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<td>b) Parking Restrictions on Montreal Street between Russell Street &amp; Briceland Street (04-339), schedule pages 4-8</td>
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<tr>
<td>f) Application to Lift Part Lot Control – Jovinton Developments Ltd. – Midland Park Subdivision (04-349), schedule pages 19-28</td>
<td></td>
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<td>g) Application to Lift Holding “-H” Symbol – Jovinton Developments Ltd. – Midland Park Subdivision (04-350), schedule pages 29-38</td>
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<td>h) Award of Tender No. PDS-ENG-2004-5 – Installation of Steel Beam Guide Rail &amp; Three Cable Guide (04-344), schedule pages 39-41</td>
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<td>m) Application for Tile Drainage Loan under <em>Tile Drainage Act</em> (04-356), schedule pages 57-59</td>
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<td>n) Davis Tannery Request for Proposal (RFP) (04-346), schedule pages 60-64</td>
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</tr>
<tr>
<td>o) Repeal &amp; Re-Passing of By-Laws – Zoning By-Law Amendments to Comply with Notice Provisions of the Planning Act (04-361), distributed separately</td>
<td></td>
</tr>
</tbody>
</table>
## ORDERS OF THE DAY

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<thead>
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<th>14-15</th>
</tr>
</thead>
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</tr>
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</tr>
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<td>Adjournment</td>
<td>33</td>
</tr>
</tbody>
</table>
ROLL CALL

THE COMMITTEE OF THE WHOLE “IN CAMERA”

1. THAT Council resolve itself into the Committee of the Whole “In Camera” to consider the following item(s):
   (a) Legal Matter

2. THAT Council rise from the Committee of the Whole “In Camera” without reporting.

DISCLOSURE OF PECUNIARY INTEREST

PRESENTATIONS

(1) Margaret Willott, Executive Coordinator, Kingston Hospitals Restructuring Committee, will speak to Council concerning the advanced role of the Kingston Academic Health Sciences Centre and how it contributes economically within Kingston and the region.
   (File No. CSU-C13-000-2004)

DELEGATIONS

PETITIONS

(1) A petition, bearing approximately 59 signatures, was presented by Lydia MacPherson and reads as follows:

   We, the undersigned, are in opposition to the following and for the following reasons:
   (a) A 25% increase for water over 25 cubic meters per month. - The majority of people will use 25 cubic meters only when it is necessary during the summer months when it is extremely hot. The majority of people will require more than 25 cubic meters for reasons of health, family size, or visitors coming to their home.
   (b) A restriction of sprinkler use between 5 am and 9 am. - Firstly, seniors, working people, students all have lifestyles which does not allow them to wake up at 4 am just to start watering their yards. Most workers are at their jobs at 9 am and would not be back home to turn off their sprinklers. Secondly, if we are paying for the water use, why shouldn't we decide when we wish to water? Should a ban on water be required, why not between the hours of 11 am and 5 pm.
PETITIONS

(c) Increases in water charges – Firstly, not everyone in Kingston is being monitored as of July 29, 2004. Why should the rest of us pay for their usages? Secondly, why does the homeowner have their fees higher than commercial fees for overages?

(d) Kingston Utilities has not proved that their present ban of water conserves our water supply. – Firstly, if you use 25 cubic meters between 5 am and 9 am or you use 25 cubic meters between 5 pm and 10 pm, you still use 25 cubic meters. Secondly, a tower for the west end should be built and generators should be maintained at all times. This would eliminate a fire-safety issue for residents of Kingston.

REFERRED TO THE PRESIDENT & CEO OF UTILITIES KINGSTON

MOTIONS OF CONGRATULATIONS/CONDOLENCE/SPEEDY RECOVERY

Motions of Congratulations, Sympathy, Condolences and Speedy Recovery are presented in order of category as one group and voted on as one motion.

(1) Motions of Condonelence

(a) Moved by Mayor Rosen
   Seconded by Deputy Mayor Foster
   THAT the condolences of Kingston City Council be extended to Stephen Skinner, Manager of Systems Administration, and family on the death of his father.

(b) Moved by Councillor Garrison
   Seconded by Councillor Meers
   THAT the condolences of Kingston City Council be extended to Beverly Lancastle, Senior Customer Service Representative, and family on the death of her husband, the late Bill Lancastle, Solid Waste Division.

(2) Motion of Best Wishes

(a) Moved by Councillor Sutherland
   Seconded by Councillor Garrison
   THAT the best wishes of Kingston City Council be extended to George Wallace, Supervisor of Development Approvals, for a speedy recovery.
   (File No. CSU-M11-000-2004)
REPORTS

REPORT NO. 76 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

Report No. 76

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

All items listed on the Consent Report shall be the subject of one motion and that motion shall be neither debatable nor amendable. However, any member may ask for any item(s) included in the Consent Report to be separated from that motion, whereupon the consent report without the separated item(s) shall be put and the separated item(s) shall be considered immediately thereafter.

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

(a) WHEREAS, in accordance with the Municipal Act, SO 2001, 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 real property known as Part 1 – 13R-16563 and located at the base of Queen Street, in the City of Kingston, and;

WHEREAS, as of this date, no requests to be heard have been received by the City as provided for in the notice;

THEREFORE BE IT RECOMMENDED THAT:

– Council approve the stopping-up and closing of the portion of Queen Street described as Part 1 – 13R-16563.
– Council authorize the sale of Part 1–13R-16563 at fair market value, based on a professional appraisal solicited by the City of Kingston;
– Council authorize the retaining of City easements for access to the underground services located in Part 1 – 13R-16563;
– The Mayor and Clerk be authorized and directed to sign the necessary agreements to give effect thereto; and
– The rules of By-Law No. 98-1 “Council Procedural By-Law” be waived and that the by-law receive three readings this evening.

(File No. CSU-T09-000-2004; CSU-L19-000-2004)
(See By-Law No. (1), 2004-270; By-Law No. (2), 2004-271)
(The Report of the Commissioner of Operations (04-351) is attached as Schedule Pages 1-3)
**REPORT NO. 76 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)**

(b) THAT a by-law be presented to amend By-Law No. 24 “Traffic” to change the existing parking restrictions on Montreal Street, as follows:

<table>
<thead>
<tr>
<th>By-Law No. 24, Section 10(b) – Bus Stops</th>
<th>Delete:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Montreal Street (E/S) opposite Briceland Avenue</td>
<td>80 feet (By-Law No. 8089-1974)</td>
</tr>
<tr>
<td>Montreal Street (W/S) at Briceland Avenue</td>
<td>from Briceland Avenue 60 feet southerly (By-Law No. 8089-1974)</td>
</tr>
<tr>
<td>Montreal Street (E/S) at CPR Tracks</td>
<td>60 feet from CPR Tracks southerly (By-Law No. 4455-1963)</td>
</tr>
<tr>
<td>Montreal Street (E/S) 614 feet north of CPR Tracks</td>
<td>60 feet northerly (By-Law No. 4455-1963)</td>
</tr>
<tr>
<td>Montreal Street (W/S) 614 feet north of CPR Tracks</td>
<td>60 feet northerly (By-Law No. 4455-1963)</td>
</tr>
<tr>
<td>Montreal Street (E/S) 309 feet north of CPR Tracks (opposite Elders Beverages)</td>
<td>60 feet northerly (By-Law No. 4455-1963)</td>
</tr>
<tr>
<td>Montreal Street (E/S) at Elliott Avenue</td>
<td>80 feet from Elliott Avenue southerly (By-Law No. 7688-1973)</td>
</tr>
<tr>
<td>Montreal Street (W/S) at Elliott Avenue</td>
<td>330 feet south of Elliott Avenue southerly 60 feet (By-Law No. 4455-1963; 95-224-1995)</td>
</tr>
<tr>
<td>Montreal Street (E/S) 475 feet north of Hickson Avenue</td>
<td>60 feet northerly (By-Law No. 4455-1963)</td>
</tr>
<tr>
<td>Montreal Street (W/S) 430 feet north of Hickson Avenue</td>
<td>60 feet northerly (By-Law No. 4455-1963)</td>
</tr>
<tr>
<td>Montreal Street (E/S) at Hickson Avenue</td>
<td>60 feet from Hickson Avenue southerly (By-Law No. 4455-1963)</td>
</tr>
<tr>
<td>Montreal Street (W/S) at Hickson Avenue</td>
<td>60 feet from Hickson Avenue northerly (By-Law No. 7688-1973)</td>
</tr>
<tr>
<td>Montreal Street (W/S) at Railway Street</td>
<td>60 feet from Railway Street southerly (By-Law No. 80-4-1979/80)</td>
</tr>
</tbody>
</table>

**By-Law No. 24, Section 10 (c) – No Parking at Corners**

Delete:
| Montreal Street (E/S) at Rideau Street | 230 feet southerly (By-Law No. 6093(b)-1968) |
| Montreal Street (W/S) at Rideau Street | 408 feet northerly (By-Law No. 6093(b)-1968) |
| Montreal Street (W/S) at Rideau Street | 120 feet southerly (By-Law No. 6093(b)-1968) |
# REPORT NO. 76 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

## REPORTS

### By-Law No. 24, Section 18 – Various Parking

**Delete:**

<table>
<thead>
<tr>
<th>Montreal Street</th>
<th>West side – No Parking (See Section 19)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Montreal Street</td>
<td>(By-Law No. 3760-1961)</td>
</tr>
</tbody>
</table>

### By-Law No. 24, Section 19 – Non-Parking

**Delete:**

<table>
<thead>
<tr>
<th>Montreal Street</th>
<th>East side</th>
</tr>
</thead>
<tbody>
<tr>
<td>from 60 feet south of Hickson Avenue northerly 276 feet</td>
<td>(By-Law No. 81-230 – 1981)</td>
</tr>
<tr>
<td>from 222 feet south of Hickson Avenue southerly 320 feet</td>
<td>(By-Law No. 93-377 – 1993)</td>
</tr>
<tr>
<td>Hickson Avenue to Elliott Avenue</td>
<td>(By-Law No. 3760 – 1961)</td>
</tr>
<tr>
<td>Rideau Street to 270 feet northerly</td>
<td>(By-Law No. 83-159 – 1983)</td>
</tr>
<tr>
<td>from 380 feet north of Rideau Street northerly 40 feet</td>
<td>(By-Law No. 88-104 – 1988)</td>
</tr>
<tr>
<td>Russell Street to Railway Street</td>
<td>(By-Law No. 79-129 – 1979)</td>
</tr>
<tr>
<td>from 197 metres north of Railway Street northerly 52 metres</td>
<td>(By-Law No. 2000-10 – 2000)</td>
</tr>
</tbody>
</table>

**Add:**

<table>
<thead>
<tr>
<th>Montreal Street</th>
<th>East side – Parking Prohibited on Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>from Russell Street to Briceland Street</td>
<td>Parallel Parking only in Parking Bays</td>
</tr>
<tr>
<td>from Russell Street to Briceland Street</td>
<td>West side – Parking Prohibited on Street</td>
</tr>
</tbody>
</table>

(File No. CSU-T02-000-2004)

*(See By-Law No. (3), 2004-272)*

(The Report of the Acting Commissioner of Planning & Development Services (04-339) is attached as Schedule Pages 4-8)
REPORTS

REPORT NO. 76 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

(c) THAT Council grant permission to the successful contractor for this project to close portions of Division Street as follows:

- Division Street from Fraser Street to Railway Street 26 working days
- Division Street from Railway Street to Barbara Avenue 20 working days
- Division Street from Barbara Avenue to Kirkpatrick Street 41 working days
- Division Street from Kirkpatrick Street to Day Street 20 working days

--and further--

THAT Council authorize the Manager of Engineering to approve commencement dates at such time as the contract is awarded and scheduling confirmed;

--and further--

THAT all road closures will be advertised in the local paper prior to the closings and all service providers will be notified in advance.

(File No. CSU-T08-000-2004)

(See By-Law No. (4), 2004-273)

(The Report of the Acting Commissioner of Planning & Development (04-343) is attached as Schedule Pages 9-12)

(d) THAT a by-law be presented to City Council to provide for the temporary closure of Ontario Street between Brock Street and Market Street on Friday, December 3, 2004 from 5:00 pm to 8:30 pm, and Ontario Street from Clarence Street to West Street and West Street up to King Street from 6:15 pm to 8:00 pm on Friday, December 3, 2004, for community purposes (The Jingle Bell Walk), subject to the following conditions:

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

(File No. CSU-T08-000-2004)

(See By-Law No. (5), 2004-274)

(The Report of the Acting Commissioner of Planning & Development Services (04-338) is attached as Schedule Pages 13-16)
REPORT NO. 76 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

(e) **THAT** By-Law No. 98-9, “A By-Law To Appoint Municipal Law Enforcement Officers Of The Corporation Of The New City Of Kingston”, be amended to include **Brandi Timpson** under Section 1 (r), who will be appointed as a Municipal Law Enforcement Officer who shall be a Peace Officer for the purpose of enforcing the by-laws of the Municipality, as provided for under Section 15 of the Police Services Act, RSO 1990(c), P15, as amended, and;

**THAT** the by-law received three readings on this occasion.
(File No. CSU-H00-000-2004; CSU-P01-000-2004)
(See By-Law No. (6), 2004-275)
(The Report of the Commissioner of Operations (04-342) is attached as Schedule Pages 17-18)

(f) **WHEREAS** Jovinton Developments Limited (Owner) has submitted an application requesting that Part Lot Control be lifted from Lots 121 to 125, Registered Plan 13M-36, of the Midland Park Subdivision, the subject lots being located on the east side of Sierra Avenue in Kingston West, 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 larger lots for single detached dwellings on the affected lots;

**THEREFORE BE IT RESOLVED THAT** the application to Lift Part Lot Control (Our File No. D27-005-2004) for Lots 121 to 125 inclusive of Registered Plan 13M-36 of the Midland Park Subdivision **BE APPROVED**;

—**BE IT RESOLVED THAT** a by-law be passed to Lift Part Lot Control from Lots 121 to 125 inclusive of Registered Plan 13M-36;

—**BE IT RESOLVED THAT** the by-law shall specify that the exemption from Part Lot Control shall apply only to the severing of the lots for single detached or semi-detached dwellings on Lots 121 to 125 inclusive of Registered Plan 13M-36;

—**BE IT RESOLVED THAT** the by-law be presented to receive all three readings.
(File No. CSU-D27-000-2004)
(See By-Law No. (7), 2004-276)
(The Report of the Acting Commissioner of Planning & Development Services (04-349) is attached as Schedule Pages 19-28)
REPORT NO. 76 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

(g) WHEREAS Jovinton Developments Limited submitted an application requesting that the “-H” Holding Symbol be lifted from lots 19 to 24, 53 to 59, 88 to 94 and 121 to 127 of Registered Plan 13M-36, located on the west side of Midland Avenue, north of Tivoli Avenue; and

WHEREAS the “-H” Holding provisions were to remain in place until all applicable municipal and agency requirements have been complied with and all necessary agreements have been executed; and

WHEREAS the Owner (Jovinton Developments Limited) has complied with the conditions for the removal of the “-H” Holding Symbol as follows:

- all necessary agency clearance letters have been submitted to the Municipality;
- confirmation of adequate sewage capacity to service the proposed Subdivision has been received from Utilities Kingston;
- all municipal requirements are contained within the subdivision agreement and are shown on the approved engineering plans;
- the subdivision agreement has been executed by the Owner and returned to the Municipality for registration together with the required final plans and financial security; and,
- the Owner has submitted, for the Municipality’s consideration, the appropriate application for an amendment to the Zoning By-Law to remove the “-H” Holding Symbol:

THEREFORE BE IT RESOLVED THAT Map No. 3 of Schedule “A” to Zoning By-Law No. 76-26 of the former Township of Kingston, as amended, be further amended by removing the “-H” Holding Symbol for the lands described as Lots 19 to 24, 53 to 59, 88 to 94 and 121 to 127 of Registered Plan 13M-36, so as to rezone the subject lands from “R2-28-H” Modified Residential Type 2 Zone to Zone “R2-28” Modified Residential Type 2 Zone;

–and further–

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

(File No. CSU-D28-000-2004)

(See By-Law No. (8), 2004-277)

(The Report of the Acting Commissioner of Planning & Development (04-350) is attached hereto as Schedule Pages 29-38)

(h) THAT the tender of Peninsula Construction Inc. for PDS-ENG 2004-5 Installation of Steel Beam Guide Rail and Three Cable Guide, in the amount of $53,460.28, be accepted, it being the lowest tender received. This tender consists of:

- The extension of three cable guide rail at Front Road at Bayridge Drive, Sydenham Road at Collins Creek, Battersea Road at Aragon Road.
- The installation of new three cable guide rail at Sydenham Road at Latimer Road and Perth Road north of Cataraqui Region Conservation Authority park entrance.
- The removal and replacement of steel beam guide rail at Sydenham Road and Loughborough Drive.

(File No. CSU-F18-003-2004)

(The Report of the Acting Commissioner of Planning & Development Services (04-344) is attached as Schedule Pages 39-41)
REPORTS

REPORT NO. 76 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

(i) THAT the tender of Dibblee Construction Limited for Contract 2004-21W Road Reconstruction on Taylor Kidd Boulevard, in the amount of $228,000.00, be accepted, it being the lowest tender received. This contract consists of the widening of asphalt pavement on Taylor Kidd Boulevard at Liston Drive intersection including asphalt overlay on existing pavement and the installation of underground work for traffic signalization.
(File No. CSU-F18-003-2004)
(The Report of the Acting Commissioner of Planning & Development Services (04-345) is attached as Schedule Pages 42-44)

(j) THAT the Solid Waste Division replace the recycling depot at the Kingston Area Recycling Centre with a sheltered system at an estimated cost of $46,300.00, subject to zoning requirements using $40,000.00 approved under Capital Budget Project No. 91028 and funding the balance from the Solid Waste Reserve.
(File No. CSU-E07-000-2004)
(The Report of the Commissioner of Operations (04-340) is attached as Schedule Pages 45-48)

(k) THAT the proposal received from TSI Consulting in response to Request for Proposal PDS-ENV-007-2004 for Closed Circuit Television (CCTV) Inspection, in the amount of $60,911.20, be accepted.
(File No. CSU-F18-000-2004)
(The Report of the Acting Commissioner of Planning & Development Services (04-355) is attached as Schedule Pages 49-51)

(l) THAT Council approve the award for Contract 2004-16W in the amount of $669,106.07 to Cruickshank Construction Limited with the necessary funding reallocation in the amount of $33,103.00 from the 2002 approved capital budget envelope for growth related projects and additional funding in the amount of $33,103.00 from Development Charges Reserve fund, and;

THAT Council approve the award for Contract 2004-18W in the amount of $5,612,497.00 to Dufferin Construction Company with the necessary funding reallocation in the amount of $487,948.00 from the 2002 approved capital budget envelope for growth related projects and additional funding in the amount of $487,948.00 from Development Charges Reserve fund, and;

THAT Council give the Mayor and Clerk signing authority for the City of Kingston to enter into a contract satisfactory to City Legal Services with Cruickshank Construction Limited for the completion of Contract 2004-16W, as tendered, and;

THAT Council give the Mayor and Clerk signing authority for the City of Kingston to enter into a Contract satisfactory to City Legal Services with Dufferin Construction Company for the completion of Contract 2004-18W, as tendered.
(File No. CSU-F18-000-2004)
(The Report of the Acting Commissioner of Planning & Development Services (04-331) is attached as Schedule Pages 52-56)
REPORT NO. 76 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

(m) THAT the application for loan under the Tile Drainage Act by Kathleen and Patrick O’Connor, in the amount up to $50,000.00 be approved, it being understood that funds shall be provided through a Tile Drainage Debenture with the Province of Ontario, subject to the availability of funding from the Ontario Ministry Agriculture and Food (OMAF).

(File No. CSU-E09-000-2004)

(The Report of the Acting Commissioner of Planning and Development (04-356) is attached as Schedule Pages 57-59)

(n) WHEREAS, at its meeting on July 29, 2003, Council directed staff to continue the tax sale process concerning the Davis Tannery site, and;

WHEREAS staff was further instructed to develop a policy dealing with the failed tax sale properties, and;

WHEREAS, at its meeting on March 9, 2004, Council approved a policy outlining the process to follow when dealing with the failed tax sale properties, and;

WHEREAS this policy has been adhered to in dealing with the Davis Tannery site, and;

WHEREAS a Request for Proposals (RFP) for the remediation and redevelopment of the Davis Tannery Site was issued on March 12, 2004, with a closing date of August 4, 2004, and;

WHEREAS four proposals have been received from proponents wishing to remediate and redevelop the Davis Tannery site, and;

WHEREAS two of the four proposals met all of the criteria requested in the Request for Proposal (RFP), and;

WHEREAS staff has evaluated each of the two qualifying proposals and have ranked them in accordance to the Request for Proposal (RFP);

THEREFORE BE IT RESOLVED THAT Council endorse the proposal put forward by Conestoga-Rovers & Associates and Kincore Holdings Limited (Kincore), and;

THAT the Mayor and Clerk be authorized to execute the necessary site access agreement, allowing the proponents to enter the site and complete the required environmental testing prior to entering into an agreement of purchase and sale, and;

THAT staff enter into negotiations with the Conestoga-Rovers & Associates and Kincore to develop an agreement satisfactory to our Legal Division, and;

THAT, once this agreement has been completed, it will be brought back to Council for its approval.

(File No. CSU-F18-000-2004)

(The Report of the Acting Commissioner of Planning & Development Services (04-346) is attached as Schedule Pages 60-64)
REPORT NO. 76 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

(o) **WHEREAS** By-Law Numbers 2004-260, 2004-261, 2004-262, 2004-263, 2004-264, 2004-265, 2004-266 and 2004-267 were passed by Council on August 18, 2004 and are likely to be invalid due to notices not being sent in accordance with Sections 17(24) and 34(18) of the **Planning Act**, which provisions specify a maximum fifteen (15) day period from Council’s decision for Notice of Passing of the By-Laws to be given, and;

**WHEREAS** maintaining the validity of the By-Laws is necessary, and;

**WHEREAS** no additional public meetings are required because they were held previously in accordance with the provisions of the **Planning Act**;


- A By-Law To Amend By-Law No. 32-74, “Zoning By-Law” Of The Former Township Of Pittsburgh – Site Specific – 1636 Highway 15 (Mr. Gas Ltd.) – (Zone Change From Highway Commercial “CH” Zone And Restricted Rural “A1” Zone To Site Specific Highway Commercial Special “CH” Zone, From Restricted Rural “A1” Zone To Highway Commercial “CH” Zone And From Highway Commercial “CH” Zone To Restricted Rural “A1” Zone).
- A By-Law To Amend By-Law No. 76-26 Of Former Township Of Kingston (Zone Change From Residential “R1” Zone To A Special Residential “R1-56” Zone – 1775 Highway #38).
- A By-Law To Amend By-Law No. 76-26, “Zoning By-Law Of The Township Of Kingston” (Site Specific Zoning – Westbrook Meadows Subdivision – Rezone To “R1-58-H” Modified Residential Type 1 Holding, “R4-32-H” Modified Residential Type 4 Holding, “EPA” Environmental Protection Area, And “OS” Open Space, To Permit The Development Of Single Detached Dwellings And A Senior Citizens Apartment Dwelling House As Well As To Provide For Open Space Areas).
- A By-Law To Amend By-Law No. 76-26, Of Former Township Of Kingston, (Zone Change From The Surface Industrial “M3” Zone To A Special Residential “R1-57” Zone – 1414 Audrey Street).
- A By-Law To Amend By-Law No. 76-26 Of The Former Township Of Kingston, (Site Specific Zoning – “C5-11-H” Modified General Shopping Centre Commercial Zone, 700 Gardiners Road To Permit The Development Of Retail Commercial Uses).
- A By-Law To Amend By-Law No. 76-26 Of The Former Township Of Kingston, (Site Specific Zoning – “C5-9”, Modified General Shopping Centre Commercial Zone, 616-670 Gardiners Road).

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

(File No. CSU-D14-000-2004; CSU-C01-000-2004)

(See By-Law No. (22), 2004-282 through By-Law No. (37), 2004-297)

(The Report of the Acting Commissioner of Planning & Development Services (04-361) is being distributed separately from the agenda)
REPORT NO. 77 OF THE CHIEF ADMINISTRATIVE OFFICER (RECOMMEND)

Report No. 77

To the Mayor and Members of Council:
The Chief Administrative Officer reports and recommends as follows:

John Wright from Coursh Sunderland Wright will speak to Council concerning the Downtown Action Plan (Report No. 04-348).

(1) WHEREAS the City wished to have the benefit of an above-ground infrastructure renewal plan for 36 blocks of the downtown area, which includes primarily the lands situated between Division Street to Lake Ontario and Place d’Armes, Queen Street and Johnson Street, and;

WHEREAS the Downtown Action Plan (DAP) was initiated on February 18, 2003, to carry out a 10-year capital plan for infrastructure in the downtown, and;

WHEREAS the Downtown Action Plan project is devised as a series of prioritized, phased projects that could be completed as financing and logistics permit, and;

WHEREAS the preparation of the Downtown Action Plan project involved significant stakeholder consultation and two open houses, where preliminary recommendations were presented;

THEREFORE BE IT RESOLVED THAT the Downtown Action Plan: An Infrastructure Renewal and Public Open Space Plan, dated March 2004, be accepted in fulfillment of the Terms of Reference, that the report be received, and that the Downtown Action Plan project’s recommendations be approved in principle;

–and further–

BE IT RESOLVED THAT the Downtown Action Plan be forwarded to the Office of the Commissioner of Planning and Development Services to assist with the coordination, implementation and monitoring of the Downtown Action Plan;

–and further–

BE IT RESOLVED THAT the study be forwarded to other Municipal Divisions, as warranted, for information and as a guide for implementation;

–and further–

BE IT RESOLVED THAT the following strategies be considered during the 2005 budget preparation and deliberations:

(a) To reallocate a portion of the utilities and road reconstruction budgets and to find additional monies for the Downtown Action Plan project;

(b) To review the scope of the electrical component of the infrastructure replacement programme. This component represents 25% of the entire budget for the Downtown Action Plan project;

(c) To lengthen the time span for implementing the Downtown Action Plan project from 10 to 15 years.

(File No. CSU-D22-000-2004)
(The Report of the Acting Commissioner of Planning & Development Services (04-348) is attached as Schedule Pages 65-74)
REPORTS (CONTINUED)

REPORT NO. 77 OF THE CHIEF ADMINISTRATIVE OFFICER (RECOMMEND)

(2) THAT a by-law be presented to Council to declare Hangers No. 3 and 5 at the Kingston (Norman Rogers) Airport to be surplus to need.

(File No. CSU-L19-000-2004)

(See By-Law No. (9), 2004-278)

(The Report of the Commissioner of Operations (04-347) is attached as Schedule Pages 75-78)
REPORTS (CONTINUED)

REPORT NO. 78 OF THE COMMITTEE OF ADJUSTMENT (URBAN PANEL)

Report No. 78

Pursuant to By-Law No. 2003-15 “A By-Law To Provide For Notice Provisions As Required Under The Municipal Act, 2001”, notice was given that the Corporation of the City of Kingston will be considering a change to the composition of the Committee of Adjustment (Urban Panel). Members of the public were invited to request delegation status to speak to this matter. No requests were received to date.

To the Mayor and Members of Council:
The Committee of Adjustment (Urban Panel) reports and recommends as follows:

(1) **WHEREAS** Section 44(5) of the Planning Act, as amended, states that, where a Committee of Adjustment is composed of more than three members, three members constitutes a quorum, and;

**WHEREAS** legal advice has been received that the City of Kingston Committee of Adjustment should not proceed with a meeting or open an individual hearing without a quorum of three members entitled to make a decision, except for a situation where the Conflict of Interest Act reduces the quorum to not less than two members, and;

**WHEREAS** the City of Kingston has an Urban Panel and a Rural Panel, each composed of five members, and;

**WHEREAS**, in order to guarantee a quorum and to be able to place previously deferred items onto a future agenda while following the advised quorum requirement, members must now provide to the Secretary-Treasurer a minimum of two weeks notice prior to the date of the hearing that the member will not attend a meeting, so that the agenda can be accurately finalized, and;

**WHEREAS** the Committee of Adjustment members have personal commitments and holiday schedules during the year, and are individuals subject to absence due to illness, etc., some of these being subject to last-minute notice, and;

**WHEREAS**, should a member or members be unavailable at a hearing for which the agenda has been finalized and notice given, the meeting may have to be cancelled at the last minutes, which will seriously inconvenience applicants, developers, agents, supporters, and objectors, both from this local area and those who may be in transit from another part of the province and who are on their way to attend, or are already in attendance, and;

**WHEREAS** the cancellation of a meeting or hearing may, as a result, incur liability for the City of Kingston, and;

**WHEREAS** the Committee of Adjustment members are appointed by the Council of the City of Kingston for a full three-year term, as required by Section 44(3) of the Planning Act, as amended, and;

**WHEREAS** a three-year term is a fairly long time, during which it is difficult to avoid conflicts in the schedules for all members as some members work at occupations that require travel and other evening commitment, and;

**WHEREAS** the Planning Act does not include any restriction to enlarging the appointed membership of the Committee of Adjustment;

**THEREFORE BE IT RESOLVED THAT** the Urban Panel of the Committee of Adjustment for the City of Kingston recommends that the number of appointments made by the Council for the City of Kingston to the Urban Panel be increased to seven members from five members so as to avoid the possibility of not achieving quorum for any future meeting;

–and further–
REPORT NO. 78 OF THE COMMITTEE OF ADJUSTMENT (URBAN PANEL)

THAT a by-law be presented to amend By-Law No. 98-1 “Council Procedural By-Law” to increase the composition of the Committee of Adjustment (Urban Panel) from five to seven members.

(See Miscellaneous Business Item No. (2)
REPORTS (CONTINUED)

REPORT NO. 79 OF THE LARGE VENUE ENTERTAINMENT CENTRE STEERING COMMITTEE

Report No. 79

To the Mayor and Members of Council:

The Large Venue Entertainment Centre Steering Committee reports and recommends as follows:

(1) THAT the mandate of the Large Venue Entertainment Centre (LVEC) Steering Committee be to guide detailed planning for, and implementation of, the LVEC proposal to include, but not be restricted to the following, as authorized within the Report of the Chief Administrative Officer:

- Receive and consider various functional studies and appraisals from the Chief Administrative Officer and staff as listed in Report No. 04-284 and providing recommendations to Council
- Receive and consider responses to a Request for Quotation (RFQ) and Request for Proposal (RFP) for the Large Venue Entertainment Centre Project and providing recommendations to Council
- Formation of a Stakeholders Group in a timely fashion to provide input on the proposed project

AND FURTHER THAT the Large Venue Entertainment Centre Steering Committee report to Council and the community regularly regarding progress.

(File No. CSU-R05-001-2004)
INFORMATION REPORTS
Schedule Pages 79-82

The purpose of this report is to advise Council of tenders approved and contracts awarded that meet the established criteria of delegated authority for the month of July, 2004.
(File No. CSU-F18-000-2004)
(The Report of the Commissioner of Corporate Services is attached as Schedule Pages 79-82)

MISCELLANEOUS BUSINESS
Motions of Council are required:

The following Miscellaneous Business Items were deferred at Council Meeting No. 21, held August 17, 2004.

(1) THAT Council appoint two additional Members of Council to serve on the Taxi Commission for a term ending November 30, 2004.
(File No. CSU-C12-000-2004)
(See Communication No. 21-403)

(2) THAT Council appoint two additional members of the public to serve on the Committee of Adjustment (Urban Panel) for a term ending November 30, 2006. Note: the following members of the public applied to sit on this Committee in November 2003 and have re-affirmed their willingness to serve on this Committee: John Adams, Robert Burge, Todd Speck, Laurence Trainor.
(File No. CSU-C12-000-2004)
(Copies of the applications are being redistributed separate from the agenda)
MOTIONS

(1) Moved by Councillor Garrison
Seconded by Councillor Downes

WHEREAS the City of Kingston is a member of the Cataraqui Region Conservation Authority, and;

WHEREAS the Conservation Authority works in partnership with its watershed municipalities to implement community-based, practical solutions to a range of natural resource issues including provincially delegation responsibilities for the implementation of flood and erosion control programs for the protection of life and property, and;

WHEREAS the Province has previously committed to paying 50% of flood and erosion control programs and other related eligible costs as defined in the 1997 Policy and Procedures Manual, but has not met that funding commitment, and;

WHEREAS the Province of Ontario, when establishing new policies and procedures in 1997 to define the level of funding to support its partnership with Conservation Authorities omitted Municipal Plan Review, the implementation of the Conservation Authority Act Section 28 Regulation, and Shoreline Management as eligible activities for funding assistance by the Province, and;

WHEREAS predictable, stable funding (adjusted for inflation) is critical to successful program delivery;

THEREFORE BE IT RESOLVED THAT the City of Kingston endorse the report entitled “Submission to the Minister of Natural Resources: Re-Investment in Ontario’s Conservation Authorities – Now and in the Future”, which requests:

(i) A re-investment in Conservation Authorities by the Province based on definitions within the 1997 Policy and Procedures Manual

(ii) A re-establishment of funding for items deemed of provincial interest currently excluded from transfer payment funding

(iii) Implementation of annual Consumer Price Index adjustments retroactive to 2002.

(File No. CSU-C15-000-2004)

(2) Moved by Councillor Stoparczyk
Seconded by Deputy Mayor Foster

WHEREAS Bill 102, the Red Light Camera Pilot Project Act, sunset clause has been repealed, allowing municipalities across the Province to join the program, and;

WHEREAS the program was tested in six Ontario municipalities and deemed a success by reducing fatal and injury collisions by almost 7% in areas where the cameras operate;

THEREFORE BE IT RESOLVED THAT staff be directed, in consultation with the City of Kingston Police, to bring a report to Council, prior to Budget discussion, regarding the various impacts of the program, including costs and priority proposed locations of the cameras.

(File No. CSU-T07-000-2004; CSU-T08-000-2004)
MOTIONS

(3) Moved by Councillor Meers
Seconded by Councillor K. George

WHEREAS a temporary access road over that portion of Block 102 Registered Plan No. 13M-18, dated 1999, was to be provided until such time as Centennial Drive and Crossfield Avenue served as a permanent access to the subdivision, and;

WHEREAS concerns have been expressed over the excessive use of this access road by both area residents and construction vehicles;

THEREFORE BE IT RECOMMENDED THAT City Council direct staff to investigate the closure of the access road as identified in the Registered Subdivision Agreement for Plan 13M-18 and report back at the next Council meeting scheduled for September 21, 2004.

(File No. CSU-D12-000-2004)

NOTICE OF MOTIONS

MINUTES

THAT the Minutes of City Council Meeting No. 21-2004, held Tuesday, August 17, 2004; and Council Meeting No. 22-2004, held August 31, 2004, be confirmed.

TABLING OF DOCUMENTS

2004-74 Certified General Accountants
Governance in the Agreement on Internal Trade – July 2004
(File No. CSU-M04-000-2004)

2004-75 The Municipal Property Assessment Corporation
MPACNews – Issue 2 – August 2004
(File No. CSU-M04-000-2004)

2004-76 The Ministry of Municipal Affairs & Housing
(File No. CSU-M04-000-2004)

2004-77 The Ontario Municipal Board & The Board of Negotiation
(File No. CSU-M04-000-2004)

2004-78 The Kingston Economic Development Corporation
Minutes – Board of Directors’ & Members’ Meeting – August 5, 2004
(File No. CSU-C06-000-2004)
TABLING OF DOCUMENTS

2004-79 The Kingston Economic Development Corporation
Minutes – Board of Directors’ & Members’ Meeting – June 19, 2004
(File No. CSU-C06-000-2004)

2004-80 The Cataraqui Region Conservation Authority
Agenda – Full Authority General Meeting – August 25, 2004
(File No. CSU-C05-000-2004)

2004-81 The Town of Markham
2003 Annual Report
(File No. CSU-M04-000-2004)

COMMUNICATIONS

That Council consent to the disposition of Communications in the following manner:

Filed

23-418 From the Association of Municipalities of Ontario, informing Council of an agreement that will strengthen provincial-municipal relations by giving municipalities a say in federal-provincial negotiations that directly affect municipalities.
(File No. CSU-A01-004-2004)

23-419 From Carynne Arnold, Executive Director of Kingston Literacy, an information package on Kingston Literacy, the Adult Learning Network, and important literacy issues.
(File No. CSU-M04-000-2004)

23-420 From Denis Bouvette, Vice President & General Manager of Bombardier Transportation, informing Council that the Bombardier Transportation manufacturing plant in Millhaven will be permanently closed effective December 1, 2004.
(File No. CSU-M04-000-2004)

23-426 From the Ministry of Labour, informing Council that the provincial government will be holding public consultations on how to end mandatory retirement to give Ontario workers the right to choose when to retire.
(File No. CSU-H02-000-2004)

23-435 From the Ministry of Municipal Affairs & Housing, informing Council of the delivery of the Greenbelt Task Force’s final advice and recommendations to the Ontario government concerning permanent greenbelt protection in the Golden Horseshoe.
(File No. CSU-A16-000-2004)

23-436 From the County of Peterborough, acknowledging receipt of Council’s resolution concerning the Rent Bank and Rent Supplement Programs and informing that the Peterborough County Council passed a resolution of support at its meeting on July 7, 2004.
(File No. CSU-S17-000-2004)
COMMUNICATIONS

Referred to Members of Council

23-408 From the Township of South Stormont, requesting Council’s support of a resolution to petition the Ontario Ministry of Agriculture & Food to immediately reinstate the Municipal Outlet Drainage Program. (File No. CSU-C10-000-2004) (Copied to all Members of Council on September 3, 2004)

23-409 From the Township of Wainfleet, requesting Council’s support of a resolution to petition the Ontario Ministry of Agriculture & Food to immediately reinstate the Municipal Outlet Drainage Program. (File No. CSU-C10-000-2004) (Copied to all Members of Council on September 3, 2004)

23-410 From the Cataraqui Region Conservation Authority, informing that it is in the process of applying for GeoSmart funding through the Ontario Ministry of Natural Resources and is seeking financial partners through in-kind or financial contributions. (File No. CSU-E05-000-2004)

23-411 From Nanir Afzal of Curry Original, requesting an application for a liquor license from the Alcohol and Gaming Commissioner of Ontario. (File No. CSU-P09-00-2002)

23-412 From Letitia Fleet, a letter to the Kingston Economic Development Corporation Board of Directors concerning the tip box at the tourism office on Ontario Street. (File No. CSU-M04-000-2004) (Copied to all Members of Council on September 3, 2004)


23-414 From Municipal Events, inviting Council to a conference entitled “Conflict of Interest – How a Judge Analyzes a Conflict of Interest Case” on Wednesday, October 6, 2004 beginning at 9:00 am at the Fairmount Home Auditorium. (File No. CSU-A04-000-2004) (Copied to all Members of Council on August 31, 2004)

23-415 From the Committee of Adjustment, a Notice of Decision concerning the following applications:

MINOR VARIANCE – HAROLD MCFARLAND – in respect of an application for a minor variance from Zoning By-Law No. 8499 for the property at 170 Concession Street BE APPROVED, subject to conditions. The final date of appeal is September 13, 2004.

CHANGE TO CONDITIONS OF PROVINCIAL CONSENT – JSM CORPORATION (ONTARIO) LIMITED – in respect of an application for a consent to conveyance for the property at 993 Princess Street to sever an approximately 2.32 hectare parcel of land be amended and, as amended, BE APPROVED. The final date of appeal is September 16, 2004.

CHANGE TO CONDITIONS OF PROVINCIAL CONSENT – NORDX/CDT INC. – in respect of an application for a consent to sever an 8.8 hectare parcel of land at 700 Gardiners Road be amended and, as amended, BE APPROVED. The final date of appeal is September 16, 2004.
COMMUNICATIONS

PERMISSION TO EXPAND – COMPUS ONE STOP LTD. – in respect of an application for permission to expand and existing legal non-conforming use for the property at 163 ½ Alfred Street **BE APPROVED**, subject to conditions. The final date of appeal is September 13, 2004.

CONSENT – ROB & BEVERLY COLWELL – in respect of an application for a consent to sever an approximately 964m² parcel of vacant land on Park Crescent **BE PROVISIONALLY APPROVED**, subject to conditions. The final date of appeal is September 16, 2004.

MINOR VARIANCE – LAROCHELLE GROUP CORPORATION – in respect of an application for minor variances from Zoning By-Law No. 8499 for the property at 326 University Avenue **BE APPROVED**, subject to conditions. The final date of appeal is September 13, 2004.

CONSENT – THE KINGSTON GOSPEL TEMPLE – in respect of an application for a consent to sever an approximately 2.42 hectare parcel of land at 2295 Princess Street **BE PROVISIONALLY APPROVED**, subject to conditions. The final date of appeal is September 16, 2004.

MINOR VARIANCE – DEHOOP HOMES LTD. – in respect of an application for a minor variance from Zoning By-Law No. 76-26 for the property at 689 Melrose Street **BE APPROVED**, subject to conditions. The final date of appeal is September 16, 2004.

MINOR VARIANCE – ANWAR MATIN – in respect of an application for a minor variance from Zoning By-Law No. 8499 for the property at 24-28 Elm Street **BE APPROVED**, subject to conditions. The final date of appeal is September 13, 2004.

MINOR VARIANCE – 1278859 ONTARIO INC. – in respect of an application for a minor variance from Zoning By-law No. 32-74 for the property at 351 Quarry Pond Court **BE APPROVED**, subject to conditions. The final date of appeal is September 13, 2004.

MINOR VARIANCE – 1278859 ONTARIO INC. – in respect of an application for a minor variance from Zoning By-Law No. 32-74 for the property at 355 Quarry Pond Court **BE APPROVED**, subject to conditions. The final date of appeal is September 13, 2004.

CONSENT – BLACK RIVER DEVELOPMENTS INC. – in respect of an application for a consent to sever an approximately 80.5m² parcel of land at 20 Helen Street **BE PROVISIONALLY APPROVED**, subject to conditions. The final date of appeal is September 16, 2004.

MINOR VARIANCE – GEORGETTE A. FRY – in respect of an application for a minor variance from Zoning By-Law No. 8499 for the property at 135 York Street **BE APPROVED**, subject to conditions. The final date of appeal is September 13, 2004.

(File No. CSU-D19-000-2004)

23-416 From the Ministry of Transportation, advising Council of the amendment to Bill 149, the Red Light Cameras Pilot Projects Extension Act, 2002, to allow permanent use of red light cameras by designated municipalities.
(File No. CSU-T07-000-2004)
(See Motion No. (2))

23-417 From the Township of North Frontenac, requesting Council’s support of a resolution to inform the provincial government of its support of an article entitled “Is There a Future for Rural Ontario”, concerning the province’s cessation of support to rural municipalities in Ontario.
(File No. CSU-C10-000-2004)
(Copied to all Members of Council on September 3, 2004)
COMMUNICATIONS

23-421 From the Ministry of Citizenship & Immigration, requesting that Council proclaim October 18-24, 2004 as “Canada’s Citizenship Week”.
(File No. CSU-M10-000-2004)

23-422 From the Committee of Adjustment, a Notice of Decision concerning the following applications:
MINOR VARIANCE – TAMLANN INVESTMENTS LIMITED – in respect of an application for a minor variance from Zoning By-Law No. 76-26 for the property at 4037 Bath Road BE APPROVED, subject to conditions. The final date of appeal is August 16, 2004.
MINOR VARIANCE – LIMESTONE DISTRICT SCHOOL – in respect of an application for a minor variance from Zoning By-Law No. 8499 for the property at 9 Dundas Street BE APPROVED, subject to conditions. The final date of appeal is August 16, 2004.
MINOR VARIANCE – KINGSTON GENERAL HOSPITAL – in respect of an application for a minor variance from Zoning By-Law No. 4489 for the property at 76 Stuart Street BE APPROVED, subject to conditions. The final date of appeal is August 16, 2004.
(File No. CSU-D19-000-2004)

23-423 From the Town of Lakeshore, requesting Council’s support of a resolution to petition the Ontario Ministry of Agriculture & Food to immediately reinstate the Municipal Outlet Drainage Program.
(File No. CSU-C10-000-2004)
(Copied to all Members of Council on September 3, 2004)

23-424 From the Township of Otonabee-South Monaghan, requesting Council’s support of a resolution to petition the Provincial Government to enact legislation to protect the employment rights of fire fighters who work full-time and serve as volunteers.
(File No. CSU-C10-000-2004)
(Copied to all Members of Council on September 3, 2004)

23-425 From the Town of Kingsville, requesting Council’s support of a resolution to petition the Ontario Ministry of Agriculture & Food to immediately reinstate the Municipal Outlet Drainage Program.
(File No. CSU-C10-000-2004)
(Copied to all Members of Council on September 3, 2004)

23-428 From the Municipality of Chatham-Kent, requesting Council’s support of a resolution to petition the Ontario Ministry of Agriculture & Food to immediately reinstate the Municipal Outlet Drainage Program.
(File No. CSU-C10-000-2004)
(Copied to all Members of Council on September 3, 2004)

23-429 From the Cataraqui Region Conservation Authority, concerning a submission to the province to restore the funding partnership between the province and municipalities to conservation authorities, and requesting that Council forward any resolutions of support to the Cataraqui Region Conservation Authority, as well as to John Gerretsen, MPP for Kingston & The Islands.
(File No. CSU-E05-000-2004)
(Copied to all Members of Council on August 17, 2004)
(See Motion No. (1)
COMMUNICATIONS

23-430  From the Township of South-West Oxford, requesting Council's support of a resolution to petition the Ontario Ministry of Agriculture & Food to immediately reinstate the Municipal Outlet Drainage Program.  
(FILE No. CSU-C10-000-2004)  
(Copied to all Members of Council on September 3, 2004)

23-431  From the Municipality of Kincardine, requesting Council's support of a resolution to petition the Ontario Ministry of Agriculture & Food to immediately reinstate the Municipal Outlet Drainage Program.  
(FILE No. CSU-C10-000-2004)  
(Copied to all Members of Council on September 3, 2004)

23-432  From the Town of North Perth, requesting Council’s support of a resolution to petition the provincial and federal governments to provide financial support directly to the red meat producers who are experiencing financial losses and to continue to negotiate with the United States and other countries for the export of Canadian red meat.  
(FILE No. CSU-C10-000-2004)  
(Copied to all Members of Council on September 3, 2004)

23-433  From the Town of North Perth, requesting Council’s support of a resolution to petition the Ontario Ministry of Agriculture & Food to immediately reinstate the Municipal Outlet Drainage Program.  
(FILE No. CSU-C10-000-2004)  
(Copied to all Members of Council on September 3, 2004)

23-434  From Howard Stone, his comments on the conduct of the Planning Committee during the Block D debate held on Thursday, July 8, 2004.  
(FILE No. CSU-M04-000-2004)  
(Copied to all Members of Council on September 3, 2004)

23-437  From Carolyn Wilson, informing Council of her concerns with the Rent Bank and Rent Supplement Programs.  
(FILE No. CSU-M04-000-2004)  
(Copied to all Members of Council on August 17, 2004)

23-439  From Judith Andrew, Vice-President of the Canadian Federation of Independent Business, informing Council of a recent study, entitled “The Real Deal on Municipalities”, based on a survey of independent business members on redefining local government revenues and responsibilities.  
(FILE No. CSU-M04-000-2004)

Referred to the Commissioner of Community Services

23-438  From Ken Ohtake of the Church Athletic League of Kingston, requesting that the Kingston Minor Hockey Partners no longer pay the 10% twinning surcharge for the use of the Centre 70 Arena ice pad and that the amount paid to date be refunded to the various organizations.  
(FILE No. CSU-R05-000-2004)
COMMUNICATIONS

Referred to the Commissioner of Planning & Development Services

23-427  From A. Quinn, a letter to Doug Werden, Home Improvement Officer, requesting that action be taken concerning a garbage pile in her neighbour’s yard.
(File No. CSU-M04-000-2004)
(Copied to all Members of Council on September 3, 2004)

BY-LAWS

(A) That By-Laws (1) through (11) and (22) through (37) be given their first and second reading.

(B) That Clause 8.9 of By-Law No. 98-1 be suspended for the purpose of giving By-Laws (1) to (2) and (6) through (8) three readings.

(C) That By-Laws (1) to (2), (6) through (8), (11) through (37) be given their third reading.

(1) A By-Law To Declare Surplus To Need City-Owned Property Part 1 of Registered Plan 13R-16563 (Base of Queen Street Abutting Gibson Dock Property).
THREE READINGS  PROPOSED NO. 2004-270
(Clause (a), Report No. 76)

(2) A By-Law To Stop Up And Close The Portion Of Queen Street Described As Part 1 Of Registered Plan 13R-16563 (Base Of Queen Street Abutting Gibson Dock Property).
THREE READINGS  PROPOSED NO. 2004-271
(Clause (a), Report No. 76)

FIRST AND SECOND READING  PROPOSED NO. 2004-272
(Clause (b), Report No. 76)

(4) A By-Law To Amend By-Law No. 2001-127 “A By-Law To Delegate The Authority For The Processing And Approval Of Temporary Highway Closures Pursuant To Section 207(43) Ontario Municipal Act” To Allow For Closure Of Portions Of Division Street For Sewer, Water Main And Road Reconstruction (Division Street From Fraser Street To Railway Street; Division Street From Barbara Avenue To Kirkpatrick Street).
FIRST AND SECOND READING  PROPOSED NO. 2004-273
(Clause (c), Report No. 76)
(5) A By-Law To Provide For The Temporary Closure Of Ontario Street Between Brock Street To Market Street On Friday, December 3, 2004 From 5:00 PM To 8:30 PM, And Ontario Street From Clarence Street To West Street Up To King Street On Friday, December 3, 2004 From 6:15 PM To 8:00 PM (Community Purposes – The Jingle Bell Walk).
FIRST AND SECOND READING
(Clause (d), Report No. 76)
PROPOSED NO. 2004-274

(6) A By-Law To Amend By-Law No. 98-9 “A By-Law To Appoint Municipal Law Enforcement Officers Of The Corporation Of The New City Of Kingston” (Appoint Brandi Timpson).
THREE READINGS
(Clause (e), Report No. 76)
PROPOSED NO. 2004-275

THREE READINGS
(Clause (f), Report No. 76)
PROPOSED NO. 2004-276

(8) A By-Law To Amend By-Law No. 76-26 (Map No. 3), Former Kingston Township Zoning By-Law, To Remove The “-H” Holding Symbol Related To The “R2-28-H” Zone (Jovinton Developments Inc., Part Of Lot 9, Concession 3, West Side Of Midland Avenue, North Of Tivoli Avenue, In The Former Township Of Kingston, Midland Park Subdivision, Phase 1, Stage 2A).
THREE READINGS
(Clause (g), Report No. 76)
PROPOSED NO. 2004-277

(9) A By-Law To Declare Hanger No. 3 And Hanger No. 5 At The Kingston (Norman Rogers) Airport Surplus To Municipal Need.
FIRST AND SECOND READING
(Clause (1), Report No. 77)
PROPOSED NO. 2004-278

(10) A By-Law To Amend By-Law No. 98-1 “Council Procedural By-Law” (Increase Membership On The Committee Of Adjustment (Urban Panel) From Five To Seven Members Of The Public).
FIRST AND SECOND READING
(Clause (1), Report No. 78)
PROPOSED NO. 2004-279
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<th>Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>A By-Law To Approve The Renaming Of Elliott Avenue, From The Great Cataraqui River (Rideau Canal System) To The New Intersection At Division Street, As John Counter Boulevard, And That Counter Street Be Renamed As John Counter Boulevard. THIRD READING PROPOSED NO. 2004-244 (Clause (1), Report No. 72)</td>
</tr>
<tr>
<td>13</td>
<td>A By-Law To Provide For The Temporary Closure Of Ontario Street From Brock Street To Market Street On Saturday, September 18, 2004 From 9:00 AM To 3:00 AM (Community Purposes – Kid’s Day International). THIRD READING PROPOSED NO. 2004-248 (Clause (s), Report No. 70)</td>
</tr>
<tr>
<td>14</td>
<td>A By-Law To Establish Those Lands Known As Part Of Lot 18, Concession 4 (1287 Sunnyside Road), In The City Of Kingston, Geographic Township Of Kingston, County Of Frontenac, More Specifically Described In Schedule “A” Of This By-Law, Be Dedicated As Part Of The Public Highway In Accordance With Section 31 Of The Municipal Act, Chapter 25, SO 2001. THIRD READING PROPOSED NO. 2004-249 (Clause (t), Report No. 70)</td>
</tr>
<tr>
<td>15</td>
<td>A By-Law To Amend By-Law No. 4489 “A By-Law To Regulate, Supervise And Govern The Parking Of Vehicles On Parking Lots And To Fix The Rates And Charges For Parking On Such Parking Lots” (Change Monthly Parking Rate At Frontenac County Court House). THIRD READING PROPOSED NO. 2004-250 (Clause (u), Report No. 70)</td>
</tr>
<tr>
<td>16</td>
<td>A By-Law To Establish Those Lands Known As Part 1, Reference Plan 13R-17131 (38 Charles Street), In The City Of Kingston, County Of Frontenac, Be Dedicated As Part Of The Public Highway In Accordance With Section 31 Of The Municipal Act, Chapter 25, SO 2001. THIRD READING PROPOSED NO. 2004-252 (Clause (w), Report No. 70)</td>
</tr>
</tbody>
</table>
(17) A By-Law To Establish Those Lands Known As Part Of Lot 2, Registered Plan C-10 (595 & 600 Bagot Street), In The City Of Kingston, More Specifically Described In Schedule “A” Of This By-Law, Be Dedicated As Part Of The Public Highway In Accordance With Section 31 Of The Municipal Act, Chapter 25, SO 2001.  
THIRD READING  
(Clauses (w), Report No. 70)  
PROPOSED NO. 2004-253

(18) A By-Law To Establish Development Charges For The City Of Kingston.  
THIRD READING  
(Clauses (c), The Committee of the Whole)  
PROPOSED NO. 2004-256

(19) A By-Law To Impose Water Rates And Sewer Rates To Recover The Capital Cost Of Installing Water And Sanitary Sewer Services Necessary To Benefit Users Of The System.  
THIRD READING  
(Clauses (c), The Committee of the Whole)  
PROPOSED NO. 2004-257

THIRD READING  
(Communication No. 21-380)  
PROPOSED NO. 2004-258

(21) A By-Law To Amend By-Law No. 87-151 “A By-Law To Designate Certain Properties To Be Of Historic And/Or Architectural Value Or Interest Pursuant To The Provisions Of The Ontario Heritage Act” (De-Designate 68 Brock Street).  
THIRD READING  
(Clauses (1), Report No. 61)  
PROPOSED NO. 2004-281

THREE READINGS  
(Clauses (o), Report No. 76)  
PROPOSED NO. 2004-282
(23) A By-Law To Repeal By-Law No. 2004-261 “A By-Law To Amend By-Law No. 32-74 “Zoning By-Law” Of The Former Township Of Pittsburgh – Site Specific – 1636 Highway 15 (Mr. Gas Ltd.) (Zone Change From Highway Commercial “Ch” Zone And Restricted Rural “A1” Zone To Site Specific Highway Commercial Special “Ch-7” Zone; From Restricted Rural “A1” Zone To Highway Commercial “Ch” Zone; And From Highway Commercial “Ch” Zone To Restricted Rural “A1” Zone).”
THREE READINGS
(Clause (o), Report No. 76)

PROPOSED NO. 2004-283

(24) A By-Law To Repeal By-Law No. 2004-262 “A By-Law To Amend By-Law No. 76-26 Of The Former Township Of Kingston (Zone Change From The Residential “R1” Zone To A Site Specific Special Residential “R1-56” Zone – 1775 Highway 38).”
THREE READINGS
(Clause (o), Report No. 76)

PROPOSED NO. 2004-284

THREE READINGS
(Clause (o), Report No. 76)

PROPOSED NO. 2004-285

(26) A By-Law To Repeal By-Law No. 2004-264 “A By-Law To Amend By-Law No. 76-26’ Zoning By-Law Of The Township Of Kingston’ (Site Specific Zoning – Westbrook Meadows Subdivision – Rezone To ‘R1-58-H’ Modified Residential Type 1 Holding, “R4-32-H” – Modified Residential Type 4 Holding; “EPA” – Environmental Protection Area; And “OS” – Open Space, To Permit The Development Of Single Detached Dwellings And A Senior Citizens’ Apartment Dwelling House As Well As To Provide For Open Space Areas).”
THREE READINGS
(Clause (o), Report No. 76)

PROPOSED NO. 2004-286

(27) A By-Law To Repeal By-Law No. 2004-265 “A By-Law To Amend By-Law No. 76-26 Of Former Township Of Kingston (Zone Change From The Service Industrial “M3” Zone To A Site Specific Special Residential Type “R1-47” Zone – 1414 Audrey Street).”
THREE READINGS
(Clause (o), Report No. 76)

PROPOSED NO. 2004-287
(28) A By-Law To Repeal By-Law No. 2004-266 “A By-Law To Amend By-Law No. 76-26 Of Former Township Of Kingston (Site Specific Zoning – “C5-10-H” Modified General Shopping Centre Commercial Zone – 700 Gardiners Road – To Permit The Development Of Retail Commercial Uses).”
THREE READINGS
(Clause (o), Report No. 76)
PROPOSED NO. 2004-288

(29) A By-Law To Repeal By-Law No. 2004-267 “A By-Law To Amend By-Law No. 76-26 Of Former Township Of Kingston (Site Specific Zoning – “C5-9” Modified General Shopping Centre Commercial Zone – 616-670 Gardiners Road).”
THREE READINGS
(Clause (o), Report No. 76)
PROPOSED NO. 2004-289

THREE READINGS
(Clause (o), Report No. 76)
PROPOSED NO. 2004-290

(31) A By-Law To Amend By-Law No. 32-74, “Zoning By-Law” Of The Former Township Of Pittsburgh – Site Specific – 1636 Highway 15 (Mr. Gas Ltd.) – (Zone Change From Highway Commercial “CH” Zone And Restricted Rural “A1” Zone To Site Specific Highway Commercial Special “CH” Zone, From Restricted Rural “A1” Zone To Highway Commercial “CH” Zone And From Highway Commercial “CH” Zone To Restricted Rural “A1” Zone).
THREE READINGS
(Clause (o), Report No. 76)
PROPOSED NO. 2004-291

(32) A By-Law To Amend By-Law No. 76-26 Of Former Township Of Kingston (Zone Change From Residential “R1” Zone To A Special Residential “R1-56” Zone – 1775 Highway #38).
THREE READINGS
(Plane (o), Report No. 76)
PROPOSED NO. 2004-292

THREE READINGS
(Plane (o), Report No. 76)
PROPOSED NO. 2004-293
BY-LAWS

(34) A By-Law To Amend By-Law No. 76-26, “Zoning By-Law Of The Township Of Kingston” (Site Specific Zoning – Westbrook Meadows Subdivision – Rezone To “R1-58-H” Modified Residential Type 1 Holding, “R4-32-H” Modified Residential Type 4 Holding, “EPA” Environmental Protection Area, And “OS” Open Space, To Permit The Development Of Single Detached Dwellings And A Senior Citizens Apartment Dwelling House As Well As To Provide For Open Space Areas).
THREE READINGS
(Clause (o), Report No. 76) PROPOSED NO. 2004-294

(35) A By-Law To Amend By-Law No. 76-26, Of Former Township Of Kingston, (Zone Change From The Surface Industrial “M3” Zone To A Special Residential “R1-57” Zone – 1414 Audrey Street).
THREE READINGS
(Clause (o), Report No. 76) PROPOSED NO. 2004-295

(36) A By-Law To Amend By-Law No. 76-26 Of The Former Township Of Kingston, (Site Specific Zoning – “C5-11-H” Modified General Shopping Centre Commercial Zone, 700 Gardiners Road To Permit The Development Of Retail Commercial Uses).
THREE READINGS
(Clause (o), Report No. 76) PROPOSED NO. 2004-296

(37) A By-Law To Amend By-Law No. 76-26 Of The Former Township Of Kingston, (Site Specific Zoning – “C5-9”, Modified General Shopping Centre Commercial Zone, 616-670 Gardiners Road).
THREE READINGS
(Clause (o), Report No. 76) PROPOSED NO. 2004-297

ADJOURNMENT