TO: Bert Meunier, Chief Administrative Officer
FROM: Terry Willing, Commissioner
        Department of Planning & Development Services
PREPARED BY: Kim Leonard, Supervisor, Licensing & By-Law Enforcement
DATE OF MEETING: March 9, 2004
SUBJECT: Hanna Gabrielsson – Application for Motorized Refreshment Vehicle – Fixed Site Location

RECOMMENDATION TO COUNCIL:

THAT Hanna Gabrielsson be granted a three year lease for a designated fixed site location for the purpose of operating a motorized refreshment vehicle, pursuant to By-Law #93-250, and;

THAT such fixed site location shall be located on the South side of Union Street, in the area of parking meter #392, previously known as meter #708, but no further west than the projection of the Division Street Right of Way, in compliance with By-Law #93-250, section 2(a);

AND FURTHER that the Mayor and Clerk are hereby authorized to enter into an agreement satisfactory to the Legal Services Division.

ORIGIN/PURPOSE:

Hanna Gabrielsson has made application to lease the fixed site location listed in the By-Law, for the purpose of operating a motorized refreshment vehicle.

OPTIONS/DISCUSSION:

The applicant is required under By-Law #93-250 to enter into a three year lease agreement which shall be renewable based on past performance and shall be required to comply with all of the fire, health and safety standards contained in the By-Law. The applicant is also required to carry public liability insurance in the amount of $2,000,000.00 naming the City of Kingston as a party insured.
This vehicle will occupy one parking space located just east of Division Street. It is required under the By-Law that food not be sold from 11p.m. until 7a.m., and the vehicle must be removed during these hours.

EXISTING POLICY/BY-LAW:
Council has granted fixed site location leases in the past.

LINK TO STRATEGIC PLAN:
There is no link to the Strategic Plan

FINANCIAL CONSIDERATIONS:
This lease agreement will generate $5,778.02 in revenue for the 2004 year and subsequent yearly increase based upon the C.P.I.

CONTACTS:
Steve Murphy, Acting Manager, Building and Licensing (613) 384-1770 ext. 3240
Kimberly Leonard, Supervisor, Licensing (613) 384-1770 ext. 3222
William Cartwright, Licensing Agent (613) 384-1770 ext. 3154

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:
Greg McLean, Supervisor, Parking Service (613) 546-4291 ext. 1336

NOTICE PROVISIONS:
N/A

APPENDICES:
N/A

Terry Willing, Acting Commissioner
Planning & Development Services

Bert Meunier
Chief Administrative Officer
RECOMMENDATION TO COUNCIL:

That to the extent that the City of Kingston holds copyright to the "History of the Township of Kingston", edited by Neil A. Patterson, it consents to the University of Calgary digitizing that work, it being understood that it is the responsibility of the University of Calgary to seek any necessary clearances from Mr. Patterson or any others that may have copyright.

ORIGIN/PURPOSE:

A request was received from the University of Calgary seeking donated Copyright permission for the publication by Neil A. Patterson, editor, titled "History of the Township of Kingston", Corp. of the Township of Kingston, 1985, which will be printed in its entirety in The University of Calgary digital library of local histories to be published by the University of Calgary Press and burned onto CD for archival purposes only. The material will be scanned and digitized in order to be placed on educational Internet sites produced by the University of Calgary.

There is no single Department within the City of Kingston that administers this type of request and therefore the matter is being referred to City Council.

OPTIONS/DISCUSSION:

In consultation with the Legal Division, it has been determined that as long as the City of Kingston is consenting for the University of Calgary to digitize this booklet only with regard to such copyright as it may hold and on the understanding that any authorizations from others that may have legal rights including copyright would be the responsibility of the University, that it would be an appropriate approval.

EXISTING POLICY/BY-LAW:
None

LINK TO STRATEGIC PLAN:
N/A

FINANCIAL CONSIDERATIONS:
None

CONTACTS:
Carolyn Downs, City Clerk/Manager of Council Support – 546-4291 Ext. 1247
Hal Linscott, Director, Legal Services – 546-4291 Ext. 1296

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:
Hal Linscott, Director, Legal Services – 546-4291 Ext. 1296

NOTICE PROVISIONS:
N/A

APPENDICES:
None

Denis Leger
Commissioner of Corporate Services

Bert Meunier
Chief Administrative Officer
REPORT TO COUNCIL

TO: Bert Meunier, Chief Administrative Officer
FROM: Mark Segsworth, Commissioner of Operations
PREPARED BY: Barclay Mayhew, Manager, Properties Division
DATE OF MEETING: March 9, 2004
SUBJECT: Peter Lafontaine – Request for Stop Up, Closure and Conveyance of Unopened Road Allowance known as Mount Royal Place, former Township of Pittsburgh

RECOMMENDATION TO COUNCIL:

WHEREAS in accordance with the Municipal Act 2001, c. 25, s.34(1) and By-Law No. 2003-15 “A By-Law to Provide for Notice Provisions as Required Under The Municipal Act, 2001”, notice has been given of Council’s intention to stop up and close the unopened road allowance known as Mount Royal Place, former Township of Pittsburgh.

AND WHEREAS as of March 4, 2004 no requests to be heard have been received by the City as provided for in the notice.

It is recommended that:
1. City Council pass a by-law to declare Mount Royal Place surplus to municipal need.
2. City Council pass a by-law to authorize the stop up and closure of the said unopened road allowance and to transfer the title therein to Peter Lafontaine, the owner of Lots 22, 23, 24 and 25, of the former Registered Plan of Subdivision 1791.
3. The Mayor and Clerk be authorized and directed to sign the necessary agreements to give effect thereto.
4. And further, that the rules of By-Law 98-1 be waived and that the By-law receive three readings this evening.

ORIGIN/PURPOSE:

This report originates from an application by Peter Lafontaine, the owner and developer of Lots 22, 23, 24, and 25, to stop and up and close the unopened road allowance known as Mount Royal Place.
OPTIONS/DISCUSSION:

Mount Royal Place, which was never developed, was deeded to the City to create public road access to the said lots in anticipation of development of the subdivision approved as Registered Plan 1791.

By-law 2004-22, as approved by Council on December 16, 2003, deemed Lots 22, 23, 24 and 25 and Mount Royal Place of Registered Plan of Subdivision 1791, not to be a Registered Plan of Subdivision for the purpose of Subsection 3 of Section 50 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, as requested by the owner of the said Lots, Peter Lafontaine.

A resolution approved by City Council on February 17, 2004, being Clause (j) of Report 21, authorized the City Clerk to give notice of Council’s intention to stop up and close the unopened road allowance known as Mount Royal Place, in the former Pittsburgh Township, in accordance with the Municipal Act 2001, c. 25, s. 34(1) and By-law No. 2003-15.

EXISTING POLICY/BY-LAW:

A by-law must be passed declaring the land surplus to municipal need.

A by-law must be passed to stop up, close and authorize the transfer of ownership of the unopened road allowance after the notice requirements prescribed by the Municipal Act have been met.

LINK TO STRATEGIC PLAN:

The proposal maintains the intent of the Strategic Plan as it relates to promoting responsible new development.

FINANCIAL CONSIDERATIONS:

No financial implications are to be considered with this report.

CONTACTS:

Barclay Mayhew, Manager, Properties Division
Ext. 1233
Lorraine Thibadeau, Ext. 1602
DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:

George Wallace, Acting Manager, Planning Division, 384-1770, Ext. 3252
Hal Linscott, Director, Legal Services, Ext. 1296
Wendy Tse, Senior Planner, Planning Division, 384-1770 Ext. 3219

NOTICE PROVISIONS: N/A

APPENDICES: N/A
RECOMMENDATION TO COUNCIL:

That a By-law be presented to City Council for all three readings to provide for the temporary closure of Market Street, from Ontario Street to mid-block, from 7:00 a.m. on Wednesday, March 17, 2004 to 2:00 a.m. on Thursday, March 18, 2004 inclusive, for community purposes, (St. Patrick's Day celebrations), subject to the following conditions:

1. That the applicant shall pay for the cost of advertising the temporary street closure, as invoiced by the Council Support Division; and

2. That the applicant will be responsible for the acquiring/renting, placing and removal of all barricades necessary to fully close the roadway(s) affected and install advance signage to indicate the street closure and install detour signage; and

3. That the applicant agrees to take out sufficient public liability property damage insurance in the amount of $2,000,000.00, to cover all risks. The policy shall be in a form and in an amount satisfactory to the City of Kingston, and shall be kept in full force during the period of the proposed street closure. The City of Kingston shall be named as a party insured on the policy and the applicant shall provide the City of Kingston with a copy of the insurance policy.

ORIGIN/PURPOSE:

Tir nan Óg has requested a temporary street closure for their St. Patrick's Day celebration.

OPTIONS/DISCUSSION:

A request has been received from the General Manager of the Tir nan Óg for a temporary street closure. The street affected by this closure is Market Street between Ontario Street to mid-block of Market Street on Wednesday, March 17, 2004 from 7:00 a.m. to Thursday, March 18, 2004 at 2:00 a.m. inclusive. The early street closure is required to control parking prior to erecting a tent.
OPTIONS AND DISCUSSIONS (Cont’d):

The tent is to be erected on Wednesday morning, in order to sell food and beverages, and provide entertainment for the St. Patrick Day celebrations on March 17, 2004 from 11:00 a.m. to 1:00 a.m. in addition to the pub. This event is to raise money for The Kingston Irish Famine Commemorative Association, which includes a lending library and various monuments marking the Irish heritage in Kingston. The tent will be dismantled early Thursday morning and the street reopened by 2:00 a.m.

All LLBO and Noise By-Law restrictions will be followed. Additional Tír na nÓg staff will be on hand to provide on site security during the hours of operation.

One sidewalk and the disabled parking spaces on Market Street will remain open to the public.

All barricades will have flashing beacon lights mounted to them during the hours that the street is closed after dusk. Advance signage indicating the street closure will also be erected.

Noise By-Law Consideration

Noise By-Law No. 9309 “A By-Law of the Corporation of the City of Kingston to Control Noise”, exempts special neighbourhood social events on streets or other lands authorized by City Council from the provisions of the by-law.

Impact on parking

A few metered parking spaces on Market Street will be eliminated due to the closure.

EXISTING POLICY/BY-LAW:

Ontario Municipal Act 2001, S.O. c. 25, Section 11(1)

LINK TO STRATEGIC PLAN:

Not applicable.

FINANCIAL CONSIDERATIONS:

No financial implications are to be considered in this report.

CONTACTS:

Dean Prentice, General Manager, Tír na nÓg Irish Pub, 200 Ontario St. Kingston, K7L 4Y9, 544-7474
Terry Willing, Acting Commissioner, Planning & Development Services, 384-1770, ext. 3181
Speros Kanellos, P. Eng., Manager, Engineering Division, 384-1770, ext. 3133
Deanna Green, Traffic Engineer, Engineering Division, 384-1770, ext. 3170
Chris Sleeth, Traffic Coordinator, Engineering Division, 384-1770, ext. 3149
Paula Nichols, Manager of Parking Services Division, 546-4291, ext. 1279
Doug Ritchie, Managing Director, BIA, 177 Wellington Street, Suite 202, Kingston, 542-8677
DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:

Engineering Division
Parking Division

NOTICE PROVISIONS:

All street closures are advertised in the local paper prior to the closing.

APPENDICES:

Appendix A - Drawing - Street Closure

Terry Willing,
Acting Commissioner, Planning & Development Services

Bert Mednier
Chief Administrative Officer