TO: Bert Meunier, Chief Administrative Officer

FROM: Terry Willing, Acting Commissioner, Planning & Development Services

PREPARED BY: Sonya Bolton, Senior Policy Planner

DATE OF MEETING: March 30, 2004

SUBJECT: City-Owned Industrial Land (COIL) Development Strategy
Proposal to Amend Contract (Cataraqui Industrial Estates)

RECOMMENDATION TO COUNCIL:

WHEREAS Council approved entering into a contract with Clark Consulting Services for a three phase study of City-Owned Industrial Land for a total of $84,000 on September 23, 2003;

AND WHEREAS the first phase of the City-Owned Industrial Land (COIL) Development Strategy concluded that Cataraqui Industrial Estates is experiencing rapid growth and that a Strategic Design Plan should be prepared to coordinate servicing and development alternatives;

AND WHEREAS it would be timely and cost effective for the City to proceed with this Strategic Design Plan as another phase of the COIL Development Strategy;

AND WHEREAS a request for an additional $50,000 has been submitted in the 2004 Operating Budget to cover the cost of the preparation of a Strategic Design Plan for Cataraqui Industrial Estates;

NOW THEREFORE BE IT RESOLVED that Kingston City Council authorize staff to amend the contract with Clark Consulting Services for the City-Owned Industrial Land (COIL) Development Strategy to include the addition of a fourth phase to prepare a Strategic Design Plan for the extension of Cataraqui Industrial Estates, which shall not exceed an upset limit of $50,000.

ORIGIN/PURPOSE:

The purpose of this report is to make a recommendation to Council with respect to the need to prepare a strategic design for the extension of Cataraqui Industrial Estates as identified in the first phase of the City-Owned Industrial Land (COIL) Development Strategy.

ORIGIN/PURPOSE: (Cont’d)

On February 17, 2004, the Consultant appeared before Council as a delegation and delivered a status update regarding the progress of the COIL Strategy. The presentation focused on the results of Phase 1 (Market Analysis) of the research, as well as provided a preliminary review of the work to be done for Phase 2 (Land Use Analysis). Phase 1 of the Strategy highlighted the expansion that has occurred and continues in Cataraqui Industrial Estates in the City’s west end. It was a recommendation of the Consultant that, in addition to the high demand for land in this business park, there is a significant opportunity for the expansion of Cataraqui Industrial Estates through the preparation of a Strategic Design Plan. This report outlines a proposal to continue the work of the COIL Strategy to include a strategic design for Cataraqui Industrial Estates.

OPTIONS/DISCUSSION:

The COIL Development Strategy is being completed in three phases: Phase 1 is a Market Analysis; Phase 2 is a Land Use Analysis; and Phase 3 is a Finance and Servicing Strategy.

During Phase 1 of the COIL Strategy it was determined that recent rapid development of industrial lands is leading to a situation in which the supply of available serviced industrial properties is becoming limited in key industrial areas. In particular, Cataraqui Industrial Estates is experiencing rapid growth. The City owns significant vacant industrially-designated lands immediately adjacent to this park; however, these City-owned lands are bisected by private land holdings. The suggestion that was made was that a Strategic Design Plan should be prepared. This plan would examine the servicing and development alternatives for the park, with a view to preparing an overall development plan for the lands between Gardiners Road and Sydenham Road. This would allow for the coordination of phasing and service design, and would represent good land use planning.

The work plan for the Cataraqui Industrial Estates Strategic Design Plan would include three main tasks, which would culminate in a final Concept and Servicing Report:

- Task 1 would be the preparation of a Preliminary Concept Plan for the area;
- Task 2 would be a Detailed Site Assessment of the area, which would include: stakeholder consultation; assessments of the physical environment, transportation, servicing, soils and hydrogeology; historic uses; and environmental implications; and
- Task 3 would involve Phasing and Market Considerations.

Staff is proposing to extend the COIL Strategy with the addition of a fourth phase that would provide a Strategic Design Plan for Cataraqui Industrial Estates. The additional phase would constitute an extension of the existing contract. This would be a “direct appointment” without the roster method set out in Purchasing By-law No. 2000-134. Staff believes that there are significant benefits to proceeding in this manner: the addition of the Cataraqui Industrial Estates Strategic Design Plan would be a natural extension of the current COIL Development Strategy; and amending the current contract to permit the additional work would result in both time and financial savings to the City.

EXISTING POLICY/BY-LAW:

The three former municipalities and the four different industrial/business parks were developed under three different Official Plans without coordination or regard for an overall strategy. No recent review of the Official Plan policies or Zoning By-Law regulations has been conducted to ensure that they are consistent with market conditions or the City’s goals.
LINK TO STRATEGIC PLAN:

The Development Strategy will link to the Economic Prosperity Initiative of the Community Strategic Plan, adopted by Council on October 24, 2000. The Strategy is intended to maximize the opportunities for growing and expanding new business opportunities, based on an assessment of Kingston’s strengths and advantages. The implemented policies will ensure that lands are available and in a form suitable for development of the target businesses. It will be supported by the marketing initiatives of KEDCO and businesses in Kingston.

FINANCIAL CONSIDERATIONS:

Through the Planning Division 2004 Capital Budget, $50,000 has been requested for the additional phase of the COIL Development Strategy, which would consist of the Strategic Design Plan for Cataraqui Industrial Estates.

CONTACTS:

Bianca M. V. Bielski, Manager, Planning Division, 384-1770, ext. 3250
Cherie Mills, Supervisor, Land Use Policy, Planning Division, 384-1770, ext. 3289
Sonya Bolton, Senior Policy Planner, Planning Division, 384-1770, ext. 3237

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:

- Department of Planning and Development Services
- Legal Services
- Utilities Kingston
- KEDCO

NOTICE PROVISIONS:

N/A

APPENDICES:

N/A
Terry Willing  
Acting Commissioner of Planning & Development Services

Bert Meunier  
Chief Administrative Officer
RECOMMENDATION TO COUNCIL:

That a by-law be presented to City Council to provide for the temporary closure of Gardiners Road from O’Connor Drive South to Cataraqui Woods Drive on Wednesday April 21, 2004 from approximately 9:15 p.m. to 10:00 p.m., (Rain Date, Saturday April 24, 2004) in order to provide an appropriate clear zone for a fireworks display planned for the Canadian Tire Grand Re-Opening, 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.

4. Police officers will be hired and all requirements of the Kingston Fire Department must be met.

ORIGIN/PURPOSE:

The Canadian Tire Corporation is building a significant addition to their existing store on Gardiners Road. With this expansion, the Kingston location becomes the largest Canadian Tire Store in the country. As part of their grand re-opening celebrations, the Canadian Tire Corporation would like to have a fireworks display at approximately 9:30 p.m. on Wednesday, April 21st (Rain Date is Saturday, April 24th). In order to provide an appropriate clear zone for potential fireworks debris, Canadian Tire is requesting a
temporary street closure on Gardiners Road, from O'Connor Drive South to Cataraqui Woods Drive, for approximately 45 minutes. Local access will be allowed except for the 10 to 12 minutes during the show.

OPTIONS/DISCUSSION:

Engineering Division Staff have requested the Manager of Canadian Tire, Jason Derbyshire, to notify all property owners as instructed by the Kingston Fire Department in and around the designated clear zone area regarding this proposed event. Mr. Derbyshire has also contacted Kingston City Police and the Fire Department. Kingston City Police will be hired to control and direct traffic as follows:

- Police officers will ensure that unrestricted access on Gardiners Road is maintained for emergency services vehicles.
- At least one police officer will be posted on Gardiners Road, just north of MacRow Street, in order to redirect traffic to Midland Avenue. Vehicles requiring direct access to Gardiners Road will be permitted to proceed as far as Cataraqui Woods Drive.
- At least one police officer will be posted on Gardiners Road at Princess Street. This officer will permit motorists that require access to the Canadian Tire store to proceed as far as O'Connor Drive South where another officer will be stationed. All other traffic will be diverted to Midland Avenue.
- At least one police officer will be posted on Gardiners Road near Cataraqui Woods Drive, in order to ensure that vehicles do not enter the clear zone.

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

Not Applicable

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:

Jason Derbyshire, Manager, Canadian Tire Cataraqui, 2560 Princess Street, 561-5715
Terry Willing, Acting Commissioner, Planning & Development Services, 384-1770, ext. 3181
Speros Kanellos, P. Eng., Manager, Engineering Division, 384-1770, ext. 3133
Sgt. Chris Scott, City Police, 549-4660, ext. 6184
Robb Kidd, Assistant Fire Chief/Director of Fire Prevention, Community Services, 548-4001, ext.5107

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:

Engineering Division  
City Police  
City Fire Department

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 Meunier  
Chief Administrative Officer
TO: Bert Meunier, Chief Administrative Officer

FROM: Terry Willing, Acting Commissioner, Planning & Development Services

PREPARED BY: Wendy Tse, Senior Planner

DATE OF MEETING: March 30, 2004

SUBJECT: Application for Zone Change
842 Fortune Crescent, Kingston West
Timbren Industries Inc.-Applicant, Cumming Cockburn Ltd.-Agent
File No. D14-234-03 (Zone Change)

RECOMMENDATION TO COUNCIL:

It is recommended that the following be considered by City Council:

WHEREAS an application has been submitted by Timbren Industries Inc. with respect to property located at 842 Fortune Crescent, in Kingston West, requesting approval of a Zoning By-Law Amendment to permit limited retail development associated with commercial development on the subject lands:

WHEREAS the statutory Public Hearing was held on February 11, 2004;

THEREFORE BE IT RESOLVED that it be recommended to Council that the application for Zoning By-law Amendment (Planning File D14-234-03) submitted by Timbren Industries Inc. for lands located at 842 Fortune Crescent, BE APPROVED.

AND BE IT FURTHER RESOLVED that the following changes be incorporated into Zoning By-Law No. 76-26:

(a) **Map Changes**
That Schedule ‘A’, Zone Map, of Zoning By-Law No. 76-26, as amended, is hereby amended by changing to ‘M6-5’ Modified Restricted General Industrial Zone of the approximately 1.5 hectares (3.7 acres) subject property located at 842 Fortune Crescent, and shown as “Zone Change from M6-5 to M6-15”, on Schedule ‘A’ attached hereto.
RECOMMENDATION TO COUNCIL:

(b) **Text Changes**

1. **ADD** the following new Section 28A(3)(o) immediately following Section 28A(3)(n):

   "(o) M6-15
   Notwithstanding any provisions of Section 28A(1) to the contrary, the lands designated ‘M6-15’ on Schedule ‘A’ attached hereto, may also be used in accordance with the following:
   
   (i) a transportation depot;
   (ii) a vehicle rental establishment;
   (iii) an accessory showroom, display area, and/or retail space associated with the following uses:
       a) an assembly plant, a fabricating plant, a manufacturing plant, or a processing plant for the advertising and sale of goods produced on-site within the primary use; or
       b) a warehouse.
   (iv) Maximum Floor Area
   The maximum floor area which may be devoted to an accessory showroom, display area and/or retail space shall be the lesser of the following:
       a) 25% of the gross floor area of an individual tenant’s unit of the building, or
       b) 190 square metres of the individual tenant’s unit of the building."

AND BE IT FURTHER RESOLVED that the Amending By-Law be presented to Council for three readings at its next meeting.

ORIGIN/PURPOSE:

This report originates from the following motion made by Planning Committee at its meeting of March 11, 2004:

"That staff be directed to negotiate with the applicant regarding a breakdown of the 30% limit between the allowable uses as identified in the recommendation in Report PC022 in **(b) Text Changes** (iii) b. and that a report to the next Council meeting include that breakdown as agreed to by both parties."

The comprehensive analysis is contained in Report No. PC031.

OPTIONS/DISCUSSION:

A discussion between Staff and the applicant’s agent took place regarding the percentage of the building which may be devoted to an accessory showroom, display or retail area. Concern was raised by staff regarding the appropriateness of permitting up to 30% of a tenant’s space to be used for showroom, display or retail space, particularly within an industrial context. It was felt that 25% of an individual tenant’s space could be used for the accessory use without eroding the industrial component of the building. A survey of five comparable municipalities indicated that 25% was considered to be appropriate retail space associated with an industrial use.
OPTIONS/DISCUSSION (Cont’d):

The applicant has indicated 25% of an individual space is acceptable. A limit of 190 square metres for an individual tenant’s unit has also been placed in order to maintain an acceptable amount of floor space devoted the accessory use should there only be a single tenant. This alleviates a previous concern that the effect of 25% of the entire building being utilized for showroom, display or retail space being used by one business would be much different than 25% for each of the 3 or 4 tenants.

By placing the limits on an individual tenant’s gross floor area would prevent the transfer of non-industrial space from one unit to another so that one tenant may not have more retail space beyond the limit should another tenant not reach the maximum allowed for their particular unit. Further, the goods which may be displayed or sold are those which are processed on-site or associated with a warehouse facility. A wholesale retail establishment is not permitted in the zone.

Planning Staff also discussed with the Building Division the breakdown of the limit between showroom, display and retail areas and has advised that from an enforcement perspective, a breakdown of the components could not be easily implemented. Many industries may have the same products for display as well as for retail (a furniture manufacturer, for example), and unless the components were placed in clearly defined areas, to have separate percentages for the showroom, display and retail components would not be appropriate. To this end, the percentage contained within the recommendation is the total combined floor area of any or all of the three components.

Gardiners Road was developed and serviced by the former Township of Kingston with the anticipation of industrial development occurring. Both the current Official Plan designation and zoning reflects the industrial nature of these lands.

EXISTING POLICY/BY-LAW:
Refer to Report No. PC031.

LINK TO STRATEGIC PLAN:
Refer to Report No. PC031.

FINANCIAL CONSIDERATIONS:
Refer to Report No. PC031.

CONTACTS:
Wendy Tse, Senior Planner, Planning Division (384-1770, extension 3219); or
Bianca M. V. Bielski, Manager, Development Approvals (384-1770, extension 3250).

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:
Building Division
Planning Division, Land Use Policy

NOTICE PROVISIONS:
None required.
Terry Willing
Acting Commissioner of Planning & Development Services

Bert Meunier
Chief Administrative Officer
THE CORPORATION
OF THE
CITY OF KINGSTON

DRAFT ZONING BY-LAW TO
AMEND BY-LAW 76-26, ZONING BY-LAW
OF THE FORMER TOWNSHIP OF KINGSTON

Timbren Industries Inc.
842 Fortune Crescent

File Nos. D14-234-03
Drafted: February 2004

The Corporation of the City of Kingston
Development Review Division
216 Ontario Street
Kingston, Ontario
K7L 2Z3
NOTICE OF PASSING
OF A ZONING BY-LAW BY THE
CORPORATION OF THE CITY OF KINGSTON

The Council of The Corporation of the City of Kingston passed By-law No. 2004--____, "A BY-LAW TO AMEND BY-LAW NO. 76-26 "THE FORMER KINGSTON TOWNSHIP ZONING BY-LAW" (Site Specific –842 Fortune Crescent – Rezone to Modified Restricted General Industrial Zone (‘M6-15’), to permit showroom/display/retail space associated with an industrial use" on the ___th day of ________, 2004, under Section 34 of the Planning Act, R.S.O. 1990, as amended.

AND TAKE NOTICE that any person or agency may appeal to the Ontario Municipal Board in respect of the By-law by filing with the Clerk of The Corporation of the City of Kingston not later than the ___th day of ________, 2004, a Notice of Appeal setting out the objection to the By-law and the reasons in support of the objection. The objection must be accompanied by the fee required by the Ontario Municipal Board.

Only individuals, corporations and public bodies may appeal a Zoning By-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

AN EXPLANATION of the purpose and effect of the By-law, describing the lands to which the By-law applies, and a Key Map showing the location of the lands to which the By-law applies are attached.

DATED at the City of Kingston this ___th day of ________, 2004

Carolyn Downs, City Clerk
City of Kingston

Note: The Last Day For Filing Objections Will Be ________, 2004.
The Objection Must Be Received By This Date In Order To Be Valid.

Any appeal submitted to the City of Kingston for referral to the Ontario Municipal Board must include the following:

1. The objection to the By-law and the reasons in support of the objection.

2. The name and address of the appellant.

3. The fee required by the Ontario Municipal Board in the amount of $125.00 payable to the Minister of Finance, Province of Ontario.
EXPLANATORY NOTE CONCERNING BY-LAW NO. 2004--

AREA AFFECTED: The area affected by By-Law No. 2004-- is a 1.5 hectare (3.7 acres) parcel of land, located at 842 Fortune Crescent, at the intersection of Gardiner's Road and the north access of Fortune Crescent.

PURPOSE: The purpose of By-Law No. 2004-- is to rezone the subject land to permit showroom/display/retail space associated with industrial uses. The Zone proposed is M6-15.

EFFECT: The effect of By-Law 2004-- is to permit showroom/display/retail space to a maximum of 25% of the gross floor area of an individual tenant's unit or 190 square metres, whichever is the lesser. The showroom/display/retail space would only be permitted as an accessory use to an assembly plant, a fabricating plant, a manufacturing plant, or a processing plant for the advertising and sale of goods process in the primary use only. Showroom/display/retail space associated with a warehouse is subject to the same maximum floor area provisions.

KEY MAP: See attached copy of Schedule 'A' to By-law No. 2004--

The above is an explanation of the provisions of the amendment to the Zoning By-Law. For accurate reference, this amendment and the original By-law No. 76-26 should be consulted at the Municipal Offices during regular business hours.
THE CORPORATION OF THE CITY OF KINGSTON

BY-LAW NO. 2004--

A BY-LAW TO AMEND BY-LAW NO. 76-26 “THE FORMER KINGSTON TOWNSHIP ZONING BY-LAW” (Site Specific –842 Fortune Crescent – Rezone to Modified Restricted General Industrial Zone (“M6-15’), to permit showroom/display/retail space associated with an industrial use

PASSED:

WHEREAS the Council of the Corporation of the City of Kingston deems it advisable to amend By-Law No. 76-26, as amended, of the former Kingston Township;

NOW THEREFORE the Council of the Corporation of the City of Kingston hereby ENACTS as follows:

That Zoning By-Law No. 76-26 be amended as follows:

1. Map Changes
That Schedule ‘A’, Zone Map, of Zoning By-Law No. 76-26, as amended, is hereby amended by changing to ‘M6-5’ Modified Restricted General Industrial Zone of the approximately 1.5 hectares (3.7 acres) subject property located at 842 Fortune Crescent, and shown as “Zone Change from M6-5 to M6-15”, on Schedule ‘A’ attached hereto.

2. Text Changes
   1. ADD the following new Section 28A(3)(o) immediately following Section 28A(3)(n):

   “(o) M6-15
   Notwithstanding any provisions of Section 28A(1) to the contrary, the lands designated ‘M6-15’ on Schedule ‘A’ attached hereto, may also be used in accordance with the following:

   (i) a transportation depot;
   (ii) a vehicle rental establishment;
   (iii) an accessory showroom, display area, and/or retail space associated with the following uses:
       a) an assembly plant, a fabricating plant, a manufacturing plant, or a processing plant for the advertising and sale of goods produced on-site within the primary use; or
       b) a warehouse.
   (iv) Maximum Floor Area
       The maximum floor area which may be devoted to an accessory showroom, display area and/or retail space shall be the lesser of the following:
       a) 25% of the gross floor area of an individual tenant’s unit of the building, or
       b) 190 square metres of the individual tenant’s unit of the building.”

3. This By-law shall come into force and take effect on its passing, provided no Notice of Appeal is filed to this By-law, all in accordance with the provisions of Section 34, Subsections 19 and 30 of the Planning Act, R.S.O. 1990, c.P.-13; and where one or more appeals have been filed within the time period specified, at the conclusion of which, the provisions of Section 34, Subsections 19 and 30 of the Planning Act, R.S.O. 1990, c.P.-13 apply and the By-law shall be deemed to have come into force and take effect on the day it was passed.

GIVEN ALL THREE READINGS AND PASSED ON THE _____ day of______, 2004

City Clerk, Carolyn Downs

Mayor, Harvey Rosen
TO: Mayor Rosen and Members of Council

FROM: Bert Meunier, CAO

PREPARED BY: Sheila Hickey, Director Strategic Initiatives & Communications

DATE OF MEETING: March 30, 2004

SUBJECT: Review of Services

RECOMMENDATION TO COUNCIL:

That Council approves that:

The purpose for undertaking a Review of Services is to find long-term, sustainable solutions to ongoing budget challenges and ensure municipal services and programs are provided in the most efficient, effective manner to best meet the needs of the community.

And further;

That the Review of Services will be conducted by using a two-phased approach.

Phase 1 will identify if there are any services that are non-essential and can be discontinued to allow tax dollars to be directed to those services that are deemed appropriate. It is understood that phase 1 will not necessarily result in fewer services.

Phase 2 (which will be developed for 2005) will be to ensure that the most appropriate management and service delivery models are being used.

And further;

That Council approves the phase one objectives, as outlined in the body of this report.

And further;

That Council directs the Executive Management Team to develop criteria and bring forth a recommendation to Council that identifies a limited number of services that will be reviewed in 2004.

And further;
That Council approves the proposed structure for this project and the roles and responsibilities as defined in the body of this report.

And further;

That Council provides direction with regard to including members of the public on the Task Force.

And further;

That Council approves a reporting schedule based on milestones throughout the Review, and the timelines as identified in the Work Breakdown (Appendix “B”) of this report.

And further;

That Council approves the notion of developing of a Consultation and Communication Plan by working with the champions for the Focus Kingston, “Getting our House in Order” priority area. It is understood that this Plan will be brought back for Council approval, prior to gathering the service data.

And further;

That Council approve in principle, a step process as described in the body of this report, for dealing with displaced staff and instruct the Director of Human Resources to prepare a report that addresses considerations and identifies options for the areas under review.

And further;

That Council approves the required funding, in the amount of $200,000 to be funded from the Working Reserve Fund.

ORIGIN/PURPOSE:

The purpose of this report is to provide recommendations regarding how Council can proceed with a Review of Municipal Services. This report addresses the following items:

- Purpose, Objectives, Scope and Timing and Approach;
- Structure;
- Roles and Responsibilities;
- Communication and Consultation;
- Reporting & Timelines;
- Human Resource Policy; and
- Budget Envelope
BACKGROUND:

On October 14, 2003, report 03-251 of the Chief Administrative Officer which included a series of recommendations for conducting a “Review of Services” was presented to Committee of the Whole. This led to the following motion [Report 102 of the Committee of the Whole] being presented and approved by Council on October 28, 2003.

That Council approaches its Review of Services as follows:

- Adopt a two-phased approach, as defined in the body of this report (Report No. 03-251), with Phase 1 not necessarily resulting in fewer services; and incorporate the Review of Services into the existing “Excellence” initiative.

- Clearly define the project purpose and the desired outcomes and that Council approve the broad communication of this information.


- Invite members of staff to sit on the Task Force.

- Direct the CAO to develop an action plan to inform the citizens of Kingston that the Council is proposing a full review of public services.

- Direct the CAO to develop and action plan which specifically outlines how the public and stakeholders involved in the delivery of public services will be consulted and participate in the Review.

- Direct the CAO to work with the newly elected Mayor to develop a reporting system which ensures that City Council is informed on a regular basis on the activities of the Review Committee.

- Bring the action plan back to Council for approval prior to implementation.

OPTIONS/DISCUSSION:

PURPOSE

The original resolution of Council (April 15, 2003) identified that since 1998 Council has been confronted each year with budget challenges that will continue unless the municipality is able to find long-term sustainable solutions. The motion also referred to the 2001 Bruzzese, Minshull & Associates Inc. (BMA Inc.) Report on Municipal Competitiveness, which determined that, “While the City of Kingston ranked low-mid in terms of residential relative tax burden, the median household incomes are below the average of the survey, resulting in a ranking of high on the taxes as a percentage of income.”
The 2003 BMA Inc. Report indicates that the burden on a typical homeowner in Kingston (5.6%) is above the survey average of 5%. This is driven in part by lower than average household incomes.

The Executive Management Team (EMT) has identified a 5-year plan to achieve a more sustainable financial position by 2008, which relies on a progressive reduction in taxes and reserves. For 2004, the EMT is projecting a 4% tax increase plus a net reduction of 1.8 million in operating expenses. For the years 2005 through 2008, the projected tax increase would be limited to the cost of living with no use of reserves and a further net reduction of $1.5 million over the three year period.

The Review of Services is one strategy that will help us achieve this reduction.

Section 300 of the Municipal Act, 2001 requires municipalities to provide annual public notice of improvements and barriers to the effectiveness and efficiency of their service delivery. Under this regulation, the Minister of Municipal Affairs and Housing reserves the right to create regulations surrounding section 300. While to date, this power has not been exercised, this provision encourages municipalities to consider the current state of their delivery.

Clarity of purpose is essential to ensure this project is understood and well-managed. The following purpose statement is being proposed to clarify Council’s reasons for conducting the Review of Services.

Proposed Purpose Statement

The purpose for undertaking a Review of Services is to find long-term, sustainable solutions to ongoing budget challenges and ensure municipal services and programs are provided in the most efficient, effective manner to best meet the needs of the community.

Phase 1 will identity if there are any services that are non-essential and can be discontinued to allow tax dollars to be directed to those services that are deemed appropriate. It is understood that phase one will not necessarily result in fewer services.

In this report, the word discontinue means the municipality would stop providing the service or program altogether. The municipality could sell its assets or controlling interest to a private company (privatization) or simply stop providing the service without concern for whether the service continues. Conversely, by conducting this type of exercise the municipality would be confirming and clarifying the reason it has decided to continue delivering those services that remain.

Phase 2 (which will be developed for 2005) will be to ensure that the most appropriate management and service delivery models are being used.

The words most appropriate management and service delivery models refers to finding better, more cost effective ways of delivering the services and programs through internal improvement initiatives or by exploring Alternate Service Delivery.
OBJECTIVES OF PHASE 1

Systematically review the services and programs the municipality is currently providing to:

1. determine the degree of fit or necessity of those services and programs in terms of the achievement of public policy and strategic value (which services the municipality should be providing).
2. consult staff and the public as to how they view the service as it relates to item 1 above.
3. identify any services that do not serve the purpose of achieving of our public policy and/or strategic intentions.
4. assess the financial implications of discontinuing any services that do not serve the purpose.
5. create an exit strategy for those services that are deemed non-essential.
6. develop a framework to evaluate the fit of new business opportunities and for reviewing municipal services as part of the organization’s strategic planning exercise.

SCOPE & TIMING

Council needs to determine what services will be reviewed first. Due to workload pressures and limited resources it is recommended that Council direct the Executive Management Team to develop criteria and bring forth a recommendation to Council that identifies a limited number of services that will be reviewed in 2004. It is anticipated that the review of the initial services will be completed and submitted to Council by December 15, 2004.

APPROACH

The Review of Services will be conducted by using a two-phased approach as identified below.

| Which services and programs should the municipality be providing? | Phase 1 |
| What level of service should be provided? |
| How those services should be provided? | Phase 2 |

The question in phase one will be answered by reviewing service and opinion data. The criteria for gathering service data is illustrated in Appendix “A”. The process for gathering employee and public opinion data will be detailed in a Consultation and Communication Plan which will be presented to Council by May 1, 2004. This date will ensure there is time to provide notice and information to staff and the public, in advance of the data gathering.
STRUCTURE

The following structure is being proposed for Phase 1 of the Review. The Roles and Responsibilities for each component are defined in the next section of this report.

ROLES AND RESPONSIBILITIES

Council: Council has a critical role to play and holds the ultimate authority for decision making. Section 224 of the Municipal Act, 2001 sets out the role of Council. Many of the broad areas of responsibility prescribed in this provision impact the Review process. Council-exclusive roles are:

- To represent the public and to consider the well-being and interests of the municipality;
- To develop and evaluate the policies and programs of the municipality;
- To determine which services the municipality provides;
- To ensure that administrative practices and procedures are in place to implement the decisions of council;
- To maintain the financial integrity of the municipality; and
- To carry out the duties of council under this or any other Act.

A Work-Breakdown (Appendix "B") has been developed that illustrates what information must be presented and approved by Council, and when that should happen.

Task Force: The Task Force will oversee the process, provide guidance to the staff Review Team, review the analyses completed by the consultant, and make final recommendations to Council. Report 03-251 identified the Task Force should consist of 7 to 9 members which would include the Mayor, CAO, Councillors and staff. The report did not identify which staff or how they would be selected. It is now recommended that the staff positions be filled by unionized staff. There has also been some public interest in the Review so Council may wish to increase the size of the Task Force to include a few members of the public.
Executive Management Team: The EMT will provide liaison and coordination between their staff and the Review Team and Task Force. They will communicate the purpose, objectives, process and outcomes with their staff and will approve the staff resources to gather the service data. The EMT will work with the Strategic Initiatives office to develop the processes and tools for collecting the data. They will also play a “challenging role” by reviewing the service data and provide objective advice to the Review Team and Task Force. As the reviews are completed and following Council direction, the EMT will be responsible for implementing and reporting performance standards for the service areas selected and for leading the development of exit plans for any services that are deemed to be non-essential.

Director of Strategic Initiatives: The Director will be responsible for the following items.

- project management
- research and report writing
- work with the EMT to develop the proposed approach and the data collection tools
- secure and direct the consultant
- lead the Review Team
- provide advice to the Task Force and EMT

Review Team: The Review Team will report to the Director of Strategic Initiatives and will be responsible for organizing and facilitating the collection of service data for the service areas selected. The Departmental Representatives will coordinate the staff meetings and assist the service areas to complete the service data templates. The Review Team will communicate with staff and function as the staff resource for their respective departments. A Communications Officer will participate as a member of the Review Team. This individual will work with the Review Team, the Director of Strategic Initiatives and the Community Champions for “Getting our House in Order” to design a communications plan and consultation process for the Review. Administrative Support for the Review Team will be provided by the Strategic Initiatives project office assistant.

Service Area Staff: Staff from each approved service area will be brought together to receive information regarding the purpose of the review and to complete the service data templates. The total number of staff that participates in the data gathering exercise will depend on the services selected.

Consultant: The Consultant’s role will be to facilitate staff and public information sessions. Once the data has been gathered the Consultant will analyse the service and opinion data and prepare a recommendation for the Task Force to review. The use of an independent, third-party is being recommended to ensure objectivity in the process.

Municipal Employees: Municipal employees are responsible for participating in information sessions and sharing views, opinions and expectations.

The Public: The municipality provides services and programs primarily to satisfy public needs. The role of the public will be to share views, opinions and expectations that will help council make meaningful decisions.

Note: Additional information regarding the resources required to fulfill this plan are identified in Appendix “C” of this report.
REPORTING AND DELIVERABLES

Generally speaking, project reporting is usually done one of two ways, either by establishing a regular schedule such as monthly or bi-monthly or reporting at specific milestones. Considering Council approval will be required throughout the Review we are recommending the latter approach. The Work Breakdown (Appendix "B") identifies the components of work and the timeframe they are expected to be completed. Regular reporting to Council has been built into the work breakdown to allow Council to review and approve items as we move through the steps.

COMMUNICATION AND CONSULTATION

A Consultation Plan will be developed for Council approval. The “Getting our House in Order” priority area in the Focus Kingston strategic plan identifies the need to ensure that citizens’ and committees can be heard by City Council. We know that residents are interested in municipal efforts, particularly as it affects the services provided by the municipality. The intent is to work with the staff and community Champion for this area, to design a process to conduct effective consultation and develop procedures that can be used by staff and Council on other initiatives.

A subset of the consultation plan will be a communications plan that identifies what information will be communicated to staff and the public, when it needs to be addressed and who will be involved. This will include press releases, scheduling information sessions, invitations and letters to staff and e-city and web publications.

HUMAN RESOURCE POLICY

As recommended previously in report 03-251 and based on the experience of other municipalities we are recommending that Council provide up-front direction with regard to how it will deal with staff that may be displaced as a result of the Review. Guidelines for dealing with unionized staff are established in the various collective agreements. Article 14 – Job Security in the CUPE 109 contract (Appendix “D”) is a good example of a step process to deal with employees who are displaced. It provides for relocation first, retraining, separation settlement for those who are close to retirement, successor rights and bumping. Council may want to commit to a similar step-process for dealing with non-union staff. Once the service areas have been identified, Council may wish to have the Director of Human Resources prepare a report that addresses considerations and identifies options for the areas under review.

BUDGET REQUIREMENT

The funds for this project have been included in the CAO’s budget in the amount of $200,000.
EXISTING POLICY/BY-LAW:

There are no existing policies/by-laws concerning this subject, on record, to date.

LINK TO STRATEGIC PLAN:

This work is linked to the Getting our House in Order priority area. It is a component of the Excellence initiative to improve our organizational effectiveness and will help us achieve our corporate objectives of managing our costs and optimizing our revenues.

FINANCIAL CONSIDERATIONS:

The budget requirements for this project will be funded from the Working Fund Reserve.

CONTACTS:
Sheila Hickey – Director, Strategic Initiatives and Corporate Communications 546-4291 ext. 2221

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:

Executive Management Team

NOTICE PROVISIONS:

N/A

APPENDICES:

Appendix “A” – Service Data Criteria
Appendix “B” – Work Breakdown
Appendix “C” – Phase 1 - Resource Requirements
Appendix “D” – Article 14 –CUPE 109 collective agreement
Bert Meunier
Chief Administrative Officer
Appendix “A”

Phase 1-Service Data Criteria

To ensure consistency, data gathering for each service that is selected would be conducted by internal staff using a systematic approach to gather the following information.

<table>
<thead>
<tr>
<th>Action</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clarity of Purpose Test</td>
<td>Define primary clients &amp; stakeholders (internal &amp; external)</td>
</tr>
<tr>
<td></td>
<td>Define linkages to other internal services</td>
</tr>
<tr>
<td></td>
<td>Define the <strong>purpose or intent</strong> of the service</td>
</tr>
<tr>
<td>Public Interest Test</td>
<td>To determine how important the service is to meet the <strong>needs</strong> of the primary clients &amp; stakeholders. Is there sufficient public interest?</td>
</tr>
<tr>
<td>Role of Government Test</td>
<td>Is there a <strong>legitimate and necessary role</strong> for municipal government in this service (public policy)? Determine if service is legitimate and necessary to meet the municipality’s legal/policy mandate. Who else is involved in the delivery of the service? Can the public interest needs be met if service was no longer provided by municipal government?</td>
</tr>
<tr>
<td>Strategic Value Test</td>
<td>Is the service important and necessary for the municipality to achieve the <strong>strategic objectives</strong> defined in the community and/or corporate vision?</td>
</tr>
<tr>
<td>Cost/Benefit Test</td>
<td>What is the <strong>net cost/revenue</strong> of the service? How is it funded? Is it affordable? Are city assets required to provide this service? How are they accounted for in the net cost/revenue calculation? What are the expenditures, revenues and staff associated with providing this service?</td>
</tr>
<tr>
<td>Performance Test</td>
<td>What is the <strong>evidence</strong> that the service is meeting its intended policy and public needs objectives as identified in the above boxes? Are there established service levels for this service? Are there performance measures in place to monitor the achievement of established service levels?</td>
</tr>
</tbody>
</table>

*Initially service improvements may be limited to establishing, monitoring and reporting performance of the service area that will lead to future improvements.*

**Recommend appropriate action to either exit or improve service.**
**Appendix “B”**

**Work Breakdown for Review of Services**

<table>
<thead>
<tr>
<th>Tasks</th>
<th>Timeframe</th>
<th>Resources</th>
<th>Done</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Mission, Vision, Values Adopted (established Corporate direction)</td>
<td>Jun 03</td>
<td>Strategic Initiatives (SI)</td>
<td>✓</td>
</tr>
<tr>
<td>2 Background report presented to Council with recommended approach</td>
<td>Oct 03</td>
<td>SI</td>
<td>✓</td>
</tr>
<tr>
<td>3 Develop Corporate Balanced Scorecard (established Corporate objectives)</td>
<td>Oct 03</td>
<td>SI</td>
<td>✓</td>
</tr>
<tr>
<td>4 Report to Council to address amended motion from Oct/03 report (recommend approach, reporting system and how the public &amp; stakeholders can participate in the review)</td>
<td>Mar 23/04</td>
<td>CAO</td>
<td>✓</td>
</tr>
<tr>
<td>5 Council to confirm approach, expected outcomes, establish mandate &amp; composition of task force and provide direction regarding Human Resource policy</td>
<td>Mar 23/04</td>
<td>Council</td>
<td></td>
</tr>
<tr>
<td>6 Identify a short list of services to be reviewed first for Council approval</td>
<td>Apr 15/04</td>
<td>EMT/Council</td>
<td></td>
</tr>
<tr>
<td>7 Consultation &amp; Communications Plan designed and submitted to Council for approval (identifies how staff &amp; the public will be informed and how they can participate)</td>
<td>May 1/04</td>
<td>SI &amp; GOHO Community Champions</td>
<td></td>
</tr>
<tr>
<td>8 Staff “Review Team” organized &amp; trained (to facilitate the data gathering for selected services)</td>
<td>May 1/04</td>
<td>SI</td>
<td></td>
</tr>
<tr>
<td>9 Templates developed for gathering service data</td>
<td>May 1/04</td>
<td>SI</td>
<td></td>
</tr>
<tr>
<td>10 Establish Task Force</td>
<td>May 1/04</td>
<td>Council Support</td>
<td></td>
</tr>
<tr>
<td>11 HR report to Council regarding options for areas under review-based on Council direction of Mar 23rd.</td>
<td>May 15/04</td>
<td>HR</td>
<td></td>
</tr>
<tr>
<td>12 Consultant selected (to facilitate information sessions, perform analysis &amp; recommendations, and facilitate consultation on recommendations)</td>
<td>May 15/04</td>
<td>SI</td>
<td></td>
</tr>
<tr>
<td>13 Data gathering on selected services (this timeline is dependent upon the types and number of services that are selected for the initial review)</td>
<td>Jun-Aug 31/04</td>
<td>Staff for each service area and Review Team</td>
<td></td>
</tr>
<tr>
<td>14 Report to Council on service data findings (receive for information)</td>
<td>Sept 01/04</td>
<td>Task Force</td>
<td></td>
</tr>
<tr>
<td>15 Information sessions with staff, Council &amp; public to share/confirm service data findings</td>
<td>Sept 30/04</td>
<td>Consultant, Task Force, EMT</td>
<td></td>
</tr>
</tbody>
</table>
## Appendix “B”

<table>
<thead>
<tr>
<th></th>
<th>Analysis &amp; Recommendations (based on service data and information sessions)</th>
<th>Oct 31/04</th>
<th>Consultant</th>
</tr>
</thead>
<tbody>
<tr>
<td>17</td>
<td>Report to Council on analysis &amp; recommendations (receive for information)</td>
<td>Nov 15/04</td>
<td>Task Force</td>
</tr>
<tr>
<td>18</td>
<td>Consult/Communicate results to staff &amp; public</td>
<td>Nov 30/04</td>
<td>Consultant &amp; Review Team, Task Force</td>
</tr>
<tr>
<td>19</td>
<td>Council report to consider &amp; approve recommendations</td>
<td>Dec 15/04</td>
<td>Task Force</td>
</tr>
<tr>
<td>20</td>
<td>Develop exit plans if required</td>
<td>Jan–Mar 05</td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>Council approval of exit plans</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>Exit Service(s)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Phase 1 Resource Requirements

### Estimated Resource Requirements

<table>
<thead>
<tr>
<th>Human Resources # (FTE)</th>
<th>Division/Business Unit/and/or External Org</th>
<th>Skill/Expertise</th>
<th>Estimate Total Time (workdays)</th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>Mayor and Council</td>
<td>Political leadership &amp; decision making</td>
<td>Part of 8 Council meetings plus attendance at consultation sessions</td>
</tr>
<tr>
<td>8-11</td>
<td>Task Force-Mayor, CAO and 7-9 others combined Councillors, unionized staff &amp; possibly members of the public</td>
<td>Provide direction, oversee the process and make recommendations to Council</td>
<td>8-12 meetings plus attendance at consultation sessions</td>
</tr>
<tr>
<td>6</td>
<td>Executive Management Team (EMT)</td>
<td>Administrative leadership</td>
<td>10 days</td>
</tr>
<tr>
<td>1</td>
<td>Director, Strategic Initiatives</td>
<td>Project Lead</td>
<td>90 days</td>
</tr>
<tr>
<td>8</td>
<td>Staff Review Team-Project leader plus one staff member from each Dept, one Communications Officer, one Strategic Initiatives business analyst, Strategic Initiatives admin support</td>
<td>Facilitation of data gathering, communications</td>
<td>30 days over 5 months</td>
</tr>
<tr>
<td>1</td>
<td>Consultant</td>
<td>Internal &amp; public consultation, data analysis &amp; recommendations</td>
<td>TBD</td>
</tr>
<tr>
<td>Depends on services selected</td>
<td>Service Area Staff – from the service areas under review-</td>
<td>Gather service data</td>
<td>Depends on services selected</td>
</tr>
<tr>
<td>1</td>
<td>Committee Clerk-to support the Task Force</td>
<td>Administrative Support</td>
<td>8-12 meetings</td>
</tr>
</tbody>
</table>
Appendix "D"

**ARTICLE 14 – JOB SECURITY**

14.01 The Employer shall retain the responsibility and the right to determine the methods through which municipal services are provided. However, in the event that an employee is displaced from his/her job by technological change and/or the contracting out of work and/or is given notice of lay-off, prior to exercising the right to bump in accordance with Article 15.03, the Corporation will first attempt to:

(a) Relocate the employee in another job in his/her area of competency if such is available within the Corporation.

(b) If (a) is not possible, but a position is available for which the employee could be retrained, assume responsibility for the retraining of the employee for a period of three (3) months.

(c) Notwithstanding the foregoing, employees within five (5) years of normal retirement, in receipt of lay-off notice may choose to accept lay-off or may choose to retire. The Employer agrees to provide three (3) months' notice and provide him/her with a separation settlement of two (2) weeks' salary per year of service to a maximum of fifty-two (52) weeks.

(d) In the event the Employer "sells" a business or ceases to provide a service, the Employer will make every effort to deploy the affected employees with the new service provider, should one exist.

In the event the right to displace (bump) in accordance with Article 15.03 provides the employee with an opportunity of a wage rate that is greater than the options under (a) and (b) above, the employee shall retain that right at his/her option, to be decided upon within two (2) working days of receipt of option.

14.02 Notwithstanding the foregoing, no employee hired prior to January 1st, 1992 shall be laid-off during the term of this Collective Agreement.

14.03 Should there be an introduction of new equipment or technology and advance training is necessary to meet the technological changes, the Employer will provide such training for affected employees. In the event an employee fails to meet the required standards within a period of three (3) months, the employee shall be given lay off notice and may exercise his/her rights in accordance with Article 15.