

## CITY COUNCIL MEETING NO. 17-2010

The Regular Meeting of City Council was held on Tuesday, June 15, 2010, and was called to order at 7:15 pm in the Council Chamber, City Hall. Regular business commenced at 7:40 pm. Deputy Mayor Vicki Schmolka presided.

There was a "Closed Meeting" of the Committee of the Whole from 7:15 pm to 7:30 pm in the Councillors' Lounge.

(Council Chamber)

### ROLL CALL

Present: Councillor Foster, Councillor Garrison, Councillor Gerretsen, Councillor Glover, Councillor Hutchison, Councillor MacLeod-Kane (arrived 8:00 pm), Councillor Matheson, Councillor Meers, Councillor Osanic, Deputy Mayor Schmolka, Councillor Smith (11)

Absent: Councillor Hector, Mayor Rosen (2)

(Councillors' Lounge)

### Administrative Staff Present:

Mrs. C. Downs, City Clerk

Mr. G. Hunt, Chief Administrative Officer

Mr. J. Keech, President and CEO, Utilities Kingston

Mr. H. Linscott, Director, Legal Services

Mr. R. Murphy, Manager of Finance, Utilities Kingston

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### COMMITTEE OF THE WHOLE "CLOSED MEETING"

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

THAT Council resolve itself into the Committee of the Whole "Closed Meeting" to consider the following item:

- (a) Litigation or potential litigation affecting the municipality or local board – Ravensview Waste Water Treatment Plant

CARRIED

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(Council Chamber)

### Administrative Staff Present:

Ms. J. Amini, Committee Clerk

Ms. C. Beach, Commissioner, Sustainability and Growth

Mr. R. Carnegie, Director of Tourism Marketing and Development, Kingston Economic Development Corporation

Mr. J. Davis, Manager of Finance and Administrative Services, Residential Long-Term Care

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

Mrs. C. Downs, City Clerk

Mr. J. Garrah, CEO, Kingston Economic Development Corporation

Mr. J. Hale, Driver/Labourer, Public Works

Mr. G. Hunt, Chief Administrative Officer

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

Ms. K. Jamieson, Project Office Assistant, Strategy, Environment and Communications

Mr. J. Keech, President and CEO, Utilities Kingston

Mr. D. Leger, Commissioner, Transportation, Properties and Emergency Services

Mr. H. Linscott, Director, Legal Services

Mr. P. MacLatchy, Director, Strategy, Environment and Communications

Ms. P. Nichols, Manager, Parking

Administrative Staff Present (continued):

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Mr. J.P. Shearer, Director of Business Development, Kingston Economic Development Corporation  
Mr. R. Steele, Manager, Fleet  
Mr. M. Van Buren, Director, Engineering  
Mr. G. Wallace, Director, Planning and Development  
Mr. D. Wells, Director, Public Works  
Mr. T. Willing, Acting Commissioner, Community Services

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**REPORT OF THE COMMITTEE OF THE WHOLE "CLOSED MEETING"**

- (2) Moved by Councillor Matheson  
Seconded by Councillor Meers

THAT Council rise from the Committee of the Whole "Closed Meeting" without reporting.

**CARRIED**

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**DISCLOSURE OF PECUNIARY INTEREST**

Councillor Gerretsen declared a possible pecuniary interest in the matter of Clause 3 of Report No. 89 of the Kingston Municipal Heritage Committee (LACAC) as his parents reside and own property at 181 King Street West.

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**PRESENTATIONS**

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**DELEGATIONS**

Council consented to the addition of Delegation No. (3).

- (1) Ashlee McGuire, Heart and Stroke SPARK Lead, was present and spoke to Council regarding the SPARK initiative.  
(See Motion No. (2), Page No. 471)
- (2) Judi Wyatt, a member of the Kingston Community Roundtable on Poverty Reduction's Youth Poverty Challenge Organising Committee, was present and spoke to Council regarding the poverty reduction proposals that were developed by local high school students during the April 7, 2010, Youth Challenge as part of their citizen's assembly exercise.  
(See Motion No. (1), Page No. 470)
- (3) Dianne Dowling of the National Farmers Union Local 316, and Bridget Doherty of the Sisters of Providence of St. Vincent de Paul Justice and Peace Office, were present and spoke to Council regarding the possible closing of the prison farms in Kingston.  
(See Motion No. (4), Page No. 472)

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**BRIEFINGS**

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- (1) Jeff Garrah, Chief Executive Officer of the Kingston Economic Development Corporation (KEDCO), provided Council with an update regarding KEDCO activities.
  
- (2) Linda Whitfield, Chair of the FOCUS Kingston Steering Committee, was present and spoke to Council regarding the Sustainable Kingston Plan.  
(See Clause 1, Report No. 90, Page No. 467)

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**PETITIONS**

- (1) A petition bearing 2 signatures was presented by Councillor Gerretsen and referred to the Environment, Infrastructure and Transportation Policies Committee and reads as follows:

“Dear Mark Gerretsen.

Remember us? Jenny and Tara? We are the students in Centennial P.S. in Mr. Caldwell’s class. We were wondering if you can bring this to the people in the Government?

A few weeks ago we found an issue in the city: a lot of households batteries are not getting disposed properly. If they don’t get disposed properly the chemical in the batteries like: lead, mercury and cadmium get into the water system and the landfill. You don’t want that to happen do you?

Some people take their batteries to hazardous waste facilities and then people from hazardous waste take the batteries to a factory where they get disposed properly but a lot of people think it is too far or they are too lazy to drive that far.

We have a few solutions for you to think about:

- there could be places around the city (like the mall or stores) that people can take their dead batteries to. Then people from hazardous waste facility can come and get the dead batteries.
- we could have a battery pick up day! Every year there could be 2 days that people can put their dead batteries in a box then people from hazardous waste could go around the city to pick them up.

You might be thinking that some batteries are too small to do any harm to us. Actually they are the most harmful ones because they need to produce a lot of electricity in a small thing so they need to have lots of chemicals to make that happen.

We hope you can make one of these solutions happen. We look forward for your reply.

Sincerely, Jenny Li and Tara Whitley”

REFERRED TO THE ENVIRONMENT, INFRASTRUCTURE AND TRANSPORTATION POLICIES COMMITTEE

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

Motions of Congratulations

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

THAT the sincere congratulations of the City of Kingston be extended to Kingston’s own Scott Arniel on his appointment as Head Coach of the NHL’s Columbus Blue Jackets. In his third year as a coach in the American Hockey League (AHL), Arniel was awarded the Louis A.R. Pieri Memorial Award as AHL coach of the year in 2009. Scott Arniel is also a former professional ice hockey player who played in the NHL primarily with the Winnipeg Jets and Buffalo Sabres. He was inducted into the Kingston and District Sports Hall of Fame on May 2, 2008.

**MOTIONS OF CONGRATULATIONS/CONDOLENCES/SPEEDY RECOVERY (CONTINUED)**

- (2) Moved by Councillor MacLeod-Kane

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Seconded by Councillor Meers

THAT the congratulations of Kingston City Council be extended to Pastor Reynolds James on the occasion of his 90<sup>th</sup> birthday on June 17, 2010.

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

THAT the congratulations of Kingston City Council be extended to Pastor Reynolds James and his wife, Eliza Jane, on the occasion of their 60<sup>th</sup> wedding anniversary on June 24, 2010.

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

THAT the congratulations of Kingston City Council be extended to J. L. Richards and Associates for winning the Willis Chipman Award for its role in the cutting edge, \$115-million upgrade to the Ravensview Wastewater Treatment Plant undertaken by Utilities Kingston. The firm provided project management, engineering, architectural and planning services (which included environmental assessment preparation), on site guidance, design, construction and commissioning oversight for the largest municipal project in Kingston's history. Presented by Consulting Engineers of Ontario, the Chipman Award is the highest distinction in Ontario's consulting engineering community.

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

THAT the congratulations of Kingston City Council be extended to Beth Robinson on the occasion of her 90<sup>th</sup> birthday, to be celebrated on June 19, 2010. Ms. Robinson is a long-time Kingston resident, occupational therapist, art therapist, instructor, community volunteer and author. She continues to contribute to the positive quality of life in our community, through her weekly therapy sessions with local veterans.

Motions of Condolences

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

THAT the sincere condolences of Kingston City Council be extended to the family of the late Brian Allen, long-time employee of the City of Kingston and member of the Union Executive for CUPE 109, who passed away on June 10, 2010.

Motions of Speedy Recovery

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

THAT the best wishes of Kingston City Council for a speedy recovery be extended to Mr. W. T. (Bill) Mills, former Mayor of Kingston.

CARRIED

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**REPORTS**

Report No. 85 the Chief Administrative Officer (Consent)

Moved by Councillor Matheson

Seconded by Councillor Osanic

THAT Report No. 85 of the Chief Administrative Officer (Consent) be received and adopted.

Council consented to the separation of Clause (g).

**Report No. 85**

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) Capital Project Status Report for the First Quarter of 2010

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

Source of Financing	
<b>Municipal Capital Reserve Fund</b>	<b>(\$369,539)</b>
Municipal Equipment Reserve Fund	(\$283,052)
Solid Waste Reserve Fund	(\$184,601)
Police Equipment Reserve Fund	\$6,160
Library Capital Reserve Fund	(\$2,331)
Transit Reserve Fund	(\$53,507)
Technology Reserve Fund	\$1,909
Federal Gas Tax Reserve Fund	(\$16,914)
Fire Capital Reserve Fund	\$1,583
Facility Repair Reserve Fund	\$3,647
Parking Reserve Fund	(\$31)
<b>Sub-Total-Other Reserve Funds</b>	<b>(\$527,137)</b>
<b>Total Reserve Funds</b>	<b>(\$896,676)</b>

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

Source of Financing	
Fire Capital Reserve Fund	(\$1,311)
<b>Total Net Debenture Requirement (reduction)</b>	<b>(\$1,311)</b>

(The Report of the Deputy Treasurer (10-176) was attached as Schedule Pages 1-16)

(File No. CSU-F05-000-2010)

**REPORTS (CONTINUED)**

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Report No. 85 the Chief Administrative Officer (Consent)

(b) Approval of the Naming of a Public Laneway as Lily Lane

WHEREAS City Council has received a petition requesting that the significant contributions of Lily Inglis be recognized by naming a City-owned laneway in her honour as Lily Lane; and,

WHEREAS this laneway is located between Earl Street and West Street, behind her former residence and legally described as Lane Plan B27, between Earl Street and West Street, City of Kingston, County of Frontenac, being all of PIN 36040-0061; and,

WHEREAS the naming of Lily Lane is consistent with the adopted road naming conventions of Civic Addressing and Road Naming By-Law No. 2005-98 and emergency response requirements;

THEREFORE BE IT RESOLVED THAT the by-law to approve the naming of an existing City-owned laneway to Lily Lane be presented to Council for the first and second reading and that the City Clerk be requested to advertise a notice of intention to pass the by-law between the second and third reading.

(The Report of the Commissioner of Sustainability and Growth (10-179) was attached as Schedule Pages 17-23)

(File No. CSU-D20-000-2010)

(See By-Law No. (1), 2010-118)

(c) Approval of Parking By-Law Amendments for the Downtown Construction Area

THAT, in order to apply appropriate parking regulations to the parking lanes on the newly constructed areas of Lower Princess and King Streets, City Council amend:

By-Law No. 24, "A By-Law For Regulating Traffic In The Highways Of The City Of Kingston, Subject To The Provisions Of The Highway Traffic Act", Sections 18 and 19, as amended; and,

By-Law No. 495, "A By-Law To Provide For A Parking Meter Zone In Certain Streets Or Portions Thereof, And To Provide For The Installation, Regulations, Supervision And Control Of Such Parking Meters The City Of Kingston", as amended; and,

By-Law No. 81-218, "A By-Law To Provide For Exempting, Pursuant To Permits Issued, The Owners And Drivers Of Vehicles Operated By Or Carrying A Disabled Person From The Provisions Of By-Laws Of The City Of Kingston Prohibiting Or Regulating The Parking, Standing Or Stopping Of Motor Vehicles On Any Highway Or Part Thereof In The City Of Kingston", as amended;

- and further -

THAT all three readings be presented at this time.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (10-185) was attached as Schedule Pages 24-32)

(File No. CSU-C01-000-2010, CSU-T02-000-2010)

(See By-Law No. (3), 2010-120, By-Law No. (4), 2010-121 and By-Law No. (5), 2010-122)

(d) Approval for the Lowering of the Speed Limit on Unity Road between Sydenham Road and Perth Road

THAT City Council amend By-Law No. 2003-209, "A By-Law For Regulating Traffic in the Highways Of The City of Kingston, Subject To The Provisions Of The Highway Traffic Act" as amended, in order to reduce the speed limit on Unity Road, between Sydenham Road and Perth Road, from 80 km/h to 60 km/h, for a distance of 850 meters.

(The Report of the President and CEO of Utilities Kingston (10-190) was attached as Schedule Pages 33-36)

(File No. CSU-T08-000-2010)

(See By-Law No. (2), 2010-119)

**REPORTS (CONTINUED)**

Report No. 85 the Chief Administrative Officer (Consent)

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(e) **Approval for the Application for Funding to Collect Bridge Condition Data**

THAT Council approve the application for matching funding to the Ontario Good Roads Association for the purpose of collecting bridge asset and condition data to a maximum of \$5,000 and agrees to submit bridge asset and condition data for inclusion in Municipal Data Works by March 31, 2011.

(The Report of the President and CEO of Utilities Kingston (10-191) was attached as Schedule Pages 37-38)

(File No. CSU-F11-000-2010)

(f) **Endorsement of the Drinking Water Quality Management Standard Financial Plan for the City of Kingston's Drinking Water Supply System**

THAT Council approve the Kingston Drinking Water Supply System Financial Plan;

- and further -

THAT Council authorize the President and CEO of 1425445 Ontario Limited (o/a Utilities Kingston) to sign the formal endorsement of these plans and submit the plans to the required Ministries.

(The Report of the President and CEO of Utilities Kingston (10-194) was attached as Schedule Pages 39-49)

(File No. CSU-E08-000-2010)

(g) **Approval of RFP for Physiotherapy Services for Rideaucrest Home to LifeMark Eldercare**

THAT Council authorize the Mayor and Clerk to enter into a contract, in a form satisfactory to the Director of Legal Services, with LifeMark Eldercare for the period of August 1, 2010, to August 1, 2011, with further one year renewals if there is no substantive change in service and in accordance to the corporate policies and practices.

(The Report of the Acting Commissioner of Community Services (10-195) was attached as Schedule Pages 50-53)

(File No. CSU-S02-000-2010)

CARRIED

(h) **Approval to Enter into the Long-Term Care Home Service Accountability Agreement with the Local Health Integration Network (LHIN)**

THAT Council authorize the Mayor and Clerk to execute the Long-Term Care Home Service Accountability Agreement (the L-SAA) with the Local Health Integration Network (LHIN) in a form satisfactory to the Director of Legal Services and the Commissioner of Community Services effective July 1, 2010.

(The Report of the Acting Commissioner of Community Services (10-196) was attached as Schedule Pages 54-55)

(File No. CSU-S02-000-2010)

(i) **Selection of Genivar as the Consultant for Bath Road Addition of Bicycle Lanes and Bridge Rehabilitation**

THAT Council authorize the Mayor and Clerk to enter into a contract with the firm of Genivar to undertake the work outlined in the 2010 Bath Road addition of Bicycle Lanes and Bridge Rehabilitation proposal, at the upset price of \$168,500.10, and that the contract be in a form satisfactory to the Director of Legal Services.

(The Report of the President and CEO of Utilities Kingston (10-197) was attached as Schedule Pages 56-58)

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

**REPORTS (CONTINUED)**

Report No. 85 the Chief Administrative Officer (Consent)

(j) **Application for License Assignment of a Serving Sidewalk Patio on the Ontario Street Frontage Operating as The Raging Bull Chophouse Inc., Located at 189 Ontario Street**

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THAT Council authorize the Mayor and Clerk to enter into a License Agreement, for the purpose of operating a serving sidewalk patio at 189 Ontario Street, with the owner of The Raging Bull Chophouse Inc. The license agreement is for the lease of City property adjacent to their store frontage on Ontario Street and is to be in a form satisfactory to the Director of Legal Services.

(The Report of the President and CEO of Utilities Kingston (10-198) was attached as Schedule Pages 59-61)  
(File No. CSU-D23-000-2010)

(k) **Approval of Signing Authority to Enter into an Agreement with the Cataraqui West Owner's Group for Land Acquisition and Design of the Cataraqui Woods Drive Extension**

THAT the Mayor and Clerk be authorized to enter into an agreement, and other auxiliary agreements, with the Cataraqui West Owner's Group for the conveyance of lands to the City, at no cost, for the future Cataraqui Woods Drive extension from Bayridge Drive to Princess Street, and that such agreements be in a form satisfactory to the Director of Legal Services;

- and further -

THAT Council approve a capital budget amendment in the amount of \$600,000 to be funded from the Development Charges Reserve Fund for the purpose of carrying out the detailed design of the Cataraqui Woods Drive extension from Bayridge Drive to Princess Street;

- and further -

THAT the Mayor and Clerk be authorized to enter into agreements with vendors such as land developers and agencies for the procurement of materials that are offered to the City at a reasonable price that are suitable for use in road base construction for the purpose of infilling the extension of Cataraqui Woods Drive from Bayridge Drive to Princess Street, and that such agreements be in a form satisfactory to the Director of Legal Services;

- and further -

THAT Council approve a capital budget amendment in the amount of \$825,000 to be funded from the Development Charges Reserve Fund for the purpose of procuring fill materials that are suitable for use in road base construction for the purpose of infilling the Cataraqui Woods Drive extension from Bayridge Drive to Princess Street.

(The Report of the President and CEO of Utilities Kingston (10-199) was attached as Schedule Pages 62-66)  
(File No. CSU-T04-000-2010)

(l) **Award of RFP to Clifford Restoration Limited for Chown and Hanson Parking Garage Rehabilitation and Approval of a Capital Budget Reallocation for the Chown Parking Garage**

THAT Council authorize the Mayor and the City Clerk to execute an agreement with Clifford Restoration Limited for an amount of \$1,160,450 plus applicable taxes for the construction repairs and restoration of the Chown and Hanson Memorial parking garages in a form satisfactory to the Director of Legal Services;

- and further -

THAT Council authorize a capital budget reallocation of \$305,000 of the previously approved 2009-10 capital budget, \$230,000 from Pay and Display Meters and \$75,000 from Refurbish Parking Meter Housings to fund repairs required for the Chown Parking facility in order to minimize future disruption to patrons and arrest deterioration of the structure.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (10-200) was attached as Schedule Pages 67-70)

(File No. CSU-A19-000-2010)

**REPORTS (CONTINUED)**

Report No. 85 the Chief Administrative Officer (Consent)

(m) **Approval of Advance Voting Days, a Capital Budget Amendment, and Sole Source Rental of Vote Count Equipment from Premier Election Solutions**

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THAT a by-law be presented, being "A By-Law to Establish Advance Voting Days to be Held Prior to Final Voting Day – Saturday, October 16, and Wednesday, October 20, 2010 from 10:00 a.m. to 8:00 p.m." and be given all three readings at the same meeting;

- and further -

THAT Council approve a Capital Budget amendment in the amount of \$45,000 to rent ten (10) touch screen vote tabulators;

- and further -

THAT staff be authorized to sole source this rental from Premier Election Solutions, an Election Systems and Software Company.

(The Report of the City Clerk (10-202) was attached as Schedule Pages 71-76)

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

(See By-Law No. (6), 2010-117)

CARRIED

(Clauses (a) through (f), (h) through (m))

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Report No. 86 of the Chief Administrative Officer (Recommend)

Moved by Councillor Meers

Seconded by Councillor Garrison

THAT Report No. 86 of the Chief Administrative Officer (Recommend) be received and adopted, clause by clause.

Council consented to the addition of the Clause (4) and the addition of the recommendations for Clauses (1) through (3).

Report No. 86

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

- (1) Award of RFP for Three Multifunctional Dual Traction Sidewalk Tractors to Amaco Construction Equipment Inc.

THAT the RFP F31-CS-FL-2010-16 for the purchase of three multifunctional dual traction sidewalk tractors be awarded to Amaco Construction Equipment Inc. The total purchase price of the three machines is \$478,884 plus applicable taxes.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (10-188) was distributed separately from the agenda on Friday, June 11, 2010.)

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

CARRIED

(Councillor MacLeod-Kane Opposed)

REPORTS (CONTINUED)

Report No. 86 of the Chief Administrative Officer (Recommend)

- (2) Approval of Memorial Centre Leo Lafleur Pool and Memorial Gardens Capital Budget Amendment and Award of Construction Work

THAT Council approve a 2010 capital budget amendment of \$1,333,332 with funding from the Recreational Infrastructure Canada (RInC) Program.

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(The Report of the Commissioner of Sustainability and Growth (10-205) was distributed separately from the agenda on Friday, June 11, 2010.)  
(File No. CSU-R05-000-2010)

CARRIED

(3) Family Physician Recruitment Support Package Update

THAT Council approve the following amendment to the family physician recruitment support package:

THAT in order to allow the family physician recruitment support package to be extended into 2011, the package be revised using the remaining funds in the budget to provide funding at the level of \$25,000 per new full-time, unestablished physician, beginning September 1, 2010, which will result in all new family physicians receiving \$25,000.

(The Report of the Chief Administrative Officer (10-206) was distributed separately from the agenda on Friday, June 11, 2010.)

(File No. CSU-S08-000-2010)

CARRIED

(4) Award of RFP for Provision of Sidewalk Management Field Collection Services to Sidewalks Plus Limited

THAT the proposal from Sidewalks Plus Limited in response to RFP-EN-2010-15 Provision of Sidewalk Management Field Collection Services, in the amount of \$72,000.00 (plus GST), be accepted.

(The Report of the President and CEO of Utilities Kingston (10-209) was distributed separately from the agenda on Friday, June 11, 2010.)

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

CARRIED

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Report No. 87 of the Planning Committee

Moved by Councillor Glover

Seconded by Councillor Gerretsen

THAT Report No. 87 of the Planning Committee be received and adopted.

Report No. 87

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.

June 3, 2010

REPORTS (CONTINUED)

Report No. 87 of the Planning Committee

1. Application for Zoning By-Law Amendment and Draft Plan of Subdivision for the Cataraqui Estates Business Park (East of Gardiners Road, south of Highway 401)

THAT the application for Zoning By-Law Amendment (Our File No. D14-173-2009) submitted by the City of Kingston's Real Estate & Construction Services Department, for the property located east of Gardiners Road, south of Highway 401, BE APPROVED.

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

1. That Zoning Schedule "A", Map 3 of Zoning By-Law No. 76-26, as amended, is hereby further amended by changing the zone symbol of the subject site from 'D', 'M5', 'M6', and 'M6-14' to 'EPA', 'OS', 'OS-13', 'BP-2', 'M1-12' as shown on Schedule "A" attached hereto and forming part of amending By-Law No. 2010-123.
2. That the following be added as Section 4 (31C) of the By-Law:  
"COMPLEMENTARY USE means a separate and independent use which is different from the permitted class of uses but is in keeping with the context of the overall mix of uses and, in a mutually beneficial fashion with the primary permitted uses, provides support and services to meet the needs of the primary permitted uses without interfering with the intended function of its surrounding area. A complementary use may only be permitted once a primary permitted use is established. The maximum gross floor area of all complementary uses cannot exceed 25% of the total gross floor area of all primary permitted uses."
3. That the following be added as Section 8 (3)(m) of the By-Law:  
"(m) Notwithstanding any provisions of Section 8 (1) hereof to the contrary, for the lands zoned 'OS-13' on Schedule "A" hereto, no building or structure shall be erected or altered on the property."
4. That the following be added as Section 24 (3)(l) of the By-Law:  
"(l) Notwithstanding any provisions of Section 24 (1) hereof to the contrary, the lands zoned 'M1-12' on Schedule "A" hereto, may be used in accordance with the provisions of Section 24 for the 'M1' zone except that:
  - (i) ONLY PERMITTED USES:  
Manufacturing, assembling, fabricating, and processing operations;  
Construction and transportation activities and facility;  
Storage, warehousing and wholesale trade activities;  
Communications and utilities facility;  
Institutional uses with General Industrial characteristics, such as a trade school; and,  
Public use in accordance with Section 5(18) of By-Law No. 76-26.
  - (ii) ONLY COMPLEMENTARY PERMITTED USES:  
Office and business services such as printing and equipment repair intended to serve the General Industrial area;  
Restaurant;  
Financial institution;  
Personal services and convenience commercial;  
Automotive, heavy equipment or truck repair facility;  
Public and private parks and recreation facilities; and,  
Parking lots and structure.
  - (iii) MINIMUM FRONT YARD DEPTH : 10 metres

**REPORTS (CONTINUED)**

Report No. 87 of the Planning Committee

(iv) MINIMUM EXTERIOR SIDE YARD WIDTH : 10 metres

(v) MINIMUM INTERIOR SIDE YARD WIDTH: 3 metres

(vi) MINIMUM REAR YARD DEPTH : 7.6 metres

(vii) MAXIMUM BUILDING HEIGHT: 20 metres"

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5. That the following be added as Section 30A (3)(b) of the By-Law:
- “(b) Notwithstanding any provisions of Section 30A (1) hereof to the contrary, the lands zoned ‘BP-2’ on Schedule “A” hereto, may be used in accordance with the provisions of Section 30A for the ‘BP’ zone except that:
- (i) ONLY PERMITTED USES:  
Corporate administrative office;  
Research and development facility carried out within enclosed buildings;  
Data processing and related services, including call centre;  
Administrative, professional and technical services supporting a permitted use; and,  
Public use in accordance with Section 5(18) of By-Law No. 76-26.
  - (ii) ONLY COMPLEMENTARY PERMITTED USES:  
Office and business services such as printing and equipment repair intended to serve the Business Park Industrial area;  
Restaurant;  
Financial institution;  
Personal services and convenience commercial;  
Public and private parks and recreation facilities; and,  
Parking lots and structure.
  - (iii) MINIMUM FRONT YARD DEPTH : 10 metres
  - (iv) MINIMUM EXTERIOR SIDE YARD WIDTH : 10 metres
  - (v) MAXIMUM LOT COVERAGE: 60%
  - (vi) MAXIMUM BUILDING HEIGHT: 20 metres”

AND THAT the Amending By-Law be presented to City Council for all three readings.

AND THAT the application for Draft Plan of Subdivision (Our File No. D12-054-2009) submitted by the City of Kingston’s Real Estate & Construction Services Department, for the property located east of Gardiners Road, south of Highway 401, BE APPROVED, subject to the following conditions:

1. Approved Draft Plan

That this approval applies to the Draft Plan of Subdivision, prepared by Hopkins, Cormier & Chitty Surveying, dated May 5, 2010 which shows the following:

- 8 industrial blocks (Blocks 1 - 8);
- 2 environmental protection blocks (Block 9 and 10);

**REPORTS (CONTINUED)**

Report No. 87 of the Planning Committee

- 7 open space blocks (Block 11 – 16 and Block 20);
- 2 blocks for the Trans-Northern Pipeline easement (Blocks 17 and 18);
- 1 block for the Hydro easement (Block 19);
- 4 new roadways (Streets ‘A’ to ‘D’).

2. Streets and Civic Addressing

(a) That the road allowances included in this Plan shall be shown and dedicated as public highways.

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- (b) That the road allowances within the Plan shall be designed in accordance with the City's engineering standards and shall be dedicated to the City free of all charges and encumbrances. The streets, lots and blocks shall be designed to coincide with the development pattern on adjacent properties.
  - (c) That prior to Final Plan Approval, the Owner shall submit proposed street names for approval by the Planning and Development Department and the proposed street names shall be included on the first submission of the engineering drawings. That the Streets within this Plan shall be named to the satisfaction of the City, in consultation with the Planning and Development Department, in accordance with the City's Civic Addressing and Road Naming By-Law.
  - (d) That prior to Final Plan Approval, the Owner shall provide confirmation that civic addresses have been assigned to the proposed blocks by the City's Planning and Development Department, in accordance with the City's Civic Addressing and Road Naming By-Law. The Owner shall be advised that the civic addresses are tentative until such time that the final plan is registered and the final lot layout has been confirmed.
  - (e) For blocks with more than one road frontage, the blocks will be addressed on the road frontage on which primary vehicular access is situated. Through Site Plan Control, the Owner shall confirm with the Planning and Development Department the appropriate road frontage where primary vehicular access is to be provided and shall confirm the approved civic address in order to comply with the City's Civic Addressing and Road Naming By-Law and emergency response requirements.
  - (f) That the Owner shall agree that the location and design of any construction access shall be approved by the City and/or the appropriate authority.
3. Reserves, Easements and Conveyances
- (a) Any dead end or open side of a road allowance within the Plan shall be terminated in a 0.3 m reserve to be conveyed to the City free of all charges and encumbrances.
  - (b) That prior to Final Plan Approval, the daylighting triangles shall be conveyed to the City free of all charges and encumbrances.
  - (c) That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority free of all charges and encumbrances.
4. Subdivision Agreement (or other applicable Agreement)
- (a) That the Owner shall enter into the City's standard Subdivision Agreement, or other applicable Agreement, which shall list all approved plans and municipal conditions as required by the City for the development of this Plan.

**REPORTS (CONTINUED)**

**Report No. 87 of the Planning Committee**

- (b) The Subdivision Agreement, or other applicable Agreement, between the Owner and the City be registered against the lands to which it applies once the Plan of Subdivision has been registered.
- (c) That the Subdivision Agreement, or other applicable Agreement, shall contain all necessary warning clauses and notices to purchasers resulting from, but not necessarily restricted to, the design and provision of services, including the requirement to provide and maintain private site specific works as necessary.

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5. Engineering Drawings
- (a) That prior to Final Plan Approval, the Owner shall submit for approval, subdivision design drawings, including design plans for all public works and services, prepared and certified by a Professional Engineer and designed pursuant to the City's Subdivision Design Guidelines and to the satisfaction of the City.
  - (b) That prior to Final Plan Approval, the Owner shall submit a digital listing of the approved subdivision design drawings in the City's standard format.
6. Revisions to Draft Plan
- (a) That any further subdivision of Blocks or additional road patterns on the Plan shall be completed to the satisfaction of the City.
  - (b) That prior to Final Plan Approval of any part of the Plan, the Owner shall submit a revised Plan, if required, to reflect any significant alterations caused from this Draft Plan Approval.
  - (c) That where final engineering design(s) result in minor variations to the Plan (e.g., in the configuration of road allowances and lotting, number of lots, etc.), these may be reflected in the Final Plan to the satisfaction of the City.
7. Phasing
- (a) That Final Plan Approval for registration may be issued in phases to the satisfaction of the City, subject to all applicable fees.
  - (b) That the phasing of the development shall be reflected in the Subdivision Agreement, or other applicable Agreement, and on the approved subdivision design drawings to the satisfaction of the City, taking into account the temporary termination of underground services, interim grading, interim stormwater management, operations and maintenance vehicle access and access for emergency vehicles.
  - (c) That the phasing of the development shall be proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, schools and other essential services.
  - (d) That all agencies agree to registration by phases and provide clearances, as required, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.

## REPORTS (CONTINUED)

### Report No. 87 of the Planning Committee

8. Zoning By-Law Compliance
- (a) That the lands within this Draft Plan shall be appropriately zoned by a Zoning By-Law which has come into effect in accordance with the provisions of the *Planning Act*.
  - (b) That prior to Final Plan Approval, the Owner shall submit a Surveyor's Certificate which confirms that the lots and blocks within this Plan conform to the minimum lot frontage and lot area requirements of the applicable Zoning By-Law.

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9. Site Plan Control

- (a) That a provision will be included in the Subdivision Agreement, or other applicable Agreement, indicating that any development within any portion of the Blocks will be subject to Site Plan Control.
- (b) That a provision will be included in the Subdivision Agreement, or other applicable Agreement, indicating that a tree inventory/preservation plan is to be completed for all site plan applications in conjunction with the Urban Design Guidelines, the Tree By-law and Site Plan Control Guidelines.
- (c) That the Owner is advised that all accesses will be approved through Site Plan Control applications.
- (d) The Subdivision Agreement, or other applicable Agreement, shall contain a provision that as a condition of development of the Blocks, applicants may, at the discretion of the City's Engineering Department, Traffic Division, require the submission of a Traffic Impact Study.

10. Urban Design Guidelines

- (a) That Prior to Final Plan Approval, the Owner shall prepare an Urban Design Guideline which sets out the design principles which will guide the development of the lands within the plan of subdivision. The Urban Design Guideline shall include, but not be limited to, site design, built form, building orientation, sustainable design, streetscape character, landscaping, preservation of the natural environment and implementation recommendations.

11. Archaeological Assessment

- (a) That no development will be permitted on Block 11 until such time as the owner has completed the required Archaeological Assessment, to the satisfaction of the City and the Ministry of Tourism & Culture and all required clearances have been received from the Ministry of Tourism & Culture.
- (b) That a final version of the Stage 2 Archaeological Assessment and the letter of receipt and acceptance by the Ministry of Tourism and Culture must be received before the Final Plan of Subdivision is approved and any ground disturbance/construction anywhere on the site.
- (c) That for the southern part of the site, the Planning & Development Department will need a letter of review and acceptance from the Ministry of Tourism and Culture that, clears the area of the subdivision for Phase 1 of the development.
- (d) In the event that deeply buried or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, all work must immediately cease and the site must be secured. The Cultural Program Branch of the Ministry of Culture (416-314-7123) and the City of Kingston Heritage Planner (613-546-4291 ext 1386) must be immediately contacted.

**REPORTS (CONTINUED)**

Report No. 87 of the Planning Committee

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

12. Stormwater Management

- (a) That prior to Final Plan Approval, the Owner shall submit lot grading and drainage plans, and erosion and sediment control plans prepared by a qualified Professional Engineer for the Owner, to the satisfaction of the City and the Cataraqui Region Conservation Authority.

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- (b) That prior to Final Plan Approval, the Owner shall submit a Stormwater Management Report and implementing plans for the development. The report shall be prepared by a qualified Professional Engineer, to the satisfaction of the City and Cataraqui Region Conservation Authority. The report must evaluate the recommendations contained in the Weslake Report.
- (c) The recommendations of the Stormwater Management Report shall be incorporated into the Subdivision Agreement, or other applicable Agreement, and the Subdivision Agreement, or other applicable Agreement, shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the Municipality.
- (d) Prior to Final Plan Approval and prior to any works commencing on the site, the Owner shall submit for approval by the City and the Cataraqui Region Conservation Authority, a detailed engineering report(s) that describes the storm drainage system for the proposed development, which shall include:
  - i) plans illustrating how this drainage system will be tied into the surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, the design capacity of the receiving system and how external flows will be accommodated;
  - ii) the location and description of all outlets and other facilities;
  - iii) stormwater management techniques which may be required to control minor and major flows;
  - iv) proposed methods of controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction;
  - v) overall grading plans for the subject lands; and
  - vi) stormwater management practices to be used to treat storm water, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to fish and their habitat.

13. Environmental Impact Study

- (a) That prior to Final Plan Approval, the Owner shall agree to incorporate the recommendations of the Environmental Impact Assessment prepared by Daniel Brunton Consulting Services, dated May, 2010 for the subject property into the approved plans and Subdivision Agreement, or other applicable Agreement.
- (b) The Subdivision Agreement, or other applicable Agreement, shall contain provisions whereby the Owner agrees to implement the recommendations of the Environmental Impact Assessment to the satisfaction of the City, including but not limited to the following:

**REPORTS (CONTINUED)**

Report No. 87 of the Planning Committee

- (i) Landscape design required for development of properties within the Cataraqui Estates Business Park should reflect the natural vegetation of the area and should emphasize retention of indigenous habitat over new plantings. Landscape design in Blocks 6 and 7 should emphasize retention of the Red Juniper grove habitat utilized by the Juniper Hairstreak butterfly.
- (ii) Prior to any development on Block 3, the Prairie-smoke (*Geum triflorum*) plant must be transplanted to the alvar-like habitat in the Environmental Protection Area. A preservation/relocation plan must be prepared by a Landscape Architect to show the proposed location of the transplanted plant material. The Owner must submit a letter from a Biologist or Ecologist certifying that the proposed location is appropriate for the preservation and relocation of the Prairie-smoke plant, to the satisfaction of the City and the Cataraqui Region Conservation Authority.

14. Parkland Conveyance

- (a) That lands to be conveyed to the City for park or other public recreational purposes shall be subject to the following conditions:
- i. That all lands shall be left in an untouched, natural state. All existing vegetation is to remain within the limits of the park site, including any significant trees at the property line. Existing grades/elevations are to be maintained at the property lines and within the park itself unless approval for site alteration is received in writing from the Manager of Culture, Parks and Recreation or designate.
  - ii. That prior to assumption of the park, the Manager of Culture, Parks and Recreation shall be in receipt of a clearance memo from the Manager of Environment indicating that the park site is environmentally clean.
  - iii. That the Owner shall enter into a Site Access Agreement with the Municipality to permit City staff to access the park site to complete pre-engineering, survey and design works for the park. This Agreement shall terminate once the Municipality is deeded the land as part of Final Plan Approval.
  - iv. That prior to the commencement of any clearing, grubbing or construction work within 10 metres of the park blocks defined on the Draft Plan, the Owner shall:
    1. Install snow fencing around the periphery of the park site to protect the site. The Municipality will be responsible for the maintenance of the fence and its removal.
    2. Post signage to Municipality specifications, on all accessible sides of each park block, which indicates:
      - the future use of the block as a park;
      - that no construction storage shall occur on this parcel of land nor shall any construction debris be dumped on this site; and
      - that all trees and other vegetation must not be disturbed.
  - v. That prior to the transfer of deeds for the parkland to the City, the Manager of Culture, Parks and Recreation or designate shall inspect the park site to ensure that the park is in a clean/natural state. The conditions on the site must be satisfactory to the Manager of Culture, Parks and Recreation prior to transfer of title and the removal of the snow fencing. Should the park blocks be in an unsatisfactory state, the Owner shall be held responsible for restoring the site to the City's satisfaction.

**REPORTS (CONTINUED)**

Report No. 87 of the Planning Committee

15. Natural Open Space and/or Environmental Protection Areas

- (a) That the Owner shall deed the lands described as Environmental Protection Area and Open Space, without prejudice or compensation, to the City, said lands being described as Block(s) 9 to 16 inclusive and Block 20, as natural areas. Provisions shall be included in the Subdivision Agreement, or other applicable Agreement,, to advise all purchasers that these public lands are intended to remain in a naturalized condition and that no regular or periodic maintenance, only risk management practices will be done on the land as required by the City.

16. Tree Preservation Plan / Street Trees:

- (a) That prior to Final Plan Approval, the Owner shall submit an assessment of the identified Butternut trees by an approved Butternut Health Assessor.
- (b) That prior to Final Plan Approval and as part of the subdivision design, the Owner shall submit a detailed plan showing the location of all Butternut trees that are to be retained.

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- (c) That prior to Final Plan Approval, the Owner shall submit a Tree Preservation Plan prepared by an ISA Certified Arborist, Registered Professional Forester, or Treemarketer and to the satisfaction of the City.
- (d) The recommendations of the Tree Preservation Plan shall be incorporated into the Subdivision Agreement, or other applicable Agreement, and the Subdivision Agreement, or other applicable Agreement, shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the Municipality.
- (e) That prior to any grubbing/clearing or construction on parcels of land not defined as roadways or servicing easements on the draft plan, the Owner shall receive final approval from the City for a Tree Preservation plan prepared for the subject lands. The final approved tree inventory plan shall be prepared by a certified arborist (ISA approved), and shall set out the surveyed locations of all trees on the site. The tree inventory shall list the species, caliper size, condition, crown radius and indicate whether the tree is to be retained or removed. If trees 6 inches (150 mm) or more in diameter are to be removed from the subject lands, the developer will abide by the conditions of the tree removal permit under the Tree Conservation By-Law which may, at the Supervisor of Forestry's discretion, include a tree preservation plan, a tree replacement plan or cash compensation for the value of the trees to be removed. If a tree is to be removed a rationale for this action must be noted. If significant trees or groups of trees are identified to be retained in the tree inventory, a tree preservation plan will be required prior to final approval at the discretion of the City. This plan shall be reviewed and approved by the City and be included as a schedule to the Subdivision Agreement, or other applicable Agreement. Requirements for the tree preservation plan are noted in the subdivision design guidelines produced by the City.
- (f) That prior to Final Plan Approval, the Owner shall submit a Street Tree Planting Plan prepared by a Landscape Architect to the satisfaction of the City.

17. Cataraqui Region Conservation

- (a) That prior to Final Plan Approval, floodplain and wetland compensation be provided to the satisfaction of the Cataraqui Region Conservation Authority for the extension of Centennial Drive through the wetland.

REPORTS (CONTINUED)

Report No. 87 of the Planning Committee

18. Bell Canada

- (a) That the Owner shall meet the following conditions of Bell Canada:
  - i. that the Owner shall agree in the Subdivision Agreement, or other applicable Agreement,, in words satisfactory to Bell Canada, to grant Bell Canada any easements that may be required for telecommunications services; and,
  - ii. that the Owner shall be requested to enter into an Agreement (Letter of Understanding) with Bell Canada complying with any underground servicing conditions imposed by the Municipality, or if no such conditions are imposed, the Owner shall advise the Municipality of the arrangements for servicing.
  - iii. The Developer is hereby advised that prior to commencing any work within the Plan, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the

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Developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Developer shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).

19. Ministry of Transportation

- (a) That prior to Final Plan Approval, the owner shall submit to the Ministry of Transportation for their review and approval, a copy of a drainage / stormwater management plan / report indicating the intended treatment of the calculated runoff.
- (b) That prior to Final Plan Approval, the owner shall submit to the Ministry of Transportation for their review and approval, a copy of a Traffic Impact Study (report / analysis / assessment) indicating the anticipated traffic volumes and their impact to Highway 401, the Highway 401 / Gardiners Road Interchange ramp terminals, and the signalized Gardiners Road / Centennial Drive intersection.

20. Trans-Northern Pipeline

- (a) That the Subdivision Agreement, or other applicable Agreement, shall contain a provision indicating that the Trans-Northern Pipeline will be notified of any further development proposal for Blocks 1 and 8 to ensure compatible use of the pipeline right-of-way.
- (b) That prior to Final Plan Approval, the proposed Street 'A' crossing of the pipeline will have to be approved in accordance with the Pipeline Crossing Regulations. Trans-Northern Pipeline advises that the position of the pipeline may have implications for design of the Street 'A' and Street 'B' intersection, particularly with respect to the placement of lighting, signage and such.
- (c) That approval from Trans-Northern Pipeline shall be obtained prior to any work occurring within the easement or if work will cross the pipeline.

**REPORTS (CONTINUED)**

Report No. 87 of the Planning Committee

- (d) That prior to any excavation within 30 metres of the Trans-Northern Pipeline easement, the owner/contractor shall contact Trans-Northern Pipeline.
- (e) That prior to any work within the pipeline easement using heavy equipment, the Owner/contractor shall contact Trans-Northern Pipeline a minimum of 3 working days prior to commencement of the activity.

21. Hydro One

- (a) Prior to Final Plan Approval, the Owner shall submit to Hydro One the lot grading and drainage plan, showing existing and final grades, for review and approval. Drainage must be controlled and directed away from the Hydro One corridor.
- (b) That the following Warning Clauses/Notices as required by Hydro One shall be included in the Subdivision Agreement, or other applicable Agreement:
  - “The transmission lines abutting this subdivision operate at 500,000, 230,000 or 115,000 volts. Section 186-Proximity-of the Regulations for Construction projects in the Occupational Health and Safety Act, require that no object be brought closer than 6 metres (20feet) to an energized 500 kV conductor. The distance for 230kV is 4.5 metres (15 feet), and for 115 kV conductors is 3 metres (10 feet). It is the Owner’s responsibility

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to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the conductors can raise and lower without warning, depending on the electrical demand placed on the line. “

- (c) That the Hydro One corridor is not to be used without the express written permission of Hydro One Networks Inc. During construction, there shall be no storage of materials or mounding of earth or other debris on the right-of-way. The Owner shall be responsible for restoration of any damage to the right-of-way resulting from construction of the subdivision.
- (d) The costs of any relocations or revisions to Hydro One facilities that are necessary to accommodate this subdivision shall be borne by the Owner.

22. Utilities Kingston

- (a) Prior to Final Plan Approval, the Owner shall satisfy all technical, financial and other requirements of Utilities Kingston regarding the design, installation, connection and/or expansion of electric distribution services, gas distribution services, water distribution services and sanitary sewer distribution services, or any other related matters.
- (b) The Owner shall agree to design, purchase materials, and install a buried hydro distribution system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with the latest standards and specifications of Utilities Kingston and the City.
- (c) The Owner shall agree to design, purchase materials and install a street lighting system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with Municipal standards and specifications.

**REPORTS (CONTINUED)**

Report No. 87 of the Planning Committee

23. Construction Traffic Route

- (a) Prior to approval of any engineering drawings, arrangements shall be made to the satisfaction of the City of Kingston for a suitable construction traffic route.

24. General Conditions:

- (a) That the Owner shall pay any and all outstanding application fees to the Planning and Development Department, in accordance with the City's Tariff of Fees By-Law.
- (b) That when requesting Final Approval from the City, the Owner shall accompany such request with the required number of originals and copies of the Final Plan, together with a surveyor's certificate stating that the lots/blocks thereon conform to the frontage and area to the requirements of the Zoning By-Law.
- (c) That the Owner shall agree that all lots or blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing prior to assumption of the works by the City.

25. Clearance Letters:

- (a) That prior to Final Plan Approval, the approval authority shall advise that all Conditions of Draft Plan Approval have been satisfied; the clearance memorandum shall include a brief statement detailing how each Condition has been met.

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- (b) That prior to Final Plan Approval, the City is to be advised in writing by the Cataraqui Region Conservation Authority the method by which Conditions 12(a), 12(b), 12(d), 13(b)(ii) and 17(a) have been satisfied.
- (c) That prior to Final Plan Approval, the City is to be advised in writing by the Ministry of Transportation the method by which Condition 19 has been satisfied.
- (d) That prior to Final Plan Approval, the City is to be advised in writing by the Ministry of Tourism & Culture the method by which Conditions 11(a), (b) and (c) has been satisfied.
- (e) That prior to Final Plan Approval, the City is to be advised in writing by the Trans-Northern Pipeline the method by which Condition 20 has been satisfied.
- (f) That prior to Final Plan Approval, the Municipality is to be advised in writing by Ontario Hydro the method by which Condition 21 has been satisfied.

26. Lapsing Provisions:

- (a) That pursuant to Section 51(32) of the *Planning Act*, this Draft Plan Approval shall lapse at the expiration of three (3) years from the date of issuance of Draft Plan Approval if final approval has not been given, unless an extension is requested by the Owner and, subject to review, granted by the approval authority.

**REPORTS (CONTINUED)**

Report No. 87 of the Planning Committee

- (b) That pursuant to Section 51(33) of the *Planning Act*, the Owner may submit a request to the approval authority for an extension to this Draft Plan Approval. The extension period shall be for a maximum of two (2) years and must be submitted prior to the lapsing of Draft Plan Approval. Further extensions may be considered at the discretion of the approval authority where there are extenuating circumstances.

(Note: A copy of the draft by-law was attached as Schedule Pages 77-79)  
(See By-Law No. (7), 2010-123)

CARRIED

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Report No. 88 of the Arts, Recreation and Community Policies Committee

Moved by Councillor Hutchison  
Seconded by Councillor Osanic

THAT Report No. 88 of the Arts, Recreation and Community Policies Committee be received and adopted.

Report No. 88

To the Mayor and Members of Council:

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

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

May 27, 2010

1. 2009-2010 Emergency Hostel Review and Use of DOOR Shelter Capital Reserve Funds for Relocation and Redevelopment
  1. That the existing emergency hostel providers continue to operate with their specialized mandates to serve specific populations (i.e. youth, families, women and children, men);  
- and further -
  2. That \$50,000 from the Emergency Shelter Capital Reserve account is kept for unanticipated capital expenses;  
- and further -
  3. That an allocation be made to Home Base Housing for an amount up to the balance in the DOOR Shelter Capital Reserve account (currently \$445,000) for capital costs associated with the redevelopment of In From the Cold Shelter, when they have secured an appropriate building for the relocation, including the recommended components identified in the ESSP process. All agreements related to this capital funding allocation must be in a form satisfactory to the Director of Legal Services and are subject to Service Manager approval. It is understood that any increase in shelter beds can only be done with Service Manager approval and within approved operating budget envelope for hostel services;  
- and further -

**REPORTS (CONTINUED)**

Report No. 88 of the Arts, Recreation and Community Policies Committee

4. That the City of Kingston supports the expansion of Ryandale Shelter for the homeless using Federal HPS funding and that Council authorize the City's commitment to fund an additional 4 emergency shelter beds if required, effective August 1, 2010, on an 80.6/19.4 cost shared basis with the Province through available Ontario Works per diem program funding; it being understood that any year end budgetary shortfall for this expenditure item will be funded by an allocation from the Social Services Stabilization Reserve Fund to an upset limit of \$10,000;  
- and further -
5. That City of Kingston staff participate in a working group with the community to make recommendations about the feasibility of a Kingston plan to assist hard to serve clients transitioning out of the shelter system into permanent housing, using a housing first approach specific to Kingston;  
- and further -
6. That City of Kingston staff, community housing and emergency hostel partners work with the Local Health Integrated Network (LHIN) to obtain their assistance in providing options for possible funding for the required support services for the special care health beds in a shelter system – for example, medically trained (Nursing or Personal Support) workers and related on-site services.  
(Note: The Report of the Chief Administrative Officer (ARCP-10-028) was attached to the ARCP agenda as Schedule Pages 1-24.)

**CARRIED**

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Report No. 89 of the Kingston Municipal Heritage Committee (LACAC)

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Moved by Councillor Glover  
Seconded by Councillor Smith

THAT Report No. 89 of the Kingston Municipal Heritage Committee (LACAC) be received and adopted.

Council consented to the addition of Report No. 89 and the separation of Clauses 3 and 4.

**Report No. 89**

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.

June 7, 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.

**REPORTS (CONTINUED)**

Report No. 89 of the Kingston Municipal Heritage Committee (LACAC)

1. **Approval of an Application for the Replacement of a Gravel Driveway with Interlocking Tumbled Pavers at 2 Sharman's Lane, Barriefield Village**

THAT Application P18-429-059-2010 for a property located at 2 Sharman's Lane, Barriefield Village requesting approval for the replacement of a gravel driveway with interlocking tumbled pavers **BE APPROVED** in accordance with details described within a submission filed May 3, 2010, with the understanding that pavers will only be installed in the driveway area, and deemed complete by the Planning and Development Department May 17, 2010;

- and further -

THAT the owner is aware that due to the varied width of the right-of-way, in the event that there is damage to the stones due to City maintenance operations, the repair and or replacement will be at the sole cost of the property owner;

- and further -

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

- and further -

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

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2. **Approval of an Application for the Removal of the Existing, Recent and Non-Original Porch and Replacement with a Limestone Paving Stone Patio at 415 Regent Street, Barriefield Village**

THAT Application P18-440-060-2010 for a property located at 415 Regent Street, Barriefield Village requesting approval for the removal of the existing, recent and non-original porch and replacement with a limestone paving stone patio **BE APPROVED** in accordance with details described within a submission filed May 3, 2010, and deemed complete by the Planning and Development Department May 19, 2010;

- and further -

THAT it is suggested that there be a plinth concrete or stone that rises 4" out of the ground so it appears that posts are sitting on a base that the flagstone is encircling in order that the post end remains drier.

Councillor Gerretsen withdrew from the meeting.

**REPORTS (CONTINUED)**

Report No. 89 of the Kingston Municipal Heritage Committee (LACAC)

3. **Approval of an Application for the Replacement of a Front Door and Window, Repair and Replication of the Bargeboard at Peak, Repair of Decking, Repair and Replacement of Columns as necessary, Replacement of Windows, Re-Grading of Landscaping, Repair to Fascia below Bay Window, Removal of Back Lean To Addition and Addition of New Porch Deck and Stairs, Replacement of a Bay Window with Two Double Hung Windows, Repair of Railing, Replacement/Repair of Porch Ceiling and Soffit, New Stringers for Side Steps, Repair of Lattice Work, New Fence, Re-Roofing of Garage, Repainting of House at 189 King Street West**

THAT Application P18-226-061-2010 for a property located at 189 King Street West requesting approval for the replacement of a front door and window, repair and replication of the bargeboard at peak, repair of decking, repair and replacement of columns as necessary, replacement of windows, re-grading of landscaping, repair to fascia below bay window, removal of back lean to addition and addition of new porch deck and stairs, replacement of a bay window with two double hung windows, repair of railing, replacement/repair of porch ceiling and soffit, new stringers for side steps, repair of lattice work, new fence, re-roofing of garage, repainting of house **BE APPROVED** in accordance with details described within a submission filed May 13, 2010, and deemed complete by the Planning and Development Department May 20, 2010;

- and further -

THAT it be understood that the second floor porch railing match the first floor porch railing;

- and further -

THAT a site visit be undertaken by three members of the Committee to consider the relevance of changing two windows on the main level that may be original, windows on the second level , and the addition of a new window on the east wall, and that the findings be taken into account;

- and further -

THAT it be understood that the details for the porch railing and new roof at the side of the house, and information details pertinent to the repair of columns, and structural elements be provided at the time of a site visit;

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- and further -

THAT consideration of the covering over the side door be deferred pending receipt and review of additional details in the drawings;

- and further -

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

- and further -

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

- and further -

THAT, in the event that the home owner is planning to construct the fencing around the entire perimeter of the property, the City is requesting that a site triangle be provided at the intersection of King Street West and Albert Street to provide visibility at the intersection.

CARRIED

Councillor Gerretsen returned to the meeting.

## REPORTS (CONTINUED)

Report No. 89 of the Kingston Municipal Heritage Committee (LACAC)

4. **Approval of an Application for the Addition of a 24'x32' Portable Classroom to the Existing School Site at 411 Wellington Street**

THAT Application P18-520-062-2010 for a property located at 411 Wellington Street requesting approval for the addition of a 24'x32' portable classroom to the existing school site **BE APPROVED** in accordance with details described within a submission filed April 29, 2010, and deemed complete by the Planning and Development Department May 19, 2010;

- and further -

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

- and further -

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

CARRIED

5. **Approval of an Application for the Construction of a New Stair and Elevator Tower at the East End of the Johnson Wing, the Installation of a New Entrance Door at the North Side of the Johnson Wing, the Installation of a New Entrance Door at the South Side of the Jeanne Mance Wing, and the Replacement of an Air Intake Louvre on Level 4 of the Brock Wing at 166 Brock Street also known as 123 Sydenham Street, Hotel Dieu Hospital**

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THAT Application P18-366-065-2010 for a property located at 166 Brock Street also known as 123 Sydenham Street, Hotel Dieu Hospital requesting approval for the construction of a new stair and elevator tower at the east end of the Johnson wing, the installation of a new entrance door at the north side of the Johnson wing, the installation of a new entrance door at the south side of the Jeanne Mance wing, and the replacement of an air intake louvre on level 4 of the Brock wing BE APPROVED in accordance with details described within a submission filed May 4, 2010, and deemed complete by the Planning and Development Department May 21, 2010;

- and further -

THAT it be understood that this application may be subject to site plan control;

- and further -

THAT the proposed work on the Brock Wing (louvre replacement) should be done in accordance with the Heritage Masonry Guidelines;

- and further -

THAT should the construction activities require use of the public right of way, an application for an encroachment permit is required. The contact in the Engineering Department is Mr. Brad Morton.

## REPORTS (CONTINUED)

Report No. 89 of the Kingston Municipal Heritage Committee (LACAC)

6. **Approval of an Application for the Removal of an Existing Cedar Shingle Roof and the Installation of a New Roof using 3-tab Flat (Not Architectural) Charcoal Grey or Dual Black Asphalt Shingles at 2 Rideau Terrace**

THAT Application P18-352-067-2010 for a property located at 2 Rideau Terrace requesting approval for the removal of an existing cedar shingle roof and the installation of a new roof using 3-tab flat (not architectural) charcoal grey or dual black asphalt shingles BE APPROVED in accordance with details described within a submission filed April 15, 2010, and deemed complete by the Planning and Development Department May 19, 2010.

7. **Approval of an Application for the Removal of an Existing Cedar Shingle Roof and the Installation of a New Roof using 3-tab Flat (Not Architectural) Charcoal Grey or Dual Black Asphalt Shingles at 4 Rideau Terrace**

THAT Application P18-668-068-2010 for a property located at 4 Rideau Terrace requesting approval for the removal of an existing cedar shingle roof and the installation of a new roof using 3-tab flat (not architectural) charcoal grey or dual black asphalt shingles BE APPROVED in accordance with details described within a submission filed April 9, 2010, and deemed complete by the Planning and Development Department May 19, 2010.

8. **Approval of an Application for the Removal of an Existing Cedar Shingle Roof and the Installation of a New Roof using 3-tab Flat (Not Architectural) Charcoal Grey or Dual Black Asphalt Shingles at 6 Rideau Terrace**

THAT Application P18-668-069-2010 for a property located at 6 Rideau Terrace requesting approval for the removal of an existing cedar shingle roof and the installation of a new roof using 3-tab flat (not architectural) charcoal grey or dual black asphalt shingles BE APPROVED in accordance with details described within a submission filed April 22, 2010, and deemed complete by the Planning and Development Department May 19, 2010.

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9. Approval of an Application for the Removal of an Existing Cedar Shingle Roof and the Installation of a New Roof using 3-tab Flat (Not Architectural) Charcoal Grey or Dual Black Asphalt Shingles at 8 Rideau Terrace

THAT Application P18-352-067-2010 for a property located at 8 Rideau Terrace requesting approval for the removal of an existing cedar shingle roof and the installation of a new roof using 3-tab flat (not architectural) charcoal grey or dual black asphalt shingles BE APPROVED in accordance with details described within a submission filed May 6, 2010, and deemed complete by the Planning and Development Department May 19, 2010.

10. Approval of an Application for the Installation of Seven Vents on the Cupola of the West Wing to Accommodate a New High Efficiency Boiler System, and Matching All Existing Flashings and the Necessary Replacement of Soffit and Fascia at the Back of the Building at 216 Ontario Street also known as City Hall

THAT Application P18-273-071-2010 for a property located at 216 Ontario Street also known as City Hall requesting approval for the installation of seven vents on the cupola of the west wing to accommodate a new high efficiency boiler system, and matching all existing flashings and the necessary replacement of soffit and fascia at the back of the building BE APPROVED recognizing details described within a submission filed May 17, 2010, and deemed complete by the Planning and Development Department May 19, 2010, and updated June 7, 2010.

## REPORTS (CONTINUED)

Report No. 89 of the Kingston Municipal Heritage Committee (LACAC)

11. Approval of an Application for the Replacement of Three Sections of Flat Roof, the Matching of all Existing Flashings and Necessary Replacement of Soffit and Fascia at the Back of the Building at 19 Queen Street

THAT Application P18-301-072-2010 for a property located at 19 Queen Street requesting approval for the replacement of three sections of flat roof, the matching of all existing flashings and necessary replacement of soffit and fascia at the back of the building BE APPROVED in accordance with details described within a submission filed May 17, 2010, and deemed complete by the Planning and Development Department May 19, 2010.

12. Approval of an Application for a Hand Painted Wooden Sign to be Attached to Building using an Aluminum Bracket and Stainless Steel Screws at 157-161 Queen Street

THAT Application P18-309-073-2010 for a property located at 157-161 Queen Street requesting approval for a hand painted wooden sign to be attached to building using an aluminum bracket and stainless steel screws BE APPROVED in accordance with details described within a submission filed May 25, 2010, and deemed complete by the Planning and Development Department May 26, 2010;

- and further -

THAT the applicant is required to submit the proposed paint colours to the Planning and Development Department;

- and further -

THAT it be understood that the sign will be in compliance with City sign by-laws.

13. Approval of an Application for the Installation of Two Small Signs at 67 Brock Street

THAT Application P18-926-074-2010 for a property located at 67 Brock Street requesting approval for the installation of two small signs BE APPROVED in accordance with details described within a submission filed June 4, 2010, and deemed complete by the Planning and Development Department June 7, 2010;

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- and further -

THAT the Heritage Masonry Guidelines should be followed for the sign proposed in the alleyway/walkway. Heritage Planning Staff also suggest that the Heritage Masonry Guidelines be followed for the sign proposed for the building located at the rear of the subject property;

- and further -

THAT signage be fastened into the mortar.

CARRIED  
(Clauses 1 and 2, 5 through 13)

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Report No. 90 of the FOCUS Kingston Steering Committee

Moved by Councillor Foster

Seconded by Councillor Gerretsen

THAT Report No. 90 of the FOCUS Kingston Steering Committee be received and adopted.

Report No. 90

REPORTS (CONTINUED)

Report No. 90 of the FOCUS Kingston Steering Committee

To the Mayor and Members of Council:

The FOCUS Kingston Steering Committee reports and recommends as follows:

May 27, 2010

(1A) STAFF BRIEFING - Mr. Paul MacLatchy, Director of Strategy, Environment and Communications, was present and spoke to Council regarding the Sustainable Kingston Plan.

1. Completion and Implementation of the Sustainable Kingston Plan

THAT the Sustainable Kingston Plan dated May 14, 2010, be accepted as Kingston's first integrated community sustainability plan;

- and further -

THAT the City of Kingston supports the Sustainable Kingston Plan by becoming a Community Partner to the Plan;

- and further -

THAT staff recommend a process or a body that could implement, assist with or monitor the implementation of the Sustainable Kingston Plan and report back to the FOCUS Kingston Steering Committee with a recommendation before December 1, 2010;

- and further -

THAT staff be directed to include an amount of \$132,000 within the 2011 proposed operating budget for the implementation of the Sustainable Kingston Plan;

- and further -

THAT the FOCUS Kingston Steering Committee be directed to reconsider the Theme EC:Community Economic Development with a view to broadening the definition of Community Economic Development to include co-operative, community and not-for-profit businesses and organizations.

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(Note: A copy of the final Sustainable Kingston Plan was distributed separately from the agenda on Friday, June 11, 2010.)

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

Moved by Councillor Glover  
Seconded by Councillor Garrison

THAT Paragraph 3 of Clause 1 of Report No. 90 of the FOCUS Kingston Steering Committee be deleted and replaced with the following:

“THAT staff recommend a process or a Body that could implement, assist with or monitor the implementation of the Sustainable Kingston Plan and report back to the FOCUS Kingston Steering Committee with a recommendation before December 1, 2010.”

CARRIED

## REPORTS (CONTINUED)

### Report No. 90 of the FOCUS Kingston Steering Committee

Moved by Councillor Hutchison  
Seconded by Councillor MacLeod-Kane

THAT Clause 1 of Report No. 90 of the FOCUS Kingston Steering Committee be amended by adding the following at the end of the clause:

“ - and further -

THAT the FOCUS Kingston Steering Committee be directed to reconsider the Theme EC:Community Economic Development with a view to broadening the definition of Community Economic Development to include co-operative, community and not-for-profit businesses and organizations.”

CARRIED

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### Report No. 91 of the Nominations Advisory Committee

Moved by Councillor MacLeod-Kane  
Seconded by Councillor Hutchison

THAT Report No. 91 of the Nominations Advisory Committee be received and adopted.

#### Report No. 91

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

May 25, 2010

1. Appointment to the Kingston Environmental Advisory Forum (KEAF)

THAT Barbara Muirhead be appointed to the Kingston Environmental Advisory Forum (KEAF) for a term to expire November 30, 2010.

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CARRIED

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Report No. 92 of the Administrative Policies Committee

Council consented to the addition of Report No. 92.

Moved by Councillor Smith  
Seconded by Councillor Foster

THAT Report No. 92 of the Administrative Policies Committee be received and adopted.

Report No. 92

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

June 10, 2010

REPORTS (CONTINUED)

Report No. 92 of the Administrative Policies Committee

1. Launch of KFL&A 211 Service for Eastern Ontario

1. THAT Council approve a partnership between the City of Kingston and the United Way to introduce a 211 service for the residents of Kingston and that this commitment be contingent upon corresponding commitments from the County of Frontenac and the County of Lennox and Addington;  
- and further -
2. THAT Council approve a \$14,065 budget allocation for the year 2010, funded by the working fund reserve, to launch the 211 service for the KFL&A region, representing the City of Kingston's share of the municipal contribution, based on its population multiplied by a 12 cent per resident cost;  
- and further -
3. THAT staff incorporate the cost of the 211 service into the annual operating budget in the amount of \$14,065 for the years 2011 and 2012.

CARRIED

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INFORMATION REPORTS

(1) Award of RFP to SHS Inc. for the Municipal Housing Strategy for the City of Kingston and County of Frontenac

The purpose of this report is to provide Council with information regarding the award of RFP No. F31-CDS-CFS-2010-3 for the Municipal Housing Strategy for the City of Kingston and County of Frontenac to SHS Inc.  
(The Report of the Acting Commissioner of Community Services (10-204) was attached as Schedule Pages 80-84)  
(File No. CSU-S18-000-2010)

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MISCELLANEOUS BUSINESS

Council consented to the amendment of Miscellaneous Business Item (3).

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- (1) Moved by Councillor Glover  
Seconded by Councillor MacLeod-Kane
- THAT, as requested by the Kingston naval community, Council proclaim the week of July 11 through 17, 2010, as "Navy Week" in the City of Kingston.  
(See Communication No. 17-283)

CARRIED

- (2) Moved by Councillor Smith  
Seconded by Councillor Gerretsen
- THAT Councillors Schmolka and Hutchison be appointed to prepare a response to the students' poverty reduction proposals.  
(See Motion No. (1), Page No. 470)

CARRIED

### MISCELLANEOUS BUSINESS (CONTINUED)

Moved by Councillor Gerretsen  
Seconded by Councillor MacLeod-Kane

THAT Miscellaneous Business Item (2) be deferred until after Motion (1) has been considered.

CARRIED  
(See Page No. 470)

- (3) Moved by Councillor Foster  
Seconded by Councillor Gerretsen
- THAT the following appointments, provided by Kingston, Frontenac, Lennox & Addington (KFL&A) Public Health, for technical membership on the Kingston Environmental Advisory Forum (KEAF) for the term ending November 30, 2010, be confirmed:

- Pam Landy (primary representative);
- Gord Mitchell (alternate representative);

- and further -

THAT the following appointment, provided by the Royal Military College (RMC), for technical membership on the Kingston Environmental Advisory Forum (KEAF) for the term ending November 30, 2010, be confirmed:

- Dr. Tamsin Laing (alternate representative);

- and further -

THAT the resignation of the following technical representatives of the Kingston Environmental Advisory Forum (KEAF) be accepted with regret:

- Peter Moccio - KFL&A Public Health (primary representative);
- Andy Dubchak - KFL&A Public Health (alternate representative);
- Vicki Remenda – Queen's University (primary representative);
- Richard Brachman – Queen's University (alternate representative);
- Dr. Ken Reimer – Royal Military College (alternate representative).

CARRIED

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**MOTIONS**

Council consented to the addition of Motions (5) and (6) and the correction of the final paragraph of Motion (4).

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

WHEREAS over 100 students participated in the Poverty Challenge held on April 7, 2010, which was organized by the Kingston Community Roundtable on Poverty Reduction; and,

WHEREAS as a result these students have proposed several strategies for reducing poverty in our community; and,

WHEREAS it would be beneficial to coordinate Council's response to these proposals;

THEREFORE BE IT RESOLVED THAT Council nominate two Councillors to take the lead and prepare a response to the students' poverty reduction proposals.

(See Miscellaneous Business Item No. (2))

CARRIED

**MOTIONS (CONTINUED)**

- (2) Moved by Councillor Matheson  
Seconded by Councillor Osanic

WHEREAS 28% of Ontario's children are overweight and obese and this rate has tripled in the past 25 years; and,

WHEREAS physical inactivity and limited access to healthy food has led to this current crisis; and,

WHEREAS every child has the right to grow up healthy; and,

WHEREAS the Heart and Stroke Foundation of Ontario has launched Spark Together for Healthy Kids to raise public awareness and consensus that childhood obesity is an issue of vital importance that impacts all of us; and,

WHEREAS municipal policies can play a part in improving access to healthy foods and physical activity;

THEREFORE BE IT RESOLVED THAT Deputy Mayor Schmolka, on behalf of Kingston City Council, will say YES to Spark Together for Healthy Kids and will sign the Spark Promise to our Children at [heartandstroke.ca/SPARK](http://heartandstroke.ca/SPARK).

(See Communication 17-282)

CARRIED

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

THAT the City of Kingston support the following resolution previously passed by the Federation of Canadian Municipalities:

*WHEREAS the Canadian economic downturn is putting the retirement security of many workers at risk; and,*

*WHEREAS Canadian cities are directly impacted as they are key front line providers of social services and support programs for older workers and retirees; and,*

*WHEREAS Ontario cities bear an additional portion of the cost of providing such programs; and,*

*WHEREAS the significant economic downturn in combination with an increased number of employer bankruptcies across various sectors have resulted in under-funded pension plans and the actual and potential loss of promised pension benefits; and,*

*WHEREAS only one in four private sector workers belong to an employer pension plan and the remaining 3 out of 4 workers must rely more heavily on personal savings to provide for their retirement; and,*

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*WHEREAS the Canadian public pension system including Old Age Security (OAS) and the Guaranteed Income Supplement (GIS) plus the Canada Pension Plan (CPP) is safe but falls well short of replacing the 50% to 70% of pre-retirement income needed to maintain a decent standard of living;*

*THEREFORE BE IT RESOLVED THAT the Federation of Canadian Municipalities (FCM) support expansion of Canada's public pension system by and at the cost of the Federal Government and not municipalities:*

- 1. by increasing the Guaranteed Income Supplement (GIS) by 15%, so no senior lives in poverty; and*
- 2. by protecting Canadian pensions through a federal system of pension insurance;*

*- and further -*

*THAT FCM support the call on the federal government to hold a national summit on the issue of pensions and support the expansion of the Canada Pension Plan;*

*- and further -*

**MOTIONS (CONTINUED)**

*THAT a letter of support from the Office of the Mayor of the City of Kingston (to include the resolution) be sent to the Federal Minister of Finance, the MP for Kingston and the Islands, the MPP for Kingston and the Islands, the Canadian Association of Retired Persons (CARP), the Canadian Labour Congress, and the Federation of Canadian Municipalities (FCM).*

**CARRIED  
(With Agreed To Amendments)**

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

*WHEREAS the prison farms at Frontenac and Pittsburgh Institutions provide milk, eggs, and meat for 14 penitentiaries in Ontario and Quebec saving Canadian taxpayers from having to pay for this food for prison inmates; and,*

*WHEREAS the prison farms provide inmates with real work to do while they serve their time, contribute to their rehabilitation, and allow them to "pay their way through agriculture"; and,*

*WHEREAS on-going community efforts to save the prison farms have gathered increasing support both in Kingston and across the country; and,*

*WHEREAS Kingston City Council wishes to make it absolutely clear to the federal government that we believe that the prison farms are a positive and productive element of our community and should not be closed;*

*THEREFORE BE IT RESOLVED THAT City Council ask the federal government to reconsider its position and not close the prison farms in Kingston, and that a moratorium on the prison farm closures be put into place until a full public review of this decision takes place;*

*- and further -*

*THAT a copy of this motion be sent to the Prime Minister, the Attorney General of Canada, and the Minister of Public Safety and Emergency Preparedness, as well as the leaders of the opposition parties, and their appropriate critics for this portfolio, and all municipalities over 50,000, FCM, AMO, and Correctional Service of Canada, asking for their support.*

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

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

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WHEREAS the Outer Station has fallen into a terrible state of disrepair; and,

WHEREAS the Outer Station is an important heritage structure and an important part of our local and national history;

THEREFORE BE IT RESOLVED THAT Kingston City Council direct staff to enforce property standards by-laws on the property, known as the Outer Station and located on Montreal Street, to the fullest extent of the law in order to require the owner of the property to repair the building and property to an adequate and safe standard.

CARRIED UNANIMOUSLY

- (6) Moved by Councillor Matheson  
Seconded by Councillor Osanic

WHEREAS the World Cup of Soccer is the most watched and supported game being played currently in the world; and,

**MOTIONS (CONTINUED)**

WHEREAS Kingston is made up of many diverse communities that love the sport of soccer and would like to share in the experience of being able to watch it in a group setting and share the camaraderie of this event;

THEREFORE BE IT RESOLVED THAT staff be directed to use Springer Market Square for our citizens of Kingston to share in the world experience of watching the final game of the World Cup of Soccer together on an outdoor big screen, with a backup plan of utilizing the K-Rock Centre to host this event should the weather be inclement.

DEFERRED

(See Motion To Defer Which Was CARRIED)

Moved by Councillor Matheson  
Seconded by Councillor Hutchison

THAT Motion (6) be referred back to staff for a report on the costing for use of Market Square or the K-Rock Centre for similar types of uses for the future, and that the report be provided to Council for the first meeting in September, 2010.

CARRIED

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**NOTICES OF MOTION**

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

WHEREAS the City requires adequate facilities to house City employees; and,

WHEREAS opening an additional customer service area would be beneficial to City residents;

THEREFORE BE IT RESOLVED THAT staff are directed to issue a request for proposals for new office space for the City of Kingston that, as a minimum, contains the following conditions:

- a. The site will include sufficient parking for both staff and customers;
- b. The facility(ies) will be ready for occupancy no later than Fall 2011;
- c. The facility(ies) will have capacity to house a minimum of 200 staff;
- d. The inclusion of a Customer Service Area will be part of the plan, located no closer than three kms from any existing City Customer Service Areas/locations;
- e. The City will hold sole title to both the building(s), parking areas and land used for this project;
- f. Contains a full cost accounting for the project;
- g. That any RFPs that need to be prepared for this project be presented to Council for approval prior to Council becoming lame duck.

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**MINUTES**

Moved by Councillor Foster

Seconded by Councillor Gerretsen

THAT the Minutes of City Council Meeting No. 08-2010, held Tuesday, February 23, 2010, Monday, March 22, 2010, and Tuesday, April 27, 2010, Meeting No. 15-2010, held Tuesday, May 25, 2010, and Meeting No. 16-2010, held Tuesday, June 1, 2010, be confirmed.

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**TABLING OF DOCUMENTS**

- 2010-56     Catarauqui Region Conservation Authority  
Minutes – Full Authority Meeting – April 28, 2010  
(File No. CSU-D03-000-2010)
  
- 2010-57     Kingston Frontenac Public Library Board  
Minutes – Regular Meeting #2010-03 – March 24, 2010  
(File No. CSU-R02-000-2010)
  
- 2010-58     Kingston Frontenac Public Library Board  
Minutes – Regular Meeting #2010-03 – March 24, 2010  
(File No. CSU-R02-000-2010)
  
- 2010-59     Catarauqui Source Protection Committee  
Invitation – Policy Test Roundtables – June 22 and 24, 2010  
(File No. CSU-D03-000-2010)
  
- 2010-60     KFL&A Public Health  
Agenda – Board Meeting – May 26, 2010  
(File No. CSU-S08-001-2010)
  
- 2010-61     Catarauqui Source Protection Committee  
Meeting Agenda – June 10, 2010  
(File No. CSU-D03-000-2010)

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**COMMUNICATIONS**

Filed

- 17-271     From the Town of Orangeville, acknowledging receipt of Council's resolution regarding payments in lieu of taxes.  
(File No. CSU-F22-000-2010)
  
- 17-272     From the Corporation of the City of Oshawa, acknowledging receipt of Council's resolution regarding the declaration of transit as an essential service.  
(File No. CSU-T03-000-2010)
  
- 17-273     From the Committee of Adjustment, a Notice of Decision for the following applications:

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CONSENT – In respect of an application for consent to sever the property at 1999 and 2001 Swanfield Street, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is June 23, 2010.

(File No. CSU-D19-000-2010)

- 17-276 From Ernestown Windpark Inc., providing details regarding two public meetings to be held on June 29 and 30, 2010, outlining a wind energy project planned for development in Loyalist Township.  
(File No. CSU-E05-000-2010)

**COMMUNICATIONS (CONTINUED)**

- 17-278 From the Corporation of the City of Oshawa, acknowledging receipt of Council's resolution regarding payments in lieu of taxes.  
(File No. CSU-F22-000-2010)
- 17-279 From the Municipal Property Assessment Corporation (MPAC), advising that the two-year settlement reached with the Ontario Public Service Employees Union (OPSEU) has been officially ratified by bargaining unit employees and MPAC's Board of Directors.  
(File No. CSU-H07-000-2010)
- 17-280 From Harper's, an application for a liquor licence from the Alcohol and Gaming Commission of Ontario for an establishment located at 93 Princess Street.  
(File No. CSU-P09-000-2010)
- 17-281 From the City of Vaughn, acknowledging receipt of Council's resolution regarding the declaration of transit as an essential service.  
(File No. CSU-T03-000-2010)
- 17-284 From the Honourable John Gerretsen, MPP for Kingston and the Islands, acknowledging receipt of Council's resolution regarding the declaration of transit as an essential service.  
(File No. CSU-T03-000-2010)
- 17-285 From the Honourable Dalton McGuinty, Premier of Ontario, acknowledging receipt of Council's resolution regarding the declaration of transit as an essential service.  
(File No. CSU-T03-000-2010)

**Referred to All Members of Council**

- 17-274 From Ken Linseman, expressing his opinions regarding the impact of the Third Crossing on the downtown area.  
(File No. CSU-E05-000-2010)
- 17-282 From the Heart and Stroke Foundation, providing information regarding the SPARK initiative, which was developed in response to the childhood obesity epidemic.  
(File No. CSU-S08-000-2010)
- 17-283 From the Kingston naval community, asking that Council proclaim the week of July 11 through 18, 2010, as "Navy Week" in the City of Kingston.  
(File No. CSU-M10-000-2010)  
(See Miscellaneous Business Item No. (1))  
(Distributed to all Members of Council on June 11, 2010)

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- 17-286 From the Corporation of the Town of New Tecumseth, asking for Council's support of a resolution requesting that the Province of Ontario consider exempting children's recreation programs from the Harmonized Goods and Services Tax (HST) in order that Ontario families can afford to participate in athletic and recreation programs in their communities.  
(File No. CSU-F28-000-2010)

**COMMUNICATIONS (CONTINUED)**

Referred to the City Clerk

- 17-275 From the Ontario Federation of Anglers and Hunters, asking that Council proclaim July 3 through July 11, 2010, as "Family Fishing Week" in the City of Kingston.  
(File No. CSU-M10-000-2010)

Referred to the Rural Affairs Committee and the Ad Hoc Committee to Review By-Law 98-1 and 2004-360

- 17-277 From the Frontenac Federation of Agriculture, expressing their concerns for the future of the Rural Affairs Committee.  
(File No. CSU-C15-000-2010)

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**BY-LAWS**

- (A) Moved by Councillor Smith  
Seconded by Councillor Osanic  
THAT By-Laws (1) through (9) be given their first and second reading. CARRIED
- (B) Moved by Councillor Meers  
Seconded by Councillor Matheson  
THAT Clause 8.9 of By-Law No. 98-1 be suspended for the purpose of giving By-Laws (3) to (6) three readings. CARRIED
- (C) Moved by Councillor MacLeod-Kane  
Seconded by Councillor Hutchison  
THAT By-Laws (3) through (12) be given their third reading. CARRIED  
(Councillor Foster Opposed)
- (1) A By-Law To Approve The Naming Of An Existing City-Owned Laneway To Lily Lane, Located Between Earl Street And West Street, City Of Kingston  
FIRST AND SECOND READINGS PROPOSED NO. 2010-118  
(See Clause (b), Report No. 85)  
(To be held for Third Reading pending the Notice Provisions By-Law)
- (2) A By-Law To Amend By-Law No. 2003-209, "A By-Law For Regulating Traffic In The Highways Of The City Of Kingston, Subject To The Provisions Of The Highway Traffic Act", (amend speed limit – Unity Road)  
FIRST AND SECOND READINGS PROPOSED NO. 2010-119  
(See Clause (d), Report No. 85)

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- (3) A By-Law To Amend By-Law No. 24, "A By-Law For Regulating Traffic In The Highways Of The City Of Kingston Subject To The Provisions Of The Highway Traffic Act" (amend parking restrictions on King Street and Princess Street)  
THREE READINGS PROPOSED NO. 2010-120  
(See Clause (c), Report No. 85)

**BY-LAWS (CONTINUED)**

- (4) A By-Law To Amend By-Law No. 495, "A By-Law To Provide For A Parking Meter Zone In Certain Streets Or Portions Thereof, And To Provide For The Installation, Regulations, Supervision And Control Of Such Parking Meters" (amend parking restrictions on King Street and Princess Street)  
THREE READINGS PROPOSED NO. 2010-121  
(See Clause (c), Report No. 85)
- (5) A By-Law To Amend By-Law No. 81-218, "A By-Law To Provide For Exempting, Pursuant To Permits Issued, The Owners And Drivers Of Vehicles Operated By Or Carrying Persons With Disabilities From The Provisions Of By-Laws Of The City Of Kingston Prohibiting Or Regulating The Parking, Standing Or Stopping Of Motor Vehicles On Any Highway Or Part Thereof In The City Of Kingston" (amend parking restrictions on Princess Street)  
THREE READINGS PROPOSED NO. 2010-122  
(See Clause (c), Report No. 85)
- (6) A By-Law To Establish Advance Voting Days To Be Held Prior To Final Voting Day – October 25, 2010 - For The 2010 Municipal Election (October 16, 2010 and October 20, 2010).  
THREE READINGS PROPOSED NO. 2010-117  
(See Clause (m), Report No. 85)
- (7) A By-Law To Amend Zoning 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" (Modify Site Specific Zoning – 'EPA', 'OS', 'OS-13', 'BP-2', M1-12', Cataraqui Estates Business Park)  
THREE READINGS PROPOSED NO. 2010-123  
(See Clause 1, Report No. 87)
- (8) A By-Law To Exempt Certain Lands On Registered Plan 13M-58 From The Provisions Of Section 50 (5) Of The Planning Act, R.S.O. 1990, Chapter P.13, And Amendments Thereto (Lots 167 to 195 inclusive, Registered Plan 13M-58, Lyndenwood Subdivision, municipally known as 1191 to 1235 Crossfield Avenue and 686 to 700 Augusta Drive, for the purpose of adjusting the side lot line and creating a "beneficial use easement")  
THREE READINGS PROPOSED NO. 2010-124  
(Delegated Authority)
- (9) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, June 15, 2010  
THREE READINGS PROPOSED NO. 2010-125  
(City Council Meeting No. 17-2010)
- (10) Council Procedural By-Law  
THIRD READING PROPOSED NO. 2010-1  
(See Clause 1, Report No. 35)
- (11) A By-Law To Repeal By-Law No. 98-1, "Council Procedural By-Law"  
THIRD READING PROPOSED NO. 2010-112  
(See Clause 1, Report No. 35)

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(12) A By-Law To Designate The Interior Of Kingston City Hall National Historic Site To Be Of Cultural Heritage Value And Interest Pursuant To The Provisions Of The Ontario Heritage Act (R.S.O. 1990, Chapter 0.18)

THIRD READING

PROPOSED NO. 2010-113

(See Clause 1, Report No. 83)

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**ADJOURNMENT**

Moved by Councillor Glover

Seconded by Councillor Garrison

THAT Council do now adjourn.

**CARRIED**

Council adjourned at 10:43 pm.

(Signed)

Carolyn Downs  
City Clerk

Harvey Rosen  
Mayor