CITY COUNCIL MEETING NO. 01-2004

The Inaugural Meeting of the Council of The Corporation of the City of Kingston for the period December 1, 2003 to November 30, 2006
Tuesday, December 2, 2003, at 7:30 pm
Council Chambers, City Hall
A reception will be held outside Council Chambers immediately after the meeting.

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OATH OF ALLEGIANCE & DECLARATION OF OFFICE - MAYOR

Her Honour, Madam Justice Helen MacLeod will administer the Oath of Allegiance and the Declaration of Elected Office to His Worship, Mayor Harvey Rosen.

OATH OF ALLEGIANCE & DECLARATION OF OFFICE - COUNCILLORS

Her Honour, Madam Justice Helen MacLeod, will administer the Oath of Allegiance and the Declaration of Office to each Member of Council:

- Councillor George Beavis
- Councillor Rick Downes
- Councillor Leonore Foster
- Councillor Steve Garrison
- Councillor Bittu George
- Councillor Kevin George
- Councillor Sara Meers
- Councillor Beth Pater
- Councillor Floyd Patterson
- Councillor Ed Smith
- Councillor George Stoparczyk
- Councillor George Sutherland

ROLL CALL

MOTION OF APPRECIATION

Moved by
Seconded by

THAT the appreciation of Council be extended to Her Honour Madam Justice Helen MacLeod for administering the Oath of Allegiance and the Declaration of Office for the Mayor and Members of Council.

DISCLOSURE OF PECUNIARY INTEREST

MAYOR'S INAUGURAL ADDRESS
REPORT NO. 01 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

Report No. 01

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

All matters listed on the Consent Report are considered to be routine and are enacted by one motion. There is no separate discussion on these items. If discussion is desired upon request of a Member of Council, that item is removed from the Consent Report and is considered separately. Council Members may request that an item be considered separately if they have a conflict of interest.

THAT Council consent to the approval of the following routine items:

(a) WHEREAS Frances Splinter Rentals has submitted an application requesting that Part Lot Control be lifted from Blocks 1 to 14 inclusive of Registered Plan No. 13M-46 in the "Jennifer Court" Subdivision, the subject lands being located on the west side of Augusta Drive, north of Princess Street in the Cataraqui North Neighbourhood in Kingston West, and;
WHEREAS the Owner has complied with the conditions for the Lifting of Part Lot Control;

THEREFORE BE IT RESOLVED THAT the application to Lift Part Lot Control for the "Jennifer Court" Subdivision be approved;

—and further—

BE IT RESOLVED THAT a by-law be passed to Lift Part Lot Control from Blocks 1 to 14 inclusive, Registered Plan 13M-46;

—and further—

BE IT RESOLVED THAT the by-law be presented to receive three readings.

(File No. CSU-D27-000-2004)

(See By-Law No. (1), 2004-01)

(The Report of the Commissioner of Planning & Development Services (04-015) is attached as Schedule Pages 1-10)

(b) THAT Council approve the partnership with the Downtown Kingston Business Improvement Area to provide complimentary parking at the City's attended lots on Saturdays and Sundays on December 6, 7, 13, 14, 20, and 21, 2003.

(File No. CSU-T03-000-2004)

(The Report of the Commissioner of Operations (04-016) is attached as Schedule Pages 11-12)
REPORT NO. 02 OF THE PLANNING COMMITTEE

To the Mayor and Members of Council:

The Planning Committee reports and recommends as follows:

1. THAT Report No. PC100 "ERASE Community Improvement Plan" be received by Council for information purposes. (The Report of the Commissioner of Planning & Development Services (PC100) is attached as Schedule Pages 13-18)

2. WHEREAS changes in the process of public notification would require signage as part of the procedure, such changes should be standardized across the whole City, and that required amendments to the official plans be made, and;

   WHEREAS Council gave three readings to By-Law No. 2003-111, By-Law No. 2003-156, By-Law No. 2003-157, and By-Law No. 2003-158, which approved the standardized public notice changes to the Official Plans of the three former municipalities and made the appropriate amendment required to By-Law No. 98-36 "A By-law to Establish a Tariff of Fees For The Processing of Applications Made in Respect of Planning Matters", and;

   WHEREAS the appropriate appeal period for all of the aforementioned by-laws has passed and no appeal has been made;

   THEREFORE BE IT RESOLVED THAT Report No. PC091 "Implementation of the Requirement to Provide Signage as a form of Public Notice Under the Planning Act, RSO 1990, c. P. 13, as Amended", regarding the implementation of the new public notice procedures for Planning Division applications, be received by Council for information purposes.

   (The Report of the Commissioner of Planning & Development Services (PC091) is attached as Schedule Pages 19-23)

3. THAT Report No. PC093, provided at a recent public information centre, be received, and;

   THAT Council express its support for the subject proposal for an enlarged County ferry on its existing route; and;

   THAT this report be forwarded to the Township of Frontenac Islands, the Ministry of Transportation, and others as requested.

   (The Report of the Commissioner of Planning & Development Services (PC093), Appendix 1 is attached as Schedule Pages 24-27)
WHEREAS applications have been submitted by Greenwood Park Ltd. Partnership No. 1 with respect to property located at Greenwood Park, Phase 7, Part Lot 9 and Part of Plan 1846, in Kingston East, requesting approval of a Draft Plan of Subdivision in order to divide the lands into approximately 131 residential lots, 3 open space blocks and 3 new roadways, and approval of a concurrent Zoning By-Law Amendment in order to permit residential development on the subject lands:

WHEREAS the statutory public hearing was held on October 9, 2003;

THEREFORE BE IT RESOLVED THAT the application for Plan of Subdivision (Planning File D12-77-03) submitted by Greenwood Park Ltd. Partnership No. 1 for property located at Greenwood Park, Phase 7, Part Lot 9 and Part of Plan 1846, **BE APPROVED**; subject to the following conditions:

**Conditions of Draft Subdivision Approval, Greenwood Park, Phase 7**

- That this approval applies to the Draft Plan of Subdivision, prepared by Grange W. Elliot Ltd. O.L.S., dated November 10, 2003 which shows the following:
  - 131 residential lots (Lots 1-130, Lot 132);
  - 3 open space blocks (Blocks 133, 134 and 135);
  - 1 block for 0.3 m reserve (Block 136); and
  - 3 new streets (Street 'A', 'B' and 'D').

- That the road allowances included in this Draft Plan shall be shown and dedicated as public highways.

- That the Streets shall be named to the satisfaction of the Municipality.

- That any dead ends and open sides of the road allowance created by this Draft Plan shall be terminated in 0.3 metre reserves to be conveyed to, and held in trust, by the Municipality.

- That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.

- That the owner agrees in writing to satisfy all the requirements, financial and otherwise, of the Municipality concerning all provisions of municipal services including fencing, lighting, landscaping, sidewalks, roads, installation of services and drainage.

- That provisions be made for the Subdivision Agreement between the Owner and the Municipality to be registered against the lands to which it applies once the plan of subdivision has been registered.

- That the Owner shall enter into the Municipality’s standard subdivision agreement which shall list all approved plans and municipal conditions as required by the City of Kingston for the development of Greenwood Park, Phase 7.

- That prior to final approval, the Owner/Developer shall, in consultation with and to the satisfaction of Canada Post, identify the location of community mailboxes within the plan, and shall identify such locations on drawings for approval by the Municipality. The locations of these community mailboxes shall be identified in the notice to future purchasers of the lots within the subdivision.

- That any further subdivision of Blocks or additional road patterns on the plan shall be completed to the satisfaction of the Municipality.

- That prior to Final Approval, the Owner shall submit lot grading, drainage, and erosion and sediment control plans, prepared by a qualified Professional Engineer, to the satisfaction of the City of Kingston and the Cataract Region Conservation Authority, which plans shall be appended to the Subdivision Agreement between the Owner and the Municipality. These plans shall ensure that adequate measures shall be employed to control erosion and sedimentation.
REPORT NO. 02 OF THE PLANNING COMMITTEE

That prior to final approval, the Owner shall provide a storm water management report certified by a Professional Engineer and to the satisfaction of the City of Kingston and the Cataraqui Region Conservation Authority. The report shall address both quality and quantity control. The recommendations of the Report shall be incorporated into the Subdivision Agreement and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the report recommendations, to the satisfaction of the Municipality.

That prior to the commencement of construction, any temporary construction access shall be approved by the City of Kingston, Manager of Engineering.

That prior to the Final Approval of the Plan, the Owner shall provide a site specific Geotechnical Study certified by a Professional Engineer and to the satisfaction of the City of Kingston. The recommendations of the Geotechnical Study shall be incorporated into the Subdivision Agreement and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the Municipality.

That prior to the final approval of the plan, the applicant shall provide a Serviceability Study which will confirm that capacity exists in the existing infrastructure for water, sanitary and storm sewer systems for the residential lots to be serviced. The recommendations of the Study shall be incorporated into the Subdivision Agreement and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the Municipality.

That prior to the final approval of the plan, the applicant shall provide a Noise Impact Study to the satisfaction of the City of Kingston that addresses all potential noise and vibration sources within the limits as set out by the Ministry of the Environment. The recommendations of the Study shall take into account the existing quarry. The applicant is to implement all requirements of the approved study.

That the following Warning Clause shall be included in all notices of purchase and sale or lease:

"That notice is hereby given that noise and vibration from the nearby quarry may occasionally interfere with some activities of the occupants of the dwellings."

The Owner shall deed to the City of Kingston the 3 metre wide pathway described as Block 133, linking Street ‘D’ to Block 116 of Plan No. 1984.

The Owner shall deed to the City of Kingston the 3 metre wide pathway described as Block 134, linking Street ‘A’ to Block 104 and Greenlees Drive shown on Plan No. 1974.

The Owner shall deed to the City of Kingston parkland described as Block 135, 0.50 hectares in size on the Draft Plan of Subdivision prepared by Grange Elliot Ltd., dated October 23, 2003.

The woodlot as existing on Block 135 and set out within the park limits will be conveyed in its natural state. City forestry staff will be assessing the woodlot and will manage it as a natural woodlot under municipal forestry practices.

The Owner shall endeavour to maintain all existing grades along the edge of the forest which shall include the areas under the drip lines of the trees edging the park.

The Owner shall endeavour to place all infrastructure on the east side of Rose Abbey Drive so that trees identified and tagged by forestry staff within the boulevard on the west side can be maintained where grades and road works permit. The bicycle path on the west side of Rose Abbey Drive shall be permitted to meander to accommodate any trees saved within the boulevard.
The following Warning Clause shall be included in the Subdivision Agreement:

"The developer shall inform the builders of Lots 33-39, 42 and 103 shown on the Draft Plan of Subdivision prepared by Grange Elliot Ltd., dated October 23, 2003, that they are to maintain the existing grades adjacent to the woodlot to the drip line of the trees and shall retain all hardwood species greater than 150mm in size along the edge of the property line unless these trees are deemed to be a hazard to the health and safety of the homeowner or occupants of the house."

That the following Warning Clause shall be included in all notices of purchase and sale or lease:

"The rear of Lots 40, 41, 33-39 and the side yard to Lot 103 shown on the Draft Plan of Subdivision prepared by Grange Elliot Ltd., dated October 23, 2003, will be adjacent to a city owned park which is considered a natural woodlot. Future plans for park improvements, if requested by the community, will be done in a consultative manner. Any fencing done by the builder and/or the homeowner along the woodlot boundary shall endeavour to retain the existing grades and trees where possible. No trees within the park area or on the boundary are to be removed without consulting Cultural Services, Forestry Staff."

Land within the park limits to the east of the forested area which is currently in a grassland/meadow state will be transferred to the City in a clean, green and drained state ready for City Parks operations’ crews to assume regular turf maintenance in this portion of the park. The Owner is to provide a drawing which sets out the limits of the forested area, the drip lines of the trees on the edge of the woodlot and defines the turf maintenance area.

That a Warning Clause be included in all notices of purchase and sale or lease for all lots abutting on Rose Abbey Drive that a bus route may be located on the street.

The Owner will enter into discussions with the City of Kingston to acquire Lots 40 and 41 for parkland purposes. The Owner shall leave the existing trees, vegetation and grades undisturbed within these lot areas.

That the Owner shall meet the following conditions of Bell Canada:

- That the owner shall agree in the Subdivision Agreement, in words satisfactory to Bell Canada, to grant Bell Canada any easements that may be required for telecommunications services.
- 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.

That should deeply buried archaeological remains be found on the property during construction activities, the Ministry of Citizenship, Culture and Recreation shall be notified immediately.

That in the event that human remains are encountered during construction, the proponent shall immediately contact both the Ministry of Citizenship, Culture and Recreation and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Commercial Relations, (416) 326-8392.

That, when requesting Final Approval from the Municipality, 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 in frontage and area to the requirements of the Zoning By-Law.

That, prior to Final Plan approval, the Owner shall provide confirmation that civic addresses have been assigned to the proposed dwelling units by the Municipality’s Planning Division.

That, prior to Final Approval by the Municipality, the City of Kingston is to be advised in writing by the Cataraqui Region Conservation Authority, the method by which Conditions 12 and 13 have been satisfied.

The Owner shall provide an amended draft plan showing the area indicated by Lots 10-28 inclusive being reconfigured to provide a minimum of 50 foot wide lots.
REPORT NO. 02 OF THE PLANNING COMMITTEE

REPORT NO. 02 OF THE PLANNING COMMITTEE

- That appropriate wording be included in the Subdivision Agreement to require that any correspondence related to blasting activities/claims for damages received by the Owner or his contractors and any responses to that correspondence be copied to the Planning Division of the City of Kingston.

- That appropriate wording be included in the Subdivision Agreement to provide for a notification radius for blasting operations that is sufficient to include the properties on both sides of McCallum Drive and both sides of Dalgleish Avenue east of Donald Street, said radius to also apply to the area east and west of the proposed subdivision. In no case shall the radius be less than 120 metres.

- That Prior to Final Approval, the Owner shall provide documentation to the City of Kingston to confirm that appropriate Notice has been registered on the title of Lots 140-144 inclusive of Plan 13M-45 and Lot 1 of Registered Plan 1974 to the effect that 40 foot lots are proposed on the abutting lands to the south.

--and further--

BE IT RESOLVED THAT the application for Zoning By-law Amendment (Planning file D14-162-02) submitted by Greenwood Park Ltd. Partnership No. 1 for lands located at Greenwood Park, Phase 7, Part Lot 9 and Part of Plan 1846, BE APPROVED.

--and further--

BE IT RESOLVED THAT the following changes be incorporated into Zoning By-Law No. 32-74:

Map Changes
Amend Schedule “A”, Zone Map Rideau Community, of Zoning By-Law No. 32-74, as amended, by changing to “R4-3” Modified Residential Type 4 Zone and “OS” Open Space Zone Symbols of the approximately 8.8 hectares (21.7 acres) subject property located at Part Lot 9 and Part of Plan 1846, and shown as Zone Change from D to R4-3, Zone Change from D to OS, and Zone Change from A to R4-3, Zone Change from D to R4-3, Zone Change from D to OS, and Zone Change from A to OS.

Text Changes
Add the following new Section 11A (3)(c) immediately following Section 11A (3)(b):

“(c) Special Requirements (‘R4-3’) Notwithstanding any provisions of Section 11A(2) to the contrary, the lands designated ‘R4-3’ on Schedule ‘A’ of Zoning By-Law No. 32-74, shall be used in accordance with the following:

Lot Area (minimum) 300 square metres
Lot Frontage (minimum)
(i) Corner Lot 11 metres
(ii) Other Lot 9 metres
Front Yard Depth:
(i) Minimum 3 metres
(ii) Maximum 5 metres
Interior Side Yard Width (minimum) 0.6 metres on one side and 1.2 metres on the other side except where a side lot line abuts a 0.3 metre reserve, the minimum interior side yard shall be 3 metres.

Rear Yard Depth (minimum) 7.5 metres
Dwelling Unit Area (minimum) 85 square metres
Lot Coverage (maximum) 50%
REPORTS (CONTINUED)
REPORT NO. 02 OF THE PLANNING COMMITTEE

Accessory Uses, Parking, etc.:
In accordance with the provisions of Section 5 hereof except:
- That notwithstanding the provisions of Section 5(1)(d)(ii) to the contrary, no accessory use, building or structure shall be located closer than 0.6 metres to an interior side lot line except, for a driveway or where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, no minimum interior side yard width is required;
- That notwithstanding the provisions of Section 5(1)(d)(iii) to the contrary, no accessory use, building or structure shall be located closer than 0.6 metres to the rear lot line except where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, in which case, no minimum rear yard width is required.
- That notwithstanding the provisions of Section 5(14)(e)(i) to the contrary, the minimum required driveway width shall be 3.0 metres.
- That notwithstanding the provisions of Section 5(14)(e)(v) to the contrary, the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, shall be 7 metres.
- That notwithstanding the provisions of Section 5(23)(a) hereof to the contrary, ornamental structures may project into any required yard a maximum distance of 0.5 metres, provided they are no closer than 0.1 metres to any lot line.

Garage Location
Notwithstanding any other provision of this By-Law hereof to the contrary, no garage shall be located closer than 5 metres to the street line."

BE IT RESOLVED THAT the amending by-law be presented for three readings.
(See By-Law No. (2), 2004-2)

5. WHEREAS an application for Final Plan of Subdivision Approval has been submitted by the Llynlea Corporation with respect to the development of Trailhead Place Subdivision, a 40 lot residential subdivision north of King Street West, and;
WHEREAS Council requested that the Final Plan of Subdivision be referred to Planning Committee and Council for approval in a resolution passed on September 17, 2002, and;
WHEREAS the proposed Final Plan of Subdivision conforms to the policies of the Official Plan and the regulations of the Zoning By-Law, as amended, and;
WHEREAS appropriate consultation with City Departments and outside Agencies is taking place and it would appear that all technical requirements and conditions of Draft Plan Approval have been or will be accommodated as part of the approved engineering plans or through conditions in the City’s standard Subdivision Agreement;
THEREFORE BE IT RESOLVED THAT the application submitted by the Llynlea Corporation for Final Subdivision Approval (File D12-75-03) with respect to Trailhead Place Subdivision, BE APPROVED IN PRINCIPLE, subject to the Manager of the Planning Division issuing final approval following the resolution of any outstanding technical concerns, the receipt of the required financial securities required for the development, receipt of the final Subdivision Plan, Reference Plans and required Transfer Documents, and the Owner entering into the City’s Standard Subdivision Agreement, which shall list the approved plans and conditions of approval.
6. WHEREAS an application for Zoning By-Law Amendment has been submitted by 1011786 Ontario Inc. for the property located on the south side of McAdoo's Lane and known municipally as 1351 McAdoo's Lane, Kingston West, requesting a Zone Change from Restricted Agriculture "A1" Zone to a new Holding General Industrial "M1-9-H" Zone, in order to permit the relocation of the existing Sousa Ready Mix operation located on the north side of McAdoo's Lane; and

WHEREAS a Public Meeting was held with respect to this matter on August 28, 2003:

THEREFORE BE IT RESOLVED THAT the Application for Zoning By-Law Amendment (File No. D14-206-03) submitted by 1011786 Ontario Inc. for the property located at 1351 McAdoo's Lane, Kingston West, BE APPROVED;

-and further-

BE IT RESOLVED THAT Zoning By-Law No. 76-26, former Township of Kingston be amended as follows:

- Amend Zoning Map No. 1 of Schedule "A" to Zoning By-Law No. 76-26, as amended, by changing to "M1-9-H" the Zone symbol of the lands shown as Zone Change from A1 to M1-9-H.

- Add the following as Section 24 (3)(i) of Zoning By-Law No. 76-26 immediately after Section 24 (3) (h):

  "(i) M1-9-H
  The lands designated as "M1-9", located on the south side of McAdoo's Lane and known municipally as 1351 McAdoo's Lane, shall be developed in accordance with the following provisions:

  Uses Permitted:
  No person shall within the "M1-9" Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the uses as set out in Section 24(1) of this By-Law. All uses as set out in Section 24(1) shall be permitted while the "-H" Holding Symbol is in place.

  Zone Provisions:
  No person shall within the "M1-9" Zone use any lot or erect, alter or use any building or structure except in accordance with the provisions of Section 24(2) of this By-Law and sub-section (c) below.

  Holding Provision:
  The lands designated as "M1-9" shall be subject to a "-H" Holding provision. The use and removal of the "-H" Symbol shall be in accordance with the provisions of Section 6(6) of this By-Law.

  Notwithstanding the provisions of Sections 24(1) and 24(2) of this By-Law, any existing or proposed industrial use on the lands zoned "M1-9-H" shall not be permitted to draw ground water for the said use until such time as the "-H" Holding Symbol has been removed. The "-H" Symbol shall not be removed until such time as a detailed hydro-geologic study has been completed to demonstrate that ground water quality and quantity is sufficient to meet the needs of the uses on the subject lands and adjacent properties."

-and further-

BE IT RESOLVED THAT the by-law be presented for three readings.
(See By-Law No. (3), 2004-3)
REPORT NO. 02 OF THE PLANNING COMMITTEE

7. **WHEREAS** an application for Zoning By-Law Amendment has been submitted by Cecil Harnden for the property comprising Part Lot 3, Concession 3 WA, in Kingston West, known municipally as 1361 Westbrook Road, requesting permission to **remove** the existing Holding Special Restricted Agricultural “A1-10-H” Zone and Special Environmental Protection Area “EPA-7” Zone from the subject lands and **introduce** a Restricted Agricultural “A1” Zone and Environmental Protection Area “EPA” Zone to permit a single detached-dwelling unit, and;

**WHEREAS** a Public Meeting was held with respect to this matter on October 09, 2003;

**THEREFORE BE IT RESOLVED THAT** the Application for Zoning By-Law Amendment (File No. D14-215-03) submitted by Cecil Harnden for the property located in Part Lot 3, Concession 3 WA, in Kingston West, **BE APPROVED**;

-and further-

**BE IT RESOLVED THAT** Zoning By-Law No. 76-26, former Township of Kingston, be amended as follows:

Amend Zoning Map No. 2 of Schedule “A” to Zoning By-Law No. 76-26, as amended, by changing to “A1” and “EPA” the Zone symbols of the lands shown as Zone Change from A1-10-H to A1 and Zone Change from EPA-7 to EPA;

-and further-

**BE IT RESOLVED THAT** the by-law be presented for three readings.

(See By-Law No. (4), 2004-4)

8. **WHEREAS** an application has been submitted by Barry Hutt and Lara Snider (Applicants) with respect to lands located at 19 Concession Street, in Kingston Central, requesting a site specific amendment to the Zoning By-Law to permit a take-out pizzeria restaurant and an accessory residential dwelling unit, and;

**WHEREAS** the statutory Public Hearing was held on September 11, 2003;

**THEREFORE BE IT RESOLVED THAT** the application for Zoning By-Law Amendment (Planning File No. D14-209-03) submitted by Barry Hutt and Lara Snider, respecting the 166 square metre parcel of land located at 19 Concession Street, requesting a site specific amendment to the Zoning By-Law to permit the development of a take-out pizzeria restaurant and accessory dwelling unit, **BE APPROVED**;

-and further-

**BE IT RESOLVED THAT** Zoning By-Law No. 8499 of the former City of Kingston be amended as follows:

Amend Zoning Map No. 19 of By-Law No. 8499, as amended, by changing to “C1.338” the zone symbol of the lands located at 19 Concession Street and shown as Zone Change from “A5” to “C1.338”.

Add the following as a new Part VIII, Exceptions to the Various Zone Classifications, Section 338 immediately following Part VIII, Section 337:

“On the approximately 166 square metre parcel of land located at 19 Concession Street, and designated “C1.338” on a copy of Zoning Map 19 attached to and forming part of By-Law No. 2004-5 as Schedule “A”, the following regulations shall apply:

The following uses shall be permitted:
- restaurant;
- one residential dwelling unit, provided that such dwelling unit is located within a commercial structure.

Maximum Height 12.0 m
Minimum Rear Yard 4.0m
Maximum Percentage of Lot Coverage 55%
REPORT NO. 02 OF THE PLANNING COMMITTEE

Accessory Buildings
As per Section 5.17 of this By-Law

Parking
As per Section 5.3 of this By-Law

---and further---

BE IT RESOLVED THAT the by-law be presented for three readings.
(See By-Law No. (5), 2004-5)
MISCELLANEOUS BUSINESS

Motions of Council are required:

(1) THAT, as requested by Mike Murphy, Executive Director for the Independent Living Centre, Council proclaim December 3, 2003 as the United Nation's International Day of Disabled Persons.
   (File No. CSU-M10-000-2004)
   (See Communication No. 01-001)

MOTIONS

(1) Moved by Councillor Downes
    Seconded by Councillor Stoparczyk
    THAT the congratulations of Kingston City Council be extended to Jack Moreland, Chair of the Limestone District School Board, on his retirement after 36 years in politics and to thank him for his service to the young people of Kingston.
    (File No. CSU-M11-000-2004)

(2) Moved by Councillor Downes
    Seconded by Councillor Pater
    THAT the congratulations of Kingston City Council be extended to Barry O'Connor, Director of Education for the Limestone District School Board, on his retirement and long-standing service to the young people of Kingston.
    (File No. CSU-M11-000-2004)

NOTICES OF MOTION

MINUTES

TABLING OF DOCUMENTS
COMMUNICATIONS
Referred to All Members of Council

01-001 From Mike Murphy, Executive Director for the Independent Living Centre, requesting that Council proclaim December 3, 2003 as the United Nation's International Day of Disabled Persons.
(File No. CSU-M10-000-2004)
(See Miscellaneous Business Item, No. 1)

OTHER BUSINESS

BY-LAWS

(A) That By-Laws (1) through (6) be given their first and second reading.

(B) That Clause 7.6 of By-Law No. 98-1 be suspended for the purpose of giving By-Law (1) three readings.

(C) That By-Laws (1) through (10) be given their third reading.

(1) A By-Law To Exempt Certain Lands On Registered Plan 13M-46 From The Provisions Of Section 50 (5) Of The Planning Act, RSO 1990, Chapter P.13, And Amendments Thereto (Blocks 1-14 Inclusive, Jennifer Court Subdivision) (Part Lot Control).
THREE READINGS
(Clause (a), Report No. 01)

(2) A By-Law To Amend By-Law No. 32-74 “The Former Pittsburgh Zoning By-Law” (Site Specific – Greenwood Park, Phase 7 - Rezone To Modified Residential Type 4 (“R4-3”) And General Open Space (“OS”), To Permit Single Detached Dwellings As Well As To Provide For Open Space Areas.
THREE READINGS
(Clause (4), Report No. 02)

(3) A By-Law To Amend By-Law No. 76-26 Of Former Township Of Kingston (Site Specific Zoning – Restricted Agricultural “A1” Zone To Holding General Industrial “M1-9-H” Zone, 1351 McAdoo’s Lane, Kingston West)
THREE READINGS
(Clause (6), Report No. 02)

(4) A By-Law To Amend By-Law No. 76-26 Of Former Township Of Kingston (Site Specific Zoning – Holding Special Restricted Agricultural “A1-10-H” Zone To Restricted Agricultural “A1” Zone And Special Environmental Protection Area “EPA-7” Zone To Environmental Protection Area “EPA” Zone, Part Lot 3, Concession 3 WA, 1361 Westbrook Road, Kingston West).
THREE READINGS
(Clause (7), Report No. 02)
(5) A By-Law To Amend By-Law No. 8499 "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston" (Site Specific – Rezone From "A5" Residential To "C1.338" Neighbourhood Commercial – 19 Concession Street – Barry Hutt And Lara Snider).
THREE READINGS
(Clauses (8), Report No. 02) PROPOSED NO. 2004-5

THREE READINGS
(City Council Meeting No. 01-2004) PROPOSED NO. 2004-6

(7) A By-Law To Repeal By-Law No. 255 "A By-Law For Fixing Days When Persons And Organizations Engaged In Charitable Or Patriotic Work May Solicit Contributions Of Moneys From Persons On The Highways Of The Municipality".
THIRD READING
(Clauses (a), Report No. 104) PROPOSED NO. 2003-462

(8) A By-Law To Repeal By-Law No. 98-253 "A By-Law To Adopt An Emergency Plan For The City Of Kingston".
THIRD READING
(Clauses (b), Report No. 104) PROPOSED NO. 2003-463

(9) A By-Law To Adopt A New Emergency Response Plan For The City Of Kingston.
THIRD READING
(Clauses (b), Report No. 104) PROPOSED NO. 2003-464

THIRD READING
(Clauses (1), Report No. 105) PROPOSED NO. 2003-465