CITY OF KINGSTON
REPORT TO COUNCIL

TO: Bert Meunier, Chief Administrative Officer
FROM: Lance Thurston, Commissioner, Department of Community Services
PREPARED BY: Greg Grange, Manager, Housing Division
DATE OF MEETING: 2004-06-01
SUBJECT: Water Testing, Monitoring, and Reporting for Rural Non-Profit Housing Projects

RECOMMENDATION TO COUNCIL:

WHEREAS the City of Kingston approved the issuance of an R.F.P. for Water Testing, Monitoring and Reporting for Rural Non-Profit Housing Projects; and,

WHEREAS the committee composed of City of Kingston staff and representatives of the three Housing Providers affected have reviewed the four submissions received;

THEREFORE BE IT RESOLVED that City Council, as Service Manager under the Social Housing Reform Act, 2000, approve awarding the contract to MacLellan Water Technology for a one year period in the amount of $56,345, the lowest bid received, with a possible extension for an additional year subject to successful contract negotiations in a form acceptable to the Legal Service Division of the City of Kingston;

AND FURTHER THAT the Mayor and City Clerk be authorized to sign such agreement which will be administered for the initial one year period by the Housing Division, City of Kingston in a pilot project.

ORIGIN/PURPOSE:
To seek Council’s authorization to award a contract for rural water system testing, monitoring and reporting at three rural housing complexes operated by Kingston & Frontenac Housing Corporation (Verona), Kingston Municipal Non-Profit Housing Corporation (Country Pines), and Loughborough Non-Profit Housing Corporation (Sydenham).

OPTIONS/DISCUSSION:
The Province of Ontario enacted the Safe Drinking Water Act, 2002 that enforces water system testing, monitoring and reporting. Regulatory provisions under Ontario Regulation 170/03 for “non-municipal, year round residential” systems impose specific obligations for housing providers in the service area of the City of Kingston and the County of Frontenac.

To ensure compliance with legislation and reduce costs for water testing the Service Manager issued an RFP in February 2004.
Following RFP submissions received from four vendors in April, the Evaluation Committee reviewed proposals in detail based on the following selection criteria:

- The company must have related experience, qualified personnel, and use approved products
- Solutions approach and work methodology
- Product delivery costs
- Compliance with Ontarians with Disabilities Act
- Compliance with the RFP format

MacLellan Water Technology has been selected as the qualifying proponent that met the eligibility requirements and had the lowest bid in the amount of $56,345

EXISTING POLICY/BY-LAW:
The three housing providers in question have operating agreements with the City as the Service Manager for social housing in Kingston and Frontenac.

LINK TO STRATEGIC PLAN:
Kingston Community Strategic Plan identified Getting Our House in Order as a priority. This entails establishing an effective and efficient municipal corporation. The awarding of this contract will reduce costs while continuing to follow provincial legislation.

FINANCIAL CONSIDERATIONS:
The costs associated with each Housing Provider will be allocated between the City of Kingston and County of Frontenac based on the Local Services Realignment Agreement.

CONTACTS:
Greg Grange, Manager, Housing Division (613)546-4291 ext. 1265
Lawrence Cleary, Supervisor of Finance, Housing Division (613)546-4291 ext. 1263

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:
Liz Fulton/Marian VanBruinessen, County of Frontenac
*Gerard Hunt, Manager of Finance, Finance Division
*Denis Leger, Commissioner, Department of Corporate Services
*Cheryl Mastantuona, Manager, Policy & Support Services
*Francyne Givogue, General Manager, Kingston & Frontenac Housing Corporation
Barb Butler, Acting General Manager, Kingston Municipal Non-Profit Housing Corporation
Sandra Weston, Administrator, Loughborough Non-Profit Housing Corporation
*Janis Morrison, Purchasing Agent, Finance Division
*Mila Kolokolnikova, Supervisor of Program, Policy & Research, Housing Division
RULAC
(*Comments have been received and/or incorporated)

NOTICE PROVISIONS:
There are no existing notice requirements under the Municipal Act concerning this subject, on record, to date.

APPENDICES:
Appendix “A” – List of submissions and ranking
Report No: 04-182

Lance Thurston,
Commissioner, Department of Community Services

Bert Meunier
Chief Administrative Officer
Submissions and ranking:

1. MacLennan Water Technology
2. Utilities Kingston
3. D & D Electrocraft Limited
4. GWM Environmental

The submissions were ranked according to the weighted scoring system explained in the EVALUATION OF PROPOSALS section of the RFP.

MacLennan Water Technology had the lowest submission at $56,345.
TO: Bert Meunier, Chief Administrative Officer
FROM: Mark Segsworth, Commissioner of Operations
PREPARED BY: Malcolm Morris, Transit Manager
DATE OF MEETING: June 1, 2004
SUBJECT: Queens University and St. Lawrence College Transit Pass Program

RECOMMENDATION TO COUNCIL:

That Council authorize the Mayor and Council Support Manager to execute the following agreements in a form satisfactory to the Director of Legal Services:

a) the Busit Agreement contract with the Alma Mater Society of Queen’s University to provide universal access to transit service in the City of Kingston;

b) the Busit Agreement with the Student Association of St. Lawrence College to provide universal access to transit service in the City of Kingston.

ORIGIN/PURPOSE:

Operations Department- Transit Division

To formalize the continuance of service agreements with the Alma Mater Society (AMS) of Queen’s University and the Student Association (SA) of St. Lawrence College.

OPTIONS/DISCUSSION:

Kingston Transit and the Alma Mater Society (AMS) of Queen’s University have partnered since 1990 on a tuition-based transit pass program called Busit. The Busit program gives all full-time Queen’s University students, with a valid student I.D. card, universal access to the entire transit system. The pass is financed through an activity fee levied by the AMS to all full-time students. Aside from access to our regular fixed route service, the Busit program also includes a late night shuttle connecting the west and main campuses. Kingston was one of the first municipalities in Canada to introduce such a tuition-based program and many transit systems across the country have modeled their post-secondary school transit pass programs on our Busit arrangement.
A similar arrangement has been in place with the Student Association of St. Lawrence College since 1995. The subject contracts will expire at the end of the 2005/2006 academic year.

EXISTING POLICY/BY-LAW:

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

LINK TO STRATEGIC PLAN:

Not applicable.

FINANCIAL CONSIDERATIONS:

The AMS Busit contract is valued at $618,000 for the 2004/2005 academic year while the contract with the SA is valued at $372,000 for the same period.

CONTACTS:

Malcolm Morris, Transit Manager, (613) 546-4291 extension 2260

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:

Legal Division, Corporate Services Department

NOTICE PROVISIONS:

APPENDICES:

Mark Segsworth, P.Eng
Commissioner of Operations

Bert Mennier
Chief Administrative Officer

K:TrsptdReports & Attachments/TRST service & Sales Agrmts 04-198
TO: Bert Meunier, Chief Administrative Officer

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

PREPARED BY: Steven Chew, Senior Planner

DATE OF MEETING: June 1, 2004

SUBJECT: Application To Lift Part Lot Control –
Lots 24, 25, 26, 27, 28, 29; Plan 13M-50 (Augusta Drive)
Lyndenwood Subdivision – Phase 2, Stage 1, Geertsma Homes Ltd.
Our File No. D27-003-2004

RECOMMENDATION TO COUNCIL:

WHEREAS Geertsma Homes Ltd, on behalf of the Owner, J.A. Pye (Ontario) Ltd., has submitted an application to lift Part Lot Control from Lots 24, 25, 26, 27, 28 and 29 inclusive of Registered Plan 13M-50 (Augusta Drive) of the Lyndenwood Subdivision (Phase 2, Stage 1), located in Kingston West, which lands are located on the east side of Augusta Drive just north of the intersection of Augusta Drive and Bradstone Street; and

WHEREAS the Owner has complied with the conditions for the Lifting of Part Lot Control, the approval of which will facilitate the conveyance of six (6) residential lots on the affected lands known as Lots 24 - 29 inclusive of Plan 13M-50 (Augusta Drive):

THEREFORE BE IT RESOLVED that it be recommended to the Council of The Corporation of the City of Kingston that the application to Lift Part Lot Control (Our File No. D27-003-2004) for Lots 24 - 29 inclusive of Plan 13M-50 (Augusta Drive), Lyndenwood Subdivision (Phase 2, Stage 1), BE APPROVED.

AND BE IT FURTHER RESOLVED that a By-Law be passed to Lift Part Lot Control for Lots 24 - 29 inclusive of Plan 13M-50 (Augusta Drive), Lyndenwood Subdivision (Phase 2, Stage 1).

AND BE IT FURTHER RESOLVED that the By-Law be presented to receive all three readings from City Council.

(The Draft By-Law is appended to this report as Appendix No. 1 for Council’s review and consideration.)
ORIGIN/PURPOSE:
This matter originates in the submission of an application for Part Lot Lift for Lots 24 to 29 inclusive of Registered Plan 13M-50, which consists of residential lots located on the east side of Augusta Drive, north of Bradstone Street, submitted by Geertsma Homes Ltd on behalf of the owner, J.A. Pye (Ontario) Ltd. The purpose of this report is to assess the merits of the request and to make a recommendation to Council on the Application to Lift Part Lot Control.

OPTIONS/DISCUSSION:

(a) Site Location and Description:
The site consists of six (6) residential lots, being Lots 24 to 29 inclusive of Plan 13M-50. These lots are zoned a site specific Medium Density Residential Special Zone One ‘MDR*1’ by Zoning By-Law No. 97-102. The subject lands are located on the east side of Augusta Drive, north of Bradstone Street and are situated in Phase 2, Stage 1 of the Lyndenwood Subdivision.

The Lyndenwood Subdivision consists of single family dwellings and a mix of row dwellings and is part of the Cataraqui North Neighborhood.

(b) Background:
The purpose of this application is to address a non-compliance with the Ontario Building Code (Limiting Distance) due to the placement of openings (windows) on the northern exterior wall of the existing two model homes and for the future development on the remaining lots. The correction will re-align the northern lot lines by shifting them approximately two (2) feet northerly for the six (6) lots. The lots will comply with all provisions of the Medium Density Residential Special Zone One ‘MDR*1’ Zone.

The Ontario Building Code does not permit openings (windows) to be located within 1.2m (4 feet) of a lot line. During the construction of homes on Lots 24 and 25, the structures were inadvertently located 0.6m (2 feet) to the northern lot line, thus causing the windows on that side of the home be contravene the Ontario Building Code. Fortunately, locating these houses too far to the north left the southern side yard 0.6m (2feet) wider than necessary, thus allowing the lot boundaries to be adjusted without affecting any other Zoning By-Law or Ontario Building Code requirement.

In light of this non-compliance with the Ontario Building Code, construction on the remaining vacant lots (Lots 26 - 29) cannot proceed. The effect of these boundary adjustments is to bring the existing situation into compliance with the Ontario Building Code and to allow construction to proceed on the vacant lots. There are no land use planning implications.

(c) Procedural Information:
Applications to Lift Part Lot Control (Section 50 of the Planning Act) are generally submitted for plans of subdivision containing semi-detached lots or residential blocks and are not subject to the holding of a public meeting. The Planning Act provides that the Council of the Municipality may, by By-Law, provide that Section 50 (5) of the Planning Act does not apply to land that is within a registered plan or plans of subdivision or parts thereof. The lifting of Part Lot Control allows for the separate ownership of lots or dwellings without the necessity of each owner having to apply to
OPTIONS/DISCUSSION (Cont’d):

(c) **Procedural Information (Cont’d):**

the Committee of Adjustment for a Consent to Conveyance. After the By-Law is passed by Council, it is registered on title and the process is complete. Applications for the lifting of Part Lot Control are generally submitted once the Subdivision Agreement has been signed and the final layout of the subdivision has been determined.

By-Laws to Lift Part Lot Control are typically technical in nature as the planning issues related to the development and use of the subject lands have been established as part of the initial rezoning process and the key decisions with respect to the physical form of development have been determined by Planning Committee and Council as part of the subdivision review process. Also, any technical issues and required clearance letters are generally addressed through the Subdivision review process and the standard Subdivision Agreement. Pursuant to Council’s adopted procedures (Clause 5, Report No. 7, Meeting No. 2, held on 1998-12-15), reports dealing with applications for the Lifting of Part Lot Control are referred directly to City Council by staff. This process was instituted as a customer service initiative to reduce the processing time for applications and in recognition of the fact that the key decisions with respect to land use and the physical form of development have been determined by the Planning Committee and City Council. This direct process was determined to be more efficient given the fact that such applications are generally submitted towards the end of the planning process when timing may be critical to the developer.

(d) **Analysis:**

The Registered Plan of Subdivision for Phase 2, Stage 1 of the Lyndenwood Subdivision created Lots 24 to 29 on Plan 13M-50.

The Applicant is proposing, through the removal of Part Lot Control, to re-align the northern lot lines by shifting them approximately two (2) feet northerly for the six (6) lots. This does not affect compliance with the existing Medium Density Residential Special Zone One ‘MDR*1’.

The civic addresses will not be affected, since new lots are not being created. The proposed property lines should be approved by Engineering Services and Utilities Kingston to ensure that individual house services do not cross boundary lines and that no easements are required.

The Lifting of Part Lot Control for the Lots 24 – 29 inclusive (Augusta Drive), on Plan 13M-50 in Phase 2, Stage1 of the Lyndenwood Subdivision is considered to be appropriate because:

i. there is little impact to the area and it is necessary to address an Ontario Building Code infraction; and,

ii. there is no major alteration to the approved subdivision, therefore, an amendment to the subdivision agreement is not required.

(e) **Conclusion:**

The Applicant’s request to Lift Part Lot Control to permit the relotting of the six (6) lots as shown on the draft reference plan submitted with this application is consistent with the Official Plan and Zoning By-Law and represents good planning. The lots are an appropriate size for the intended use. The reconfigured lots comply with the Zoning By-Law and maintain its general purpose and intent. It is therefore recommended that Council Lift Part Lot Control for Lots 24 to 29 inclusive, Registered Plan 13M-50, Phase 2, Stage 1 of the Lyndenwood Subdivision.
LINK TO STRATEGIC PLAN:
The Strategic Plan promotes responsible new development.

FINANCIAL CONSIDERATIONS:
No financial implications are to be considered in this report.

CONTACTS:
Further information regarding this application and the contents of this report may be obtained by contacting:
- Steve Chew, Senior Planner
- George Wallace, Supervisor-Development Approvals
- Bianca M.V. Bielski, Manager, Planning Division

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:
Engineering Services – Don Brodie, ext. 3146
Utilities Kingston - Sarah Jarvis, ext. 2288
Building Division – Bill Douglas, ext. 3263

NOTICE PROVISIONS:
No notice requirements necessary.

APPENDICES:
Appendix No. 1 - Draft By-Law to Lift Part Lot Control
THE CORPORATION
OF THE
CITY OF KINGSTON

DRAFT BY-LAW
LIFTING OF PART LOT CONTROL

Geertsma Homes Ltd. (Owner)
Phase 2, Stage 1, Lyndenwood Subdivision
Lots 24 to 29 Inclusive Registered Plan 13M-50

East side of Augusta Drive
North of Bradstone Street

File No. D27-003-2004
Drafted: 2004-05-07

The Corporation of the City of Kingston
Planning Division,
Planning and Development Services
216 Ontario Street,
Kingston, Ontario
K7L 2Z3
BY-LAW NO. 2004-______

A BY-LAW TO EXEMPT CERTAIN LANDS ON REGISTERED PLAN 13M-50 FROM THE PROVISIONS OF SECTION 50 (5) OF THE PLANNING ACT, R.S.O. 1990, CHAPTER P.13, AND AMENDMENTS THERETO (Lots 24, 25, 26, 27, 28 & 29 on Plan 13M-50 – Phase 2 Stage 1, Lyndenwood Subdivision).

PASSED: ______________________, 2004

WHEREAS Section 50 (5) of the Planning Act, R.S.O. 1990, as amended, provides that no owner may convey a part of any lot or block which is within a Registered Plan of Subdivision without the consent of the Committee of Adjustment or Land Division Committee, as the case may be, unless the land is being acquired or disposed of by the Federal or Provincial Government or by any Municipality or that is being acquired for the construction of a transmission line, and

WHEREAS Section 50 (7) of the Planning Act, R.S.O. 1990, as amended, provides that the Council of the Municipality may, by By-Law, provide that Section 50 (5) of the Planning Act does not apply to the land that is within a registered plan or plans of Subdivision or parts thereof, and

WHEREAS Geertsma Homes Ltd. has requested an exemption from Part Lot Control for Lots 24 to 29 Inclusive of Registered Plan 13M-50, such exemption being for the purpose of bringing two (2) homes into compliance with the Ontario Building Code (Limiting Distance) due to the placement of openings (windows) on the northern exterior wall of the existing three model homes and for the future development on the remaining lots, in order to re-align the northern lot lines by shifting them approximately two (2) feet northerly for the six (6) lots, while complying with the existing Medium Density Residential ‘MDR-1’ Zone.

NOW THEREFORE BE IT RESOLVED that the Council of The Corporation of the City of Kingston hereby ENACTS as follows:

1. Subsection (5) of Section 50 of the Planning Act R.S.O. 1990 as amended does not apply to Lots 24 to 29 inclusive of Registered Plan 13M-50, Lyndenwood Subdivision; Phase 2, Stage 1.

2. Schedule "A" is hereby declared to form part of this By-Law.

3. This By-Law shall come into force and take effect on the date of its passing.

GIVEN ALL THREE READINGS AND FINALLY PASSED ON THE ___ day of ____, 2004.

Mayor, Harvey Rosen

City Clerk, Carolyn Downs
The Corporation of the City of Kingston

Key Map

Applicant: Geertzma Homes Ltd.
File No.: D27-003-2004
Address: Augusta Drive
Plan No.: Lots 24, 25, 26, 27, 28, 29; Plan 13M-50
Lot/Conc.: Roll No.:

Legend:

Subject Lands

Scale: Metric
0 15 30 45 m

This map is not to be used for precise scaling.

Date: May 6, 2004
Prepared By: T. Fisher
KID27004/D27-003-2004
The Corporation of the City of Kingston

Schedule 'A' to By-law No.

**Applicant:** Geertsma Homes Ltd

**File No.:** D27-003-2004

**Address:** Augusta Drive

**Plan No.:** Lots 24 to 29, Plan 13R-50

**Lot/Conc.:** 

**Scale:** Metric

This map is not to be used for precise scaling.

Date: May 7, 2004

Prepared by: T. Fisher
SURVEY OF
Ts 24, 25, 26, 27, 28 & 29
PLAN 13M-50
Township of Kingston
City of Kingston
NTENAC

I REQUIRE THIS PLAN DEPOSITED UNDER LAND TITLES ACT.

DATE
APRIL

DAN J. CORMAN
ONTARIO LAND SURVEYOR

LEGEND:

SURVEYOR'S CERTIFICATE:
1. The above survey is
2. The survey was

DATE: APRIL, 2004