APPROVED**.

AND THAT the City of Kingston Zoning By-Law No. 8499, as amended, be further amended as follows:

REPORTS (CONTINUED)

Report No. 65 of the Planning Committee

1. That Section 276 to Part VIII – EXCEPTIONS TO VARIOUS ZONE CLASSIFICATIONS of the by-law be **deleted** and **replaced** in its entirety, with the following:

"276. **143 Union Street**

Notwithstanding any provisions of Section 17 hereof to the contrary, on the lands zoned 'E.276' on Schedule "A" attached hereto, the following provisions shall apply:

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- (i) Minimum number of off-street parking spaces shall be 83;
- (ii) The existing Victoria School building shall be deemed to be in conformity with the minimum front, side and rear yard requirements of the by-law.
- (iii) The minimum setback requirements for any proposed additions to the existing building shall be as follows:

From Union Street	20.0 metres
From Alfred Street	2.7 metres
From Frontenac Street	2.2 metres
Rear Yard:	0.9 metres
- (iv) Minimum number of off-street loading spaces shall be 1."

AND THAT the amending by-law be presented to City Council for all three readings.

(See By-Law No. (6), 2010-89)

(Note: A copy of the draft by-law was attached as Schedule Pages 88-89)

CARRIED

Councillor Gerretsen returned to the meeting.

4. City of Kingston Archaeological Master Plan

- 1) **THAT** the report entitled "The City of Kingston Archaeological Master Plan" dated February 2010 and prepared by Archaeological Services Inc. in association with Bray Heritage, attached as Exhibit 'A' and 'B' to Report PC-10-041, be received in fulfillment of the terms of reference for the City of Kingston Archaeological Master Plan project (RFP No. CDS-C&R-2006-08.)
- 2) **THAT** all of the recommendations of The City of Kingston Archaeological Master Plan be adopted:
 - **THAT** the policies attached as Appendix A to the report as presented at the April 15, 2010, Planning Committee meeting be incorporated into the Official Plan.
 - **THAT** the archaeological potential and Archaeologically Sensitive Area (ASA) mapping be used in determining requirements for archaeological assessments.
 - **THAT** the Planning and Development Department work with City departments to establish protocols that ensure that in all appropriate circumstances, construction projects undertaken by developers, ratepayers and the City of Kingston that may impact archaeological resources on public lands (e.g. trail, playground, playing field, public washroom, parking lot construction, road widening/extension, trunk sewer and watermain construction, stormwater management facility construction, municipal building and structure construction, etc.) and which are located in areas of archaeological potential or areas identified as being archaeologically sensitive, are subject to archaeological assessment prior to any land disturbing activity.
 - **THAT** when there are any new designations of heritage properties (which include constructions dating before 1920) under Part IV of the Ontario Heritage Act, that the property footprint be added to the final potential mapping (Appendix B). If the newly designated property is surrounded by greenfields, the newly designated property should be buffered by 100 metres for archaeological potential.

REPORTS (CONTINUED)

Report No. 65 of the Planning Committee

- No Stage 4 archaeological investigations on Aboriginal sites should be undertaken within the City of Kingston without first filing a First Nations consultation report with the Planning and Development Department.
- Archaeological assessment reports should contain advisories on the steps to be taken should unanticipated deeply buried archaeological remains or human remains be found on a property during construction activities.

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- In order to ensure the long term viability of the Archaeological Master Plan, it should be subject to comprehensive review on a five year basis and should be carried out by a licensed archaeologist in co-ordination with the five year review of the City's Official Plan.
 - Procedures outlined in the Memorandum of Understanding between the Ministry of Tourism and Culture and the City of Kingston should be followed regarding the sharing of information concerning archaeological site locations.
 - **THAT** the City develop and adopt, in consultation with the Ministry of Tourism and Culture, relevant Aboriginal communities, other agencies, landowners, and the public, a "Contingency Plan for the Protection of Archaeological Resources in Urgent Situations."
 - The City of Kingston should implement a public awareness initiative by which the general public might be made more knowledgeable of the wide range of archaeological resources present within the City,
 - The City of Kingston should consider preparing both an accurate and comprehensive inventory of the archaeological collections currently held by museums and consulting archaeologists and a guideline encouraging the curation of material from archaeological sites within Kingston at local museums."
- 3) **THAT** By-Law No. 2010-85, "A By-Law to Amend By-Law No. 2006-132, 'A By-Law To Establish A Legal Deposit For Archaeological Assessments Carried Out Within The City Of Kingston'", attached hereto be recommended to Council for adoption.

(See By-Law No. (2), 2010-85)

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

DEFERRED
(See Motion To Defer Which Was CARRIED)

Moved by Councillor Schmolka

Seconded by Councillor Glover

THAT Clause 4 of Report No. 65 of the Planning Committee be deferred to the May 18, 2010, Council meeting.

CARRIED

5. **Application for Official Plan Amendment and Zoning By-Law Amendment for the Property Located at 1371 Spooner Road**

THAT the application for Official Plan Amendment and Zoning By-Law Amendment (Our Files No. D09-049-2009 and D14-163-2009) submitted by James and Lois Roettger for the property located at 1371 Spooner Road, **BE APPROVED**;

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

1. The Official Plan for the City of Kingston is hereby amended by the following map change which shall constitute Amendment No. 2 to the Official Plan for the City of Kingston.

REPORTS (CONTINUED)

Report No. 65 of the Planning Committee

- (a) **AMEND** Schedule '3-D, Site Specific Policies' of the Official Plan for the City of Kingston, so as to designate 1371 Spooner Road, as shown on Schedule 'A' to By-Law No. 2010-90, as 'Rural Site Specific Policy No. 41'.
2. That the Official Plan for the City of Kingston is hereby amended by adding the following new Site Specific Policy as 3.18.41:

"1371 Spooner Road 3.18.41.

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SSP No. 41

The portion of lands located at 1371 Spooner Road, designated 'Rural' and subject to a 'Site Specific Policy' are limited to a Single Detached Dwelling house use in accordance with the following policies:

- a) that the intentional introduction of non-native plant species be prohibited due to the property's proximity to a provincially significant wetland, Collins Lake;
- b) that the construction of the single detached dwelling be located closer to the northwest portion of the subject property to minimize any potential impact on the adjacent Environmental Protection Area designation;
- c) that existing vegetation be preserved within the Site Specific Policy area to buffer and complement the vegetation on the abutting Environmental Protection Area designation; and,
- d) access is to be provided by means of an unopened road allowance and the owner shall enter into an access agreement with the municipality.

AND FURTHER THAT the former Township of Kingston Zoning By-Law No. 76-26, as amended, be further amended as follows:

1. By-Law No. 76-26 of The Corporation of the City of Kingston, entitled "A By-Law to Regulate the Use of Lands and the Character, Location and Use of Buildings and Structures in the Township of Kingston", as amended, is hereby further amended as follows:

1.1. Map 1 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from 'EPA' to 'A2-9', as shown on Schedule "A" attached to and forming part of By-Law No. 2010-91.

1.2. By **Adding** a new Section 10, subsection 3(i) thereto as follows:

"(i) **A2-9, 1371 Spooner Road**

Notwithstanding the provisions of Section 5 and 10 hereof to the contrary, the lands designated 'A2-9' on Schedule 'A' hereto, the following regulations shall apply:

- a) Permitted Use:
A Single Family Dwelling House
- b) Minimum Lot Area:
928 square metres
- c) Front Yard Depth:
6.0 metres
- d) West Interior Side Setback Minimum:
1.2 metres
- e) All Other Yard Setbacks Minimum:
The main building or structure shall not be located less than 10.0 metres from an 'EPA' Zone.

REPORTS (CONTINUED)

Report No. 65 of the Planning Committee

- f) The Minimum Setback for a septic system from an 'EPA' zone shall be 0.0 metres.
- g) The minimum setback for the parking of any vehicle, recreational vehicle or trailer is 10.0 metres from an 'EPA' Zone

AND FURTHER THAT the amending by-laws be presented to City Council for all three readings;

AND FURTHER THAT the Unopened Road Allowance Agreement shall include the recommendations of the Environmental Impact Statement as outlined in the Draft Agreement attached to Report PC-10-042.

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(See By-Law No. (7), 2010-90 and By-Law No. (8), 2010-91)

(Note: A copy of the draft by-laws were attached as Schedule Pages 91-92 and 93-95)

CARRIED

Report No. 66 of the Environment, Infrastructure and Transportation Policies Committee

Report No. 66

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.

April 14, 2010

1. **Approval in Principle of a Five Year Plan to Construct a Portfolio of Renewable Electricity Projects**
 - a. **THAT** the development of a detailed five year plan to construct a portfolio of renewable energy projects to be contracted under the Ontario Power Authority Feed in Tariff program be approved in principle;
- and further -
 - b. **THAT** up to \$5,000,000 be invested in solar PV installations on a number of municipally owned buildings as detailed in Report EITP-10-010;
- and further -
 - c. **THAT** Council delegate authority to enter into contracts with the Ontario Power Authority to the President and CEO of Utilities Kingston for Feed in Tariff agreements and the authority for all other necessary contracts to the Mayor and Clerk subject to the satisfaction of the Director of Legal Services;
- and further -
 - d. **THAT** a 2010 budget amendment of \$250,000, funded from the Environmental Reserve Fund be approved to cover costs to facilitate and prepare for items a and b, to be repaid to the fund with revenues from the Feed in Tariff contracts;
- and further -
 - e. **THAT** the City of Kingston's existing Green Building Policy be amended to include the feasibility of the addition of renewable energy generation into all new Municipal building and renovation projects, on a case by case basis, regardless of whether or not they will be built to a LEED standard;

REPORTS (CONTINUED)

Report No. 66 of the Environment, Infrastructure and Transportation Policies Committee

- and further -

- f. **THAT** staff investigate other options for clean electricity generation that may not be defined by the Green Energy and Green Economy Act as renewable, but could contribute towards the goal of producing or enabling enough electricity generation to satisfy corporate consumption, it being understood that such options are not to include incineration of municipal solid waste.

DEFERRED

Report No. 67 of the Kingston Municipal Heritage Committee (LACAC)

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Moved by Councillor Glover
Seconded by Councillor Meers

THAT Report No. 67 of the Kingston Municipal Heritage Committee (LACAC) be received and adopted.

Council consented to the separation of Clause 9.

Report No. 67

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.

Note: Clauses 1 and 2 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. The items then appeared as Clauses 14 and 15 of Report No. 52 on the agenda for the Council meeting held on April 6, 2010, and were deferred to this agenda for consideration. All items on this report appeared as Report No. 59 on the agenda for the Council meeting held on April 20, 2010, and were deferred due to lack of time.

Councillors Hector and Hutchison withdrew from the meeting.

1. **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 -

REPORTS (CONTINUED)

Report No. 67 of the Kingston Municipal Heritage Committee (LACAC)

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.

DEFERRED
(See Motion To Defer Which Was CARRIED)

Councillors Hector and Hutchison returned to the meeting.

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

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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
(See Motion To Defer Which Was CARRIED)

Moved by Councillor Garrison
Seconded by Councillor Glover

THAT Clauses 1, 2, and 5 of Report No. 67 of the Kingston Municipal Heritage Committee (LACAC) be deferred to the May 18, 2010, Council meeting.

CARRIED



April 12, 2010

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.

3. **Update to the Designation By-Law for Newcourt House (889 King Street West)**

WHEREAS Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18 authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of cultural heritage value or interest; and,

WHEREAS the Ontario Heritage Act requires the Council of a municipality to service Notice of Intention to Designate a property as having cultural heritage value and interest; and,

WHEREAS when the Council of a municipality has appointed a Municipal Heritage Committee, the Council shall, before giving notice of its intention to designate a property, consult with its Municipal Heritage Committee; and,

WHEREAS the Kingston Municipal Heritage Committee recommended to Council to serve Notice of Intention to Amend the Designation By-Law for Newcourt House under the Ontario Heritage Act on November 2, 2009; and,

REPORTS (CONTINUED)

Report No. 67 of the Kingston Municipal Heritage Committee (LACAC)

WHEREAS the Council of the Corporation of the City of Kingston approved serving Notice of Intention to Amend the Designation By-Law for Newcourt House on November 17, 2009, and the Notice was published in the Kingston Whig Standard on December 1, 2009; and,

WHEREAS no notices of objection were received;

THEREFORE BE IT RESOLVED THAT Council adopt the updated Designation By-Law under the Ontario Heritage Act for the property located at 889 King Street West (Part Lot 17 Concession 1 City of Kingston, Being Parts 1, 2, 3, 4, 5 and 6 on Plan 13R 19655, Being Part of PIN 36004-0397 (R)) also known as Newcourt House;

- and further -

THAT the draft by-law attached hereto as Exhibit 'A' be adopted;

- and further -

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THAT the entry in the City of Kingston Heritage Properties Register for the property located at 889 King Street West (Part Lot 17 Concession 1 City of Kingston, Being Parts 1, 2, 3, 4, 5 and 6 on Plan 13R 19655, Being Part of PIN 36004-0397 (R)) be amended to reflect the updated designation of the property;

- and further -

THAT, as required under the Ontario Heritage Act, the Clerk of the municipality shall ensure a copy of the by-law, together with a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property shall be served in accordance with the requirements of Section 67 of the Ontario Heritage Act on the owner of the property and on the Ontario Heritage Trust, and to be registered against the property affected in the proper Land Registry Office;

- and further -

THAT, as required under the Ontario Heritage Act, the Clerk of the municipality shall ensure that notice of the passing of the Designation By-Law be published in a newspaper having general circulation in the municipality and that this notice shall include: an adequate description of the property so that it may be readily ascertained; a statement explaining the cultural heritage value or interest of the property; and a statement that further information respecting the Designation By-Law is available from the municipality.

(Note: The Report of the Commissioner of Sustainability and Growth (KMHC-10-007) was distributed with the April 12, 2010, KMHC agenda as Schedule Pages 5-17. A copy of the draft by-law was attached as Schedule Pages 96-104) (See By-Law No. (3), 2010-86)

4. **Designation Recommendation – Denyes Monument**

WHEREAS Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18 authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of cultural heritage value or interest; and,

WHEREAS the Ontario Heritage Act requires the Council of a municipality to service Notice of Intention to Designate a property as having cultural heritage value and interest; and,

WHEREAS when the Council of a municipality has appointed a Municipal Heritage Committee, the Council shall, before giving notice of its intention to designate a property, consult with its Municipal Heritage Committee; and,

WHEREAS the Kingston Municipal Heritage Committee recommended to Council to serve Notice of Intention to Designate under the Ontario Heritage Act on November 2, 2009; and,

REPORTS (CONTINUED)

Report No. 67 of the Kingston Municipal Heritage Committee (LACAC)

WHEREAS the Council of the Corporation of the City of Kingston approved serving Notice of Intention to Designate under the Ontario Heritage Act on November 17, 2009, and the notice was published in the Kingston Whig Standard on December 1, 2010; and,

WHEREAS no notices of objection were received;

THEREFORE BE IT RESOLVED THAT Council designate under Section 29 of the Ontario Heritage Act the property located at Part Lots 8-9, Concession 3; Part Road Allowance Between Concession 2 & 3, All Being Expropriation Plan 657, Expropriation Plan 868 as Widened by Expropriation Plan 1197, Expropriation Plan 1198, Part 1, Expropriation Plan 1431, Parts 1 & 2 Expropriation Plan 1453, Part 1, Expropriation Plan 1472, Part 3 13R-826, Part 2, 13R-6086, FR275816, Part 1, 13R-7983, FR114988, FR171331, Parts 5-9, Expropriation Plan 1388; Part Lot 8, Concession 2, being Part 1, RP490778, Part of Part 4, Expropriation Plan 1388; All lying W of the SLY EXT of the SW Corner of Part 3, Expropriation Plan FR652804 & E of the SLY EXT of the WLY limit of Bayridge Drive (formerly Cataraqui Woods Drive), aka the King's Highway No. 2; Kingston Township PIN 36087-0388 (R), also known as the Denyes Monument;

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- and further -

THAT the draft by-law attached hereto as Exhibit 'A' be adopted;

- and further -

THAT the property located at Part Lots 8-9, Concession 3; Part Road Allowance Between Concession 2 & 3, All Being Expropriation Plan 657, Expropriation Plan 868 as Widened by Expropriation Plan 1197, Expropriation Plan 1198, Part 1, Expropriation Plan 1431, Parts 1 & 2 Expropriation Plan 1453, Part 1, Expropriation Plan 1472, Part 3 13R-826, Part 2, 13R-6086, FR275816, Part 1, 13R-7983, FR114988, FR171331, Parts 5-9, Expropriation Plan 1388; Part Lot 8, Concession 2, being Part 1, RP490778, Part of Part 4, Expropriation Plan 1388; All lying W of the SLY EXT of the SW Corner of Part 3, Expropriation Plan FR652804 & E of the SLY EXT of the WLY limit of Bayridge Drive (formerly Cataraqui Woods Drive), aka the King's Highway No. 2; Kingston Township PIN 36087-0388 (R), also known as the Denyes Monument, be added to the City of Kingston Heritage Properties Register;

- and further -

THAT as required under the Ontario Heritage Act, the Clerk of the municipality shall ensure a copy of the by-law, together with a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property shall be served in accordance with the requirements of Section 67 of the Ontario Heritage Act on the owner of the property and on the Ontario Heritage Trust, and to be registered against the property affected in the proper Land Registry Office;

- and further -

THAT as required under the Ontario Heritage Act, the Clerk of the municipality shall ensure that notice of the passing of the Designation By-Law be published in a newspaper having general circulation in the municipality and that this Notice shall include: an adequate description of the property so that it may be readily ascertained; a statement explaining the cultural heritage value or interest of the property; and a statement that further information respecting the Designation By-Law is available from the municipality.

(Note: The Report of the Commissioner of Sustainability and Growth (KMHC-10-008) was distributed with the April 12, 2010 KMHC agenda as Schedule Pages 18-27. A copy of the draft by-law was attached as Schedule Pages 105-110) (See By-Law No. (4), 2010-87)

REPORTS (CONTINUED)

Report No. 67 of the Kingston Municipal Heritage Committee (LACAC)

5. **Non-Approval of an Application for the Removal of a Skylight from the Roof of MacMoline (Parish) Hall, Framing of the Opening and Covering with Black Asphalt Shingles when the Roof is Re-shingled at 10 Union Street also known as St. James Anglican Church**

WHEREAS the removal of the skylight at 10 Union Street was considered by the Kingston Municipal Heritage Committee (KMHC) in 2007 and an opportunity to save the feature was identified; and,

WHEREAS Application P18-368-068-2007 to remove the skylight was denied by Council November 6, 2007; and,

WHEREAS an application and the following recommendation for removal of the skylight was considered at the April 12, 2010, KMHC meeting;

THEREFORE BE IT RESOLVED THAT the Kingston Municipal Heritage Committee recommends that the following recommendation **NOT BE APPROVED**:

***THAT** Application P18-368-033-2010 for a property located at 10 Union Street also known as St. James Anglican Church requesting approval for the removal of skylight from the roof of MacMoline (Parish) Hall, framing of the opening and covering with black asphalt shingles when the roof is re-shingled **BE APPROVED** in accordance with*

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details described within a submission filed March 5, 2010, and deemed complete by the Planning and Development Department March 19, 2010;

- and further -

THAT the applicant applies for a building permit for the work;

- and further -

THAT if accessing property from location other than driveway proper permit/permission is required, contact Brad Morton at 613-546-4291 ext. 3147;

- and further -

THAT, prior to commencement of the work the contractor 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;

- and further -

THAT the skylight's current condition and removal be completely documented through photos, and submitted to the City of Kingston for its files;

- and further -

THAT the skylight's removal be a reversible change;

- and further -

THAT the skylight be carefully removed and stored in the roof space directly below its location with as much glazing as possible following the removal.

DEFERRED

(See Motion To Defer Which Was CARRIED, Page No. 18)

6. Approval of an Application for the Addition of a Second Storey to the Existing Addition at 32 Simcoe Street

THAT Application P18-353-034-2010 for a property located at 32 Simcoe Street requesting approval to add a second storey to the existing addition **BE APPROVED** in accordance with details described within a submission filed March 5, 2010, and deemed complete by the Planning and Development Department March 19, 2010;

- and further -

REPORTS (CONTINUED)

Report No. 67 of the Kingston Municipal Heritage Committee (LACAC)

THAT a copy of the design of the railing for the addition be submitted to Heritage staff for the record;

- and further -

THAT the applicant is required to apply for and meet the requirements for a Building Permit;

- and further -

THAT if the applicant needs to access the property other than the driveway, a proper permit/permission is required.

7. Approval of an Application for Repointing and Brick Replacement on Coping Wall at 192 Ontario Street also known as Woodenheads Restaurant

THAT Application P18-268-035-2010 for a property located at 192 Ontario Street also known as Woodenheads Restaurant requesting approval for repointing and brick replacement on coping wall **BE APPROVED** in accordance with details described within a submission filed March 5, 2010, and deemed complete by the Planning and Development Department March 19, 2010;

- and further -

THAT a letter of permission/agency from the property owner be provided regarding the work to be done;

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- and further -

THAT, prior to commencement of the work, the contractor 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;

- and further -

THAT it be understood that the work will be done in accordance with Heritage Masonry Guidelines and masonry units suggested by the applicant.

8. **Approval of an Application to Repair and Rebuild Solarium Unit 2 at 131-133 King Street East**

THAT Application P18-181-036-2010 for a property located at 131-133 King Street East requesting approval to repair and rebuild solarium unit 2 **BE APPROVED** in accordance with details described within a submission filed March 5, 2010, and deemed complete by the Planning and Development Department March 19, 2010;

- and further -

THAT the applicant will be required to obtain a building permit and a full permit review will be done at that time subject to Part 9 of the OBC, and that once the old solarium is removed the new one has to meet code;

- and further -

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

- and further -

THAT, prior to commencement of the work, the contractor 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. dumpsters). In particular there will need to be consideration for the rerouting of pedestrian traffic if the works require closure of the sidewalk.

Councillor Hector withdrew from the meeting.

REPORTS (CONTINUED)

Report No. 67 of the Kingston Municipal Heritage Committee (LACAC)

9. **Approval of an Application for the Replacement of All Windows at 218 King Street East**

THAT Application P18-196-041-2010 for a property located at 218 King Street East requesting approval for the replacement of all windows **BE APPROVED** in accordance with details described within a submission filed March 26, 2010, and deemed complete by the Planning and Development Department March 26, 2010;

- and further -

THAT it be understood that it is strongly recommended that the existing two over two windows be retained;

- and further -

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

- and further -

THAT, prior to commencement of the work, the contractor 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.

CARRIED

Councillor Hector returned to the meeting.

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10. **Approval of an Application for the Installation of New Eavestroughs and Downpipes at 230 James Street, Barriefield Village**

THAT Application P18-445-026-2010 for a property located at 230 James Street, Barriefield Village requesting approval for installation of new eavestroughs and downpipes **BE APPROVED** in accordance with details described within a submission filed March 1, 2010, and deemed complete by the Planning and Development Department March 18, 2010;

11. **Approval of an Application for the Repair of the Veranda Floor, Repainting and Replacement of Elements in Kind, and Repair of Mortar Joints and Brick at 237 Johnson Street**

THAT Application P18-163-038-2010 for a property located at 237 Johnson Street requesting approval for the repair of the veranda floor, repainting and replacement of elements in kind, and repair of mortar joints and brick **BE APPROVED** in accordance with details described within a submission filed March 10, 2010, and deemed complete by the Planning and Development Department March 29, 2010;

- and further -

THAT a permit will be required for this as there are porch support issues and the existing deck and guards require replacement;

- and further -

THAT, in regard to the proposal for repairing mortar joints and brick, a site visit be arranged to meet with the mason in order to view the brick work and discuss the procedure with a report back to the Committee, with the understanding that the work to be done is included within the general outline within the submission;

- and further -

THAT it be understood that the masonry repair of the brick and re-pointing use 1:2:9 mortar mix, using a chisel to remove mortar. Any brick replacement and mortar must be matched in colour and size; preference is for vintage brick (suitable for exterior use) or "John Price" brick.

REPORTS (CONTINUED)

Report No. 67 of the Kingston Municipal Heritage Committee (LACAC)

12. **Approval of an Application for Repainting and Minor Repair of Wooden Surfaces and Trim and Provisional Approval for a Heritage Grant Application for a Property Located 230 James Street, Barriefield Village**

THAT Application P18-445-027-2010 for a property located at 230 James Street, Barriefield Village requesting approval for repainting and minor repair of wooden surfaces and trim **BE APPROVED** in accordance with a submission filed March 2, 2010, and deemed complete by the Planning and Development Department March 15, 2010;

- and further -

THAT Application HG-03-2010 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000;

- and further -

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

13. **Approval of an Application for Replacement of a Steel Roof and Provisional Approval for a Heritage Grant Application for a Property Located at 948 Highway 2 East**

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THAT Application P18-515-024-2010 for a property located at 948 Highway 2 East requesting approval for the replacement of a steel roof **BE APPROVED** in accordance with a submission filed March 1, 2010, and deemed complete by the Planning and Development Department March 1, 2010;

- and further -

THAT it be understood that preference be given to the re-installation of a batten roof;

- and further -

THAT Application HG-01-2010 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000 with the understanding that the grant be approved for the re-installation of a batten roof only;

- and further -

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

14. **Approval of an Application for Re-Pointing and Installation of Two Chimney Caps and Provisional Approval for a Heritage Grant Application for a Property Located at 249 Main Street, Barriefield Village**

THAT Application P18-427-025-2010 for a property located at 249 Main Street, Barriefield Village requesting approval for re-pointing and installation of two chimney caps **BE APPROVED** in accordance with a submission filed March 1, 2010, and deemed complete by the Planning and Development Department March 15, 2010, with the understanding that consideration be given to lowering the height of the rooflet above the screen;

- and further -

REPORTS (CONTINUED)

Report No. 67 of the Kingston Municipal Heritage Committee (LACAC)

THAT Application HG-02-2010 for this property for masonry repairs **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000;

- and further -

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

15. **Approval of an Application for Restoration, Repair and Replacement Where Needed of Five Sash Windows, Fascia and Eavestroughing and Provisional Approval for a Heritage Grant Application for a Property Located at 215 Main Street, Barriefield Village**

THAT Application P18-420-028-2010 for a property located at 215 Main Street, Barriefield Village requesting approval to restore, repair and replace where needed five sash windows, fascia and eavestroughing **BE APPROVED** in accordance with a submission filed March 2, 2010, and deemed complete by the Planning and Development Department March 17, 2010;

- and further -

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THAT Application HG-04-2010 for this property for the repair and replacement of five sash windows **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000;

- and further -

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

16. **Approval of an Application to Repoint and/or Replace Deteriorating Brick and Provisional Approval for a Heritage Grant Application for a Property Located 50 Montreal Street**

THAT Application P18-540-029-2010 for a property located at 50 Montreal Street requesting approval to repoint and/or replace deteriorating brick **BE APPROVED** in accordance with a submission filed March 4, 2010, and deemed complete by the Planning and Development Department March 18, 2010;

- and further -

THAT the repair of the brickwork be done with the understanding that an investigation will be undertaken regarding the condition of the brick below grade, that the area below grade will have a moisture inhibiting masonry unit and a damp proof course will be installed above grade, that the selection of brick and mortar will match in size and colour as closely as possible to the brick;

- and further -

THAT Application HG-05-2010 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000;

- and further -

REPORTS (CONTINUED)

Report No. 67 of the Kingston Municipal Heritage Committee (LACAC)

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

17. **Approval of an Application for Repointing the Foundation and West Stone Wall, Installation of Concrete Formed Caps, and Replacement of Two Window Sills and Provisional Approval for a Heritage Grant Application for a Property Located at 85 Queen Street**

THAT Application P18-303-030-2010 for a property located at 85 Queen Street requesting approval to repoint the foundation and west stone wall, install concrete formed caps, and replace two window sills **BE APPROVED** in accordance with a submission filed March 4, 2010, and deemed complete by the Planning and Development Department March 18, 2010;

- and further -

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

- and further -

THAT, prior to commencement of the work, the contractor 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

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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;

- and further -

THAT Application HG-06-2010 for this property to repoint the stone wall **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000;

- and further -

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

18. **Approval of an Application for Restoration of Windows and Front Doors and Exterior Painting and Provisional Approval for a Heritage Grant Application for a Property Located at 185 William Street**

THAT Application P18-407-031-2010 for a property located at 185 William Street requesting approval for the restoration of windows and front doors and exterior painting **BE APPROVED** in accordance with a submission filed March 5, 2010, and deemed complete by the Planning and Development Department March 19, 2010;

- and further -

THAT Application HG-07-2010 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000;

- and further -

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

REPORTS (CONTINUED)

Report No. 67 of the Kingston Municipal Heritage Committee (LACAC)

19. **Approval of an Application for Removal and Reinstallation of Bricks and Repointing as Necessary, and Repair/Replacement of Damaged Wood on Soffit and Facia as Required and Provisional Approval for a Heritage Grant Application for a Property Located at 37-43 Brock Street**

THAT Application P18-074-032-2010 for a property located at 37-43 Brock Street requesting approval to remove and reinstall bricks and repoint as necessary, and repair/replace damaged wood on soffit and fascia as required **BE APPROVED** in accordance with a submission filed March 5, 2010, and deemed complete by the Planning and Development Department March 18, 2010;

- and further -

THAT it be understood that brick repairs will not be painted as the whole building will be have the paint removed in due time and loose paint will be brushed off at this time in the repair area;

- and further -

THAT proper permit/permission may be required for accessing property, contact Brad Morton at 613- 546-4291 ext. 3147;

- and further -

THAT, prior to commencement of the work, the contractor 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;

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- and further -

THAT Application HG-08-2010 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000;

- and further -

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

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

THAT Application P18-361-022-2010(EA) for a property located at 73 Sydenham Street requesting approval for the replacement of black asphalt shingles **BE REAFFIRMED** in accordance with a submission filed March 4, 2010, and deemed complete by the Planning and Development Department March 8, 2010.

CARRIED

(Clauses 3, 4, 6 through 8, and 10 through 20)

Report No. 68 of the Municipal Accessibility Advisory Committee

Report No. 68

To the Mayor and Members of Council:

The Municipal Accessibility Advisory Committee reports and recommends as follows:

REPORTS (CONTINUED)

Report No. 68 of the Municipal Accessibility Advisory Committee

Note: The following clause 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. It then appeared as Clause 4 of Report No. 53 on the agenda for the Council meeting held on April 6, 2010, and Clause 1 of Report No. 62 on the agenda for the Council meeting held on April 20, 2010, and was deferred due to lack of time.

(See Information Report No. (6), Page No. 30)

1. **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

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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

Report No. 69 of the Nominations Advisory Committee

Report No. 69

To the Mayor and Members of Council:

The Nominations Advisory Committee reports and recommends as follows:

April 26, 2010

1. Appointment to the Affordable Housing Committee

THAT Colin Ubdegrove be appointed to the Affordable Housing Committee for a term to expire November 30, 2010.

DEFERRED

INFORMATION REPORTS

Council consented to the withdrawal of Information Report No. (13).

Note: Information Reports (1) through (11) were deferred from the meeting held on April 20, 2010 due to lack of time and were not re-distributed, with the exception of Report (6).

- (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 distributed with the April 6 agenda.)

(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 distributed with the April 6 agenda.)

(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 distributed with the April 6 agenda.)
(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 distributed with the April 6 agenda.)
(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 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 distributed with the April 6 agenda.)
(File No. CSU-E05-000-2010)

INFORMATION REPORTS (CONTINUED)

(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) is attached as Schedule Pages 111-115)

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

(See Clause 1, Report No. 68, Page No. 28)

(7) **Priority Status Matrix 2010**

The purpose of this report is to provide a list of projects and initiatives assigned to staff by Council through Standing Committees and Council resolutions.

(The Report of the Chief Administrative Officer (10-107) was distributed with the April 6 agenda.)

(File No. CSU-C08-000-2010)

(8) **2009 Thousand Islands Poker Run Economic Impact Assessment**

The purpose of this report is to provide information on the economic impact of the Poker Run, as directed by Council at the meeting held on February 2, 2010.

(The Report of the Chief Administrative Officer (10-128) was distributed with the April 6 agenda.)

(File No. CSU-D02-000-2010)

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(9) **Chown Parking Garage – Progress Update on Finalization of Agreements**

The purpose of this report is to update Council regarding the progress of the contract completion for the sale of the Chown Parking Garage and the lease of the lands.

(Note: The Report of the Director of Legal Services (10-131) was distributed with the April 6 agenda.)

(File No. CSU-L15-000-2010, CSU-L19-000-2010)

(10) **Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Months of January and February 2010**

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 months of January and February 2010 and to report additional information on contracts awarded by senior staff between the \$20,000 and \$50,000 level for the months of January and February 2010.

(The Report of the Deputy Treasurer (10-069) was distributed with the April 20 agenda.)

(File No. CSU-F18-000-2010)

(11) **K-Rock Centre Audited Financial Statements as at December 31, 2009**

The purpose of this report is to provide Council with a copy of the Audited Financial Statements for the K-Rock Centre as at December 31, 2009.

(The Report of the Commissioner of Corporate Services (10-149) was distributed with the April 20 agenda.)

(File No. CSU-F10-000-2010)

INFORMATION REPORTS (CONTINUED)

(12) **Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of March 2010**

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 March 2010 and to report additional information on contracts awarded by senior staff between the \$20,000 and \$50,000 level for the month of March 2010.

(The Report of the Deputy Treasurer (10-120) was attached as Schedule Pages 116-121)

(File No. CSU-F18-000-2010)

DEFERRED

(13) **Information Regarding Discussion with Barriefield Residents Association**

The Report of the Acting Commissioner of Community Development Services (10-164) was distributed separately from the agenda on Friday, April 30, 2010.

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

WITHDRAWN

MISCELLANEOUS BUSINESS

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

THAT, as requested by the Ukrainian Canadian Club of Kingston, Council designate the Lviv, Ukraine, pavilion at Regiopolis Notre Dame Catholic High School, 130 Russell Street, in conjunction with Folklore 2010 on June 11 to 13, as a Community Festival of Municipal Significance to which special occasion permits may be issued by the Liquor Licence Board.

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(File No. CSU-P09-000-2010)
(See Communication No. 10-160)

CARRIED

- (2) **THAT**, as requested by the East Region of the CNIB, Council proclaim May 27, 2010, as "CNIB Shades of Fun Day" in the City of Kingston.
(See Communication No. 12-214)

DEFERRED

- (3) **THAT**, at the request of Kathleen Rankine, Boating Safety Outreach Volunteer, Council proclaim May 22 to 28, 2010, as "Safe Boating Awareness Week" in the City of Kingston.
(See Communication No. 13-226)

DEFERRED

MOTIONS

Council consented to the addition of Motion (6).

- (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.

DEFERRED

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

WHEREAS City Park is a landmark in Kingston's history; and,

WHEREAS in recent years more university students are living east of City Park; and,

WHEREAS pedestrian travel through City Park is necessary for all people living east of the park travelling to and from the University; and,

WHEREAS City Park is heavily used during the evening hours by many people; and,

WHEREAS serious concerns regarding proper lighting in City Park have been identified by members of the community; and,

WHEREAS the number of reports of assaults in this areas continues to be of concern; and,

WHEREAS the City of Kingston actively encourages the use of its park by all citizens; and,

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WHEREAS Kingston City Council has received a petition requesting more lighting in City Park;

THEREFORE BE IT RESOLVED THAT staff be instructed to prepare a report outlining the costs associated with increasing the lighting in City Park specifically on the routes travelled by pedestrians;

- and further -

THAT this report be forwarded to Council for consideration in its 2011 Capital Budget.

DEFERRED

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

WHEREAS the Federation of Canadian Municipalities (FCM) represents the interests of municipalities on policy and program matters that fall within federal jurisdiction; and,

WHEREAS FCM's National Board of Directors is comprised of elected municipal officials from all regions and sizes of communities to form a broad base of support and provide FCM with the prestige required to carry the municipal message to the federal government; and,

WHEREAS the 73rd FCM Annual Conference is from May 28 to 31, 2010, during which the Annual General Meeting will be held and followed by the election of FCM's National Board of Directors; and,

MOTIONS (CONTINUED)

WHEREAS FCM requires that every nominee for election to the board provide prior to 8 May 2010 a resolution of their council that authorizes them to stand, and states that the council is prepared to meet the cost of their attending meetings of the FCM's National Board of Directors;

THEREFORE BE IT RESOLVED THAT Council of the City of Kingston endorse Councillor Dorothy Hector to stand for election on FCM's National Board of Directors;

- and further -

THAT Council assume all costs associated with Councillor Dorothy Hector attending FCM's National Board of Directors meetings.

CARRIED (9:4)

(See Recorded Vote No. 1)

(See Motion To Defer Which Was LOST)

- Moved by Councillor Garrison
Seconded by Councillor MacLeod-Kane

THAT Motion (3) be deferred to the May 18, 2010, Council meeting.

LOST (4:9)

(See Recorded Vote No. 2)

1. A Recorded Vote was requested by Councillor Smith

YEAS: Councillor Foster, Councillor Gerretsen, Councillor Glover, Councillor Hector, Councillor Matheson, Councillor Meers, Mayor Rosen, Councillor Schmolka, Councillor Smith (9)

NAYS: Councillor Garrison, Councillor Hutchison, Councillor MacLeod-Kane, Councillor Osanic (4)

2. A Recorded Vote was requested by Councillor Smith

YEAS: Councillor Garrison, Councillor Hutchison, Councillor MacLeod-Kane, Councillor Osanic (4)

NAYS: Councillor Foster, Councillor Gerretsen, Councillor Glover, Councillor Hector, Councillor Matheson, Councillor Meers, Mayor Rosen, Councillor Schmolka, Councillor Smith (9)

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- (4) Moved by Councillor Glover
Seconded by Councillor Foster

WHEREAS in a unanimous decision on 15 April the Supreme Court of Canada clearly and unequivocally stated that the federal government and its Crown Corporations must pay for the services municipalities provide in the same way private owners pay;

THEREFORE BE IT RESOLVED THAT Kingston City Council urges the government of the Province of Ontario to follow this decision, with respect to all properties for which it makes payments in lieu of taxes;

- and further -

THAT a copy of this resolution be sent to John Gerretsen, MPP for Kingston and the Islands, and to all Ontario university towns that likewise receive the 1987 "heads and beds" payment.

DEFERRED

MOTIONS (CONTINUED)

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

WHEREAS the Report on Stage 1 of the Environmental Assessment of the Third Crossing of the Cataraqui River, dated April 9, 2010 is the foundational document upon which the next phase of the project is to be built and to which funders will turn to confirm the need for and location of the crossing; and,

WHEREAS the Report is not up-to-date in some aspects and contains some information that has been questioned for its accuracy; and,

WHEREAS the Aecon Report, a key report updating the figures in the 2004 Kingston Transportation Master Plan, was not made available to members of the public who asked to review the data to enable them to provide comment to the Council meeting on April 20, 2010;

THEREFORE BE IT RESOLVED THAT, before Council authorizes staff to proceed to Stage 2 of the Environmental Assessment, staff provide Council with information with respect to the following:

- a) the correct number that should be used to determine the number of vehicles per hour (vph) that can be handled by a lane of traffic on the Lasalle Causeway;
- b) a chart showing the most recent Annual Average Daily Traffic (AADT) counts for the LaSalle Causeway and the previous traffic counts done under past studies;
- c) the capacity of Highway 401 once the 6-lane reconstruction work has been completed and the expected time frame for this capacity (see page 23 of the Stage 1 Report) and a clarification as to the secondary role of the 401 to handle local traffic;
- d) the roadwork associated with the proposed location of the third crossing that will be necessary (for example, the widening of Highway 15) and possible local road effects, and the estimated costs;
- e) the traffic impacts on local roads, such as Montreal Street, Patrick Street, and Rideau Street, that will likely result from the proposed location of the third crossing;
- f) the updated and correct transit ridership data (see page 27 of the Report);
- g) a plausible calculation of carbon dioxide impacts that takes into account changes in vehicle travel patterns based on available information (see, e.g., the 2004 Dillon study) and likely changes in the fuels vehicles will be using in 2029 (see page 76 of the Stage 1 Report);

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-
- h) an analysis of which vehicles are likely to use the third crossing based on the existing points of departure and destination studies;
 - i) a prediction on the likely traffic volumes on the third crossing in the first year of its operation, based on the available data;
 - j) an update of section 4.1.2 Urban Growth and the other related sections of the Stage 1 Report to reflect the city's new Official Plan which was approved by the provincial government in early 2010 and set an urban growth boundary which does not, at this time, provide for more development in Kingston east;
 - k) an update of section 4.1.3 Emergency Services and the other related sections of the Stage 1 Report to reflect the Fire Master Plan that was adopted by Council in April, 2010;

- and further -

THAT staff report on the roadway and traffic signal improvements that can be made in the short term to improve traffic flow on either side of the Lasalle Causeway, their costs, and the likely effect of these improvements on traffic patterns.

DEFERRED

MOTIONS (CONTINUED)

- (6) Moved by Councillor Gerretsen
Seconded by Councillor Schmolka

THAT City Council support the dedication of the Gardiners Road/Road 38 bridge, in the memory of fallen OPP officer, Constable John Flagg;

- and further -

THAT the City Clerk be directed to communicate this support to the OPP, accordingly.

DEFERRED

NOTICES OF MOTION

MINUTES

THAT the Minutes of City Council Meeting No. 11-2010, held Tuesday, April 6, 2010 and Meeting No. 12-2010, held Tuesday, April 20, 2010, be confirmed.

DEFERRED

TABLING OF DOCUMENTS

- 2010-45 Ongwanada
Quarterly Newsletter – "Horizon" – Winter 2010
(File No. CSU-S08-000-2010)
- 2010-46 Daily Commercial News and Construction Record
Newspaper – April 20, 2010
(File No. CSU-M04-000-2010)
- 2010-47 Cataraqui Region Conservation Authority
Minutes – Full Authority Meeting – March 24, 2010

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(File No. CSU-D03-000-2010)

- 2010-48 Cataraqui Region Conservation Authority
Agenda – Full Authority Meeting – April 28, 2010
(File No. CSU-D03-000-2010)

COMMUNICATIONS

Council consented to the addition of Communications 13-237 through 13-240.

Filed

- 13-223 From the United Counties of Prescott and Russell, acknowledging receipt of Council's resolution regarding fundraising efforts and debt relief for Haiti.
(File No. CSU-P03-000-2010)

COMMUNICATIONS (CONTINUED)

- 13-224 From the Cataraqui Region Conservation Authority, providing an update about a provincial grant program with regards to protecting municipal drinking water that is available to landowners who own property near the water intake pipe that supplies the Point Pleasant Water Treatment Plant.
(File No. CSU-D03-000-2010)
- 13-227 From the Ontario Ministry of Municipal Affairs and Housing, providing a copy of the recently updated pamphlet, "Making Choices: A Guide to Service Delivery Review for Municipal Councillors and Senior Staff".
(File No. CSU-M00-000-2010)
- 13-235 From the Committee of Adjustment, a Notice of Decision for the following applications:

CONSENT – In respect of an application for consent to sever the property at 1035 Gardiners Road, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is May 17, 2010.

CONSENT – In respect of an application for consent to sever the property at 1085 Gardiners Road, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is May 17, 2010.
(File No. CSU-D19-000-2010)
- 13-236 From the Committee of Adjustment, a Notice of Decision for the following applications:

CONSENT – In respect of an application for consent to sever the property at 465-469 Palace Road, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is May 18, 2010.

MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 8499 for the property at 465-469 Palace Road, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is May 17, 2010.

MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 8499 for the property at 477 Palace Road, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is May 17, 2010.

CONSENT – In respect of an application for consent to sever the property at 2187 Battersea Road, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is May 18, 2010.

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CONSENT – In respect of an application for consent to sever the property at 1449 Woodfield Crescent, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is May 18, 2010.

MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 76-26 for the property at 1449 Woodfield Crescent, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is May 17, 2010.

MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 8499 for the property at 175 Queen's Crescent, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is May 17, 2010.

MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 8499 for the property at 129-131 Charles Street, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is May 17, 2010.

MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 8499 for the property at 206 Alwington Place, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is May 17, 2010.

COMMUNICATIONS (CONTINUED)

CONSENT – In respect of an application for consent to sever the property at 234 Albert Street, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is May 18, 2010.

CONSENT – In respect of an application for consent to sever the property at 236 Albert Street, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is May 18, 2010.

MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 8499 for the property at 326 Johnson Street, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is May 17, 2010.

MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 32-74 for the property at 3303 Sand Hill Road, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is May 17, 2010.

MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 8499 for the property at 203-205 Colborne Street, the Committee decided that the application **SHOULD BE DENIED**. The final date for appeal is May 17, 2010.

MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 8499 for the property at 407 Montreal Street, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is May 17, 2010.

NON-CONFORMING USE – In respect of an application for permission under the Planning Act to change a legal non-conforming use to a use similar or more compatible with the permitted uses of the Zoning By-Law for the property at 282 University Avenue, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is May 17, 2010.

MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 32-74 for the property at 1119 Innovation Drive, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is May 17, 2010.
(File No. CSU-D19-000-2010)

Referred to All Members of Council

13-225 From the Corporation of the City of Oshawa, asking for Council's support of a resolution requesting that the Premier of the Province of Ontario enact legislation that would create a salary cap of \$325,000 to all individuals

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in the employment of the Public Sector who fall under the parameters of the *Public Sector Salary Disclosure Act*.

(File No. CSU-C10-000-2010)

13-226 From Kathleen Rankine, Boating Safety Outreach Volunteer, asking that Council proclaim May 22 to 28, 2010, as "Safe Boating Awareness Week" in the City of Kingston.

(File No. CSU-M10-000-2010)

(See Miscellaneous Business Item No. 3)

(Distributed to all Members of Council on April 23, 2010)

13-228 From the Conseil des écoles catholiques de langue Française du Centre-Est, providing a copy of the final report on the determination and representation of school trustees for the 2010 elections.

(File No. CSU-C07-000-2010)

COMMUNICATIONS (CONTINUED)

13-229 From McCormick Rankin Corporation, advising that a Design and Construction Report (DCR), documenting the detailed design and environmental protection and mitigation measures for the improvements to the Division Street interchange on Highway 401, has been prepared and will be available from April 26 to May 27, 2010, for a 30-day public review period.

(File No. CSU-T04-000-2010)

13-238 From Dave St. Onge, expressing his support of the project to restore of "The Spirit of Sir John A." locomotive.

(File No. CSU-R01-000-2010)

13-239 From the Kingston Association of Museums, Art Galleries, and Historic Sites Inc., expressing its support of the project to restore of "The Spirit of Sir John A." locomotive.

(File No. CSU-R01-000-2010)

13-240 From Gilad Parking, requesting the approval of Council to appoint Richard MacKay-Smith as a By-Law Enforcement Officer for the purpose of issuing tickets under By-Law No. 99-166 on the property owned by Gilad Parking at 19 Brock Street.

(File No. CSU-P01-003-2010)

(See By-Law No. (17), 2010-97)

Referred to the Acting Commissioner of Community Development Services

13-230 From the Ontario Ministry of Natural Resources, providing information regarding the guidelines for the 2010 Bear Wise Program Community Funding, which in previous years has financially assisted municipalities to help reduce human-bear conflicts.

(File No. CSU-P14-000-2010)

Referred to the Treasurer

13-233 From the Kingston Area Taxi Commission, providing a copy of financial statements for the year ended December 31, 2009.

(File No. CSU-F10-000-2010)

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Referred to the City Clerk

- 13-231 From Community Living Kingston, asking that Council proclaim May 2010, as "Community Living Month" in the City of Kingston.
(File No. CSU-M10-000-2010)
- 13-232 From the Falun Dafa Practice Group in Kingston, asking that Council proclaim May 13, 2010, as "Falun Dafa Day" in the City of Kingston.
(File No. CSU-M10-000-2010)
- 13-234 From the Ontario Spina Bifida & Hydrocephalus Association of Ontario, asking that Council proclaim June 2010 as "Spina Bifida and Hydrocephalus Awareness Month" in the City of Kingston.
(File No. CSU-M10-000-2010)

COMMUNICATIONS (CONTINUED)

Referred to the Commissioner of Sustainability and Growth

- 13-237 From Gerard and Mary Ev Wyatt, expressing their support for the petitioned proposal that the lane that runs between Earl Street and West Street, parallel to Sydenham Street, be given the name, "Lily's Lane", in memory of the late Lily Inglis.
(File No. CSU-D20-000-2010)

BY-LAWS

Council consented to the addition of By-Laws (15), (16) and (17) and to the withdrawal of By-Laws (1), (2), and (16).

- (A) Moved by Councillor Gerretsen
Seconded by Councillor Garrison
THAT By-Laws (3) through (15) and (17) be given their first and second reading. **CARRIED**
- (B) Moved by Councillor Osanic
Seconded by Councillor Meers
THAT Clause 8.9 of By-Law No. 98-1 be suspended for the purpose of giving By-Laws (15) and (17) three readings. **CARRIED**
- (C) Moved by Councillor Smith
Seconded by Councillor Matheson
THAT By-Laws (5) through (15) and (17) be given their third reading. **CARRIED**
- (1) A By-Law To Amend By-Law No. 98-8, "A By-Law To Appoint Statutory Officials Of The Corporation Of The City Of Kingston" (to appoint James English as Drainage Superintendent and delete Gord Donovan)
FIRST AND SECOND READINGS PROPOSED NO. 2010-84
(See Clause (a), Report No. 63) **WITHDRAWN**
- (2) A By-Law To Amend By-Law No. 2006-132, "A By-Law To Establish A Legal Deposit For Archaeological Assessments Carried Out Within The City Of Kingston"

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FIRST AND SECOND READINGS
(See Clause (4), Report No. 65)

PROPOSED NO. 2010-85
WITHDRAWN

- (3) A By-Law To Amend By-Law No. 9360A, "A By-Law To Designate Certain Properties Within The Municipality To Be Of Historic Or Architectural Value Or Interest" (to reflect the cultural heritage value and interest of Newcourt House (889 King Street West))

FIRST AND SECOND READINGS
(See Clause (3), Report No. 67)

PROPOSED NO. 2010-86

BY-LAWS (CONTINUED)

- (4) A By-Law To Designate The Denyes Monument (Princess Street), To Be Of Cultural Heritage Value And Interest Pursuant To The Provisions Of The *Ontario Heritage Act* (R.S.O. 1990, Chapter 0.18)

FIRST AND SECOND READINGS
(See Clause (4), Report No. 67)

PROPOSED NO. 2010-87

- (5) A By-Law To Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston" (Zone Change from 'M1' to 'M9.392', 817 Division Street)

THREE READINGS
(See Clause (1), Report No. 65)

PROPOSED NO. 2010-88

- (6) A By-Law To Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston" (143 Union Street)

THREE READINGS
(See Clause (3), Report No. 65)

PROPOSED NO. 2010-89

- (7) A By-Law To Amend The Official Plan For The City Of Kingston Planning Area (Amendment No. 2, known municipally as 1371 Spooner Road)

THREE READINGS
(See Clause (5), Report No. 65)

PROPOSED NO. 2010-90

- (8) 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 Environmental Protection Area 'EPA' Zone to Special General Agricultural 'A2-9' Zone, 1371 Spooner Road)

THREE READINGS
(See Clause (5), Report No. 65)

PROPOSED NO. 2010-91

- (9) A By-Law To Establish The Portion Of Part 5 On Reference Plan 13R-6019 As Contained Within The Boundaries Of Parts 39 And 40 On Reference Plan 13R-7643 As Part Of The Public Highway Known As Dalton Avenue In The City Of Kingston In Accordance With Section 31(4) Of The Municipal Act, Chapter 25, S.O. 2001, As Amended

THREE READINGS
(Delegated Authority)

PROPOSED NO. 2010-92

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- (10) A By-Law To Provide For The Assumption Of The Public Highways In Eden Valley Estates Subdivision, Registered Plan 13M-35, In The City Of Kingston, In Accordance With Section 31(4) Of The Municipal Act, Chapter 25, S.O. 2001; And To Provide For The Acceptance By The City Of Kingston, Of The Associated Public Works Within
THREE READINGS PROPOSED NO. 2010-93
(Delegated Authority)

- (11) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, May 4, 2010
THREE READINGS PROPOSED NO. 2010-94
(City Council Meeting No. 13-2010)

BY-LAWS (CONTINUED)

- (12) A By-Law To Amend By-Law No. 2004-360, "A By-Law To Define The Composition And Terms Of Reference For Committees Established By The Corporation Of The City Of Kingston" (add 2010 Compliance Audit Committee)
THIRD READING PROPOSED NO. 2010-75
(See Clause (h), Report No. 55)

- (13) A By-Law To Amend By-Law No. 2004-360, "A By-Law To Define The Composition And Terms Of Reference For Committees Established By The Corporation Of The City Of Kingston" (add Pump House Steam Museum Committee mandate)
THIRD READING PROPOSED NO. 2010-78
(See Clause (1), Report No. 61)

- (14) A By-Law To Establish General Municipal, Fire, Garbage, And Special Tax Rates For The Year 2010 To Provide For A Final Tax Levy; To Provide For Late Payment Charges To Be Charged On Unpaid Taxes; And To Provide For Payment Of Taxes By Instalment
THIRD READING PROPOSED NO. 2010-83
(See Clause (6), Report No. 56)

- (15) 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", As Amended (to amend Schedule A)
THREE READINGS PROPOSED NO. 2010-95
(See Clause (4), Report No. 64)

- (16) A By-Law To Amend By-Law No. 2006-118, "A By-Law Respecting The Kingston Public Market"
THREE READINGS PROPOSED NO. 2010-96
(See Clause (5), Report No. 64) **WITHDRAWN**

- (17) 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 The Local Board" (Add Richard MacKay-Smith – Gilad Parking, 19 Brock Street)
THREE READINGS PROPOSED NO. 2010-97
(See Communication No. 13-240)

ADJOURNMENT

Moved by Councillor Glover
Seconded by Councillor Foster

THAT Council do now adjourn.

CARRIED

Council adjourned at 11:15 pm.

(Signed)

Carolyn Downs
City Clerk

Harvey Rosen
Mayor