TO: Bert Meunier, Chief Administrative Officer

FROM: Terry Willing, Acting Commissioner

PREPARED BY: Joseph E. Davis, Senior Project Manager

DATE OF MEETING: September 21, 2004

SUBJECT: Counter Street/Elliott Avenue Renaming

RECOMMENDATION TO COUNCIL:

WHEREAS Council approved a renaming of a portion of Elliott Avenue and Counter Street to John Counter Boulevard; and

WHEREAS it is also necessary for the numbering to coincide with the municipal civic addressing by-law and as instructed by Council at its meeting of August 17, 2004;

THEREFORE BE IT RESOLVED that Council approve and give final reading to the renaming of that portion of Elliott Avenue and Counter Street to John Counter Boulevard; and.

FURTHER BE IT RESOLVED that the civic addressing ranges be endorsed by Council for John Counter Boulevard from the west bank of the Great Cataraqui River to the Division Street intersection, and that each of the civic numbers on what is currently known as Counter Street have the number 1000 added to them, as shown in the attached schedule A.

ORIGIN/PURPOSE:

The realignment of Counter Street and Elliott Avenue is in its final stages and Council at its meeting of August 17, 2004 approved the resolution naming that portion of Elliott Avenue/Counter Street, from the Great Cataraqui River to Princess Street, to John Counter Boulevard.

Staff is reporting to Council that public notice has been given to the community and is recommending the new civic addresses for John Counter Boulevard.
OPTIONS/DISCUSSION:

Council provided staff with direction at its meeting of August 17, 2004 to adjust the civic address ranges for the businesses currently on Counter Street by adding the number 1000 to each of these businesses. To be consistent with the principles provided for in our civic addressing and street naming by-law 2000-177, staff has recommended that the numbers along the new section of John Counter Boulevard and the realignment of those addresses on Elliott Avenue would be numbered in such a fashion as to coincide with the numbers recommended for the existing businesses on Counter Street.

It is proposed that the civic ranges for John Counter Boulevard from the Cataraqui River to the new intersection at John Counter Boulevard and Division Street be 600 to 980, and each existing business on Counter Street will have 1000 added to its civic address. A listing of these civic changes is attached as Schedule A.

EXISTING POLICY/BY-LAW:

Existing policy within the Corporation and the Municipal Act allow the municipality to change the civic addresses without holding a public meeting; however public notice of the street name change from Counter Street to John Counter Boulevard was required. Public notice was placed in the newspaper two weeks prior to the meeting at which this by-law will be given its third reading. A draft by-law for the renaming as directed by Council is attached to this report as Schedule B.

LINK TO STRATEGIC PLAN:

Not applicable

FINANCIAL CONSIDERATIONS:

No implications to be considered with this report.

CONTACTS:

Joseph E. Davis, Senior Project Manager, Planning and Development Services (384-1770 ext 3125)

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:

NOTICE PROVISIONS:

Under the Municipal Act and by-law 2003-15 of the City of Kingston, the city is required to provide public notice of its intention to pass a by-law changing the name of a highway. This was advertised in the Kingston Whig-Standard on Wednesday, August 25, 2004. No comments have been received from the public concerning this renaming.
APPENDICES:

Schedule A: Schedule of civic addresses along John Counter Boulevard.
Schedule B: Proposed by-law renaming Counter Street to John Counter Boulevard.

Terry Willing  
Acting Commissioner

Brent Meunier  
Chief Administrative Officer
<table>
<thead>
<tr>
<th>Current Address</th>
<th>New Address</th>
<th>Owner</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Elliott Avenue to John Counter Boulevard</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Changes to 603</td>
<td>MUSIC PETER</td>
</tr>
<tr>
<td>2A</td>
<td>Changes to 612</td>
<td>MARTIN ROBERT BENNETT</td>
</tr>
<tr>
<td>3</td>
<td>Changes to 630</td>
<td>FRANCIS WILLIAM W FRANCIS EUNICE</td>
</tr>
<tr>
<td>12</td>
<td>Changes to 722</td>
<td>BOB MARTIN CONST CO LTD</td>
</tr>
<tr>
<td>134</td>
<td>Changes to 730</td>
<td>BOB MARTIN CONST CO LTD</td>
</tr>
<tr>
<td>140</td>
<td>Changes to 766</td>
<td>BOB MARTIN CONST CO LTD</td>
</tr>
<tr>
<td>180</td>
<td>Changes to 802</td>
<td>CALLAGHAN MARGARET ELLEN SMITH MICHAEL NORMAN</td>
</tr>
<tr>
<td>182</td>
<td>Changes to 804</td>
<td>CALLAGHAN MARGARET ELLEN SMITH MICHAEL NORMAN</td>
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<tr>
<td>196</td>
<td>Changes to 816</td>
<td>DIRKSEN MAAS DIRKSEN SHIRLEY</td>
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<tr>
<td>216</td>
<td>Changes to 824</td>
<td>LIONS CLUB OF KINGSTON</td>
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<tr>
<td>218</td>
<td>Changes to 830</td>
<td>TAILLON GARY EDGAR DESJARDINS THOMAS</td>
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<td>230</td>
<td>Changes to 840</td>
<td>SHETLER HEATHER DARLENE SHETLER GARY GORDON</td>
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<tr>
<td>256</td>
<td>Changes to 848</td>
<td>1425453 ONTARIO LTD</td>
</tr>
<tr>
<td><strong>Elliott Avenue to Montreal Street</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>68</td>
<td>Changes to 900 Montreal</td>
<td>R PAUL MARTIN CONSTRUCTION</td>
</tr>
<tr>
<td><strong>Counter Street to John Counter Boulevard</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>875</td>
<td>Changes to 1875</td>
<td>PAT'S RADIATOR SERVICE LTD</td>
</tr>
<tr>
<td>880</td>
<td>Changes to 1880</td>
<td>REID JAMES IN TRUST REID DAVID WILSON IN TRUST</td>
</tr>
<tr>
<td>900</td>
<td>Changes to 1900</td>
<td>JAMES REID LIMITED</td>
</tr>
<tr>
<td>905</td>
<td>Changes to 1905</td>
<td>TICKERT WENDELL</td>
</tr>
<tr>
<td>606</td>
<td>Changes to 1606</td>
<td>CROWE JOHN JEFFREY CROWE LEE ANN JENISE</td>
</tr>
</tbody>
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### Counter Street to John Counter Boulevard (cont’d)

<table>
<thead>
<tr>
<th>Number</th>
<th>Changes to</th>
<th>Counter Number</th>
<th>Name of Change Details</th>
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<tr>
<td>610</td>
<td></td>
<td>1610</td>
<td>MARSHALL GEOFFREY</td>
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<td>MARSHALL PAULINE</td>
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<td>1614</td>
<td>WILSON ROBERT EARL</td>
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<td>33</td>
<td></td>
<td>1033</td>
<td>KINGSTON FEED &amp; FARM LTD</td>
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<td>45</td>
<td></td>
<td>1045</td>
<td>SMITH CHARLES A ESTATE</td>
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<td>59</td>
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<td>WILLIAM BROWNLEE CARTAGE LTD</td>
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<td>753936 ONTARIO LIMITED</td>
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<td>121</td>
<td></td>
<td>1121</td>
<td>3-J INVESTMENTS LIMITED IN TRUST</td>
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<tr>
<td>149</td>
<td></td>
<td>1149</td>
<td>GLEN SUPPLY CO LTD</td>
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<td>1175</td>
<td>DOUGLAS BRAUND INVESTMENTS (KINGSTON) LTD</td>
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<tr>
<td>177</td>
<td></td>
<td>1177</td>
<td>KKC INC</td>
</tr>
<tr>
<td>211</td>
<td></td>
<td>1211</td>
<td>KINGSTON INC</td>
</tr>
<tr>
<td>325</td>
<td></td>
<td>1325</td>
<td>KIMCO STEEL SALES LIMITED</td>
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<tr>
<td>355</td>
<td></td>
<td>1355</td>
<td>ONTARIO REALTY CORPORATION</td>
</tr>
<tr>
<td>407</td>
<td></td>
<td>1407</td>
<td>COUNTER CORPORATION INC</td>
</tr>
<tr>
<td>473</td>
<td></td>
<td>1473</td>
<td>MARTIN ROBERT B IN TRUST</td>
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<tr>
<td>471</td>
<td></td>
<td>1471</td>
<td>BOB MARTIN CONST CO LTD</td>
</tr>
<tr>
<td>525</td>
<td></td>
<td>1525</td>
<td>S ANGLIN COMPANY LIMITED</td>
</tr>
<tr>
<td>507</td>
<td></td>
<td>1507</td>
<td>WHEAT STALK INVESTMENT CORP</td>
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<td>493</td>
<td></td>
<td>1493</td>
<td>PETERSEN MAUREEN M</td>
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<td>1479</td>
<td>MARTIN JEAN MADELON TRUSTEE</td>
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<td>551</td>
<td></td>
<td>1551</td>
<td>R PAUL MARTIN CONSTRUCTION</td>
</tr>
<tr>
<td>571</td>
<td></td>
<td>1571</td>
<td>SHEA GERALD TERRANCE SHEA JULIETTE PAULINE</td>
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<tr>
<td>573</td>
<td></td>
<td>1573</td>
<td>838417 ONTARIO LTD</td>
</tr>
<tr>
<td>575</td>
<td></td>
<td>1575</td>
<td>KINGSTON CONSTRUCTION ASSOC</td>
</tr>
<tr>
<td>705</td>
<td></td>
<td>1705</td>
<td>901670 ONTARIO LIMITED</td>
</tr>
</tbody>
</table>
A BY-LAW TO CHANGE THE NAME OF COUNTER STREET AND A PORTION OF ELLIOTT AVENUE TO JOHN COUNTER BOULEVARD

PASSED:

WHEREAS Section 47 of the Municipal Act, 2001, S.O. 2001, c. 25, provides that a municipality may name a highway or change the name of a highway and give public notice of its intention to pass the by-law;

AND WHEREAS public notice of Council's intention to pass this by-law has been published in accordance with Section 47 of the Municipal Act, 2001;

NOW THEREFORE the Council of The Corporation of the City of Kingston enacts as follows:

1. That portion of Elliott Avenue from 400 metres west of Maple Street to 269 metres east of Montreal Street shall be renamed John Counter Boulevard.

2. Counter Street in its entirety shall be renamed John Counter Boulevard.

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

GIVEN FIRST AND SECOND READING

GIVEN THIRD READING AND FINALLY PASSED

CITY CLERK

MAYOR

K:/Project Office/Reports To Council-COW'04-362 Counter Elliott Renaming.Doc
CITeR OF KINcSTON
REPORT TO COUNCIL

TO: Bert Meunier, Chief Administrative Officer
FROM: Mark Segsworth, Commissioner, Operations Services
PREPARED BY: John Giles, Manager, Solid Waste Division
DATE OF MEETING: 2004-09-21
SUBJECT: Household Hazardous Waste Contract Extensions

RECOMMENDATION TO COUNCIL:
It is recommended that:
1. the contract with Brendar Environmental Inc. for provision of operations services at the Household Hazardous Waste facility be extended through 2005 with a 3% increase and include an extension for 2006 with a 0% increase at the sole option of the City; and
2. the contract with Buckham Transport Ltd. for provision of waste disposal services for the Household Hazardous Waste facility be extended through 2005 with a 2% increase and include an extension for 2006 with a 0% increase at the sole option of the City;
both subject to the satisfaction of the Director, Legal Services.

ORIGIN/PURPOSE:
Household Hazardous Waste (HHW) services at the Kingston Area Recycling Centre are provided by two contracts awarded in 2003: one for daily operation of the facility; and one for disposal of generated waste. Brendar Environmental provides operations and Buckham Transport provides disposal. Both contracts expire at the end of 2004.

Both contractors have provided written proposals to extend their contracts for two additional one year terms, the second year being an option at the sole discretion of the City. All other conditions of the existing contracts would be maintained.

OPTIONS/DISCUSSION:
Two bids were received for the operations component based on 42 events. Brendar Environmental was the low bidder at an annual cost of $57,330 for the first year with a 5% increase to $60,197 for the second. The other bid was $74,760 for the first year with a 1.7% CPI increase to $76,031 for the second. Brendar propose an increase of 3% to $62,003 for 2005 with no increase for 2006.

Four bids were received for the disposal component based on typical types of waste received. Buckham Transport was the low bidder at an annual cost of $77,810 for the first year with a 4% increase to $80,922 for the second. The next lowest bid was $81,589 for the first year with a 1.7% CPI increase to $82,976 for the second. Buckham propose an increase of 2% to $82,540 for 2005 with no increase in 2006.

The performance of both contractors has been more than satisfactory.
The combined proposals result in an increase of approximately 2.4% for 2005 followed by 0% in 2006. If the work was re-tendered it could very likely end up costing more for both years due to rising fuel, insurance and labour costs.

EXISTING POLICY/BY-LAW:
Purchasing By-law 2000-134 establishes that in all cases where three competitive sealed bids are not received the Senior Manager responsible shall submit a report to Council setting out the prices received, together with his recommendation, prior to awarding the contract. This report is submitted in this regard.

LINK TO STRATEGIC PLAN:
The Environment.

FINANCIAL CONSIDERATIONS:
Sufficient funds will be included in the 2005 operating budget for the operation of the HHW facility incorporating an average 2.4% increase as identified in the report if the recommendation is carried. The 2006 budget will show 0% increase if the option year is accepted by the City. If the recommendation is not carried, the contracts will be tendered.

CONTACTS:
John Giles, Manager, Solid Waste Division.................546-4291 ext. 2701

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:
No other Departments or Divisions are affected.

NOTICE PROVISIONS:
There are no Notice Requirements related to the subject of this report.

APPENDICES:
There are no appendices to this report.

Mark Segsworth
Commissioner, Operations Department

B. Meunier
Chief Administrative Officer
TO: Bert Meunier, Chief Administrative Officer
FROM: Mark Segsworth, Commissioner of Operations
PREPARED BY: Paula Nichols, Manager, Parking Services
DATE OF MEETING: 2004-09-21
SUBJECT: Agreement with Kincore Holdings for Parking Space at the Angrove Lot

RECOMMENDATION TO COUNCIL:

That Council authorize staff to renew the agreement with Kincore Holdings Ltd., satisfactory to the City Solicitor, for the lease of the parking space at the Angrove Parking Lot at the entrance to Kincore’s building at 80 Queen St. The lease amount is that charged for monthly pass holders in the Angrove Parking Lot.

ORIGIN/PURPOSE:

The agreement with Kincore Holdings Ltd. for the lease of a parking space in the Angrove Parking Lot expires on October 31, 2004.

OPTIONS/DISCUSSION:

In 2001, City Council approved an agreement with Kincore Holdings Ltd. to lease the parking space outside of their doors from their building at 80 Queen St. opening on to the Angrove Parking Lot. It is recommended that the existing lease amount be continued, that being what monthly pass holders pay in the Angrove Parking Lot, currently $80, including taxes.

EXISTING POLICY/BY-LAW: n/a

LINK TO THE STRATEGIC PLAN: n/a

FINANCIAL CONSIDERATIONS:

Revenue credited to the Angrove Parking Lot will total $834 per year.

CONTACTS:
Paula Nichols, Manager, Parking Services, 546-4291, ext. 1279
Diane Porteus, Kincore Holdings Ltd., 530-2727, ext. 8
DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:

NOTICE PROVISIONS:
N/A

APPENDICES:
N/A

<table>
<thead>
<tr>
<th>Mark Segsworth</th>
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<tr>
<td>Commissioner of Operations</td>
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<tr>
<th>Bert Méunier</th>
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<tr>
<td>Chief Administrative Officer</td>
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</table>
RECOMMENDATION TO COUNCIL:

THAT the tender of Dibblee Construction Limited for Contract 2004-20W CNR Crossing Upgrades at Various Locations, in the amount of $511,000.00, be accepted, it being the lowest tender received. This contract consists of upgrades to CNR crossings in various locations including:

1. Road reconstruction of Collins Bay Road from Bath Road to Edwin Street
2. Construction of a multi use asphalt walkway across CN track at 1792 Bath Road (across from Frontenac Secondary School)
3. CN crossing upgrades at Best Chase Road

ORIGIN/PURPOSE:

To award the tender for Contract 2004-20W, CNR Crossing Upgrades at Various Locations.

OPTIONS/DISCUSSION:

On Wednesday, September 8, 2004, only two bids for Contract 2004-20 were received as follows (prices exclude GST).

Dibblee Construction Limited $511,000.00
Cruickshank Construction Limited $547,350.51

Therefore, Council’s approval of the lowest tender is required under the purchasing by-law. Dibblee Construction Limited is a reputable Contractor and has completed similar contracts for the City in the past. The bid received from Dibblee Construction Limited is within the amount budgeted by the City for the completion of the project.
EXISTING POLICY/BY-LAW:

The purchasing by-law allows for a tender to be awarded to the lowest bid by staff when three bids have been received. Only two bids were received in this case, so the by-law requires that Council approval be obtained before the work is awarded.

Council awards the tender to the lowest bidder unless there is sufficient reason to do otherwise.

LINK TO STRATEGIC PLAN:

N/A

FINANCIAL CONSIDERATIONS:

There are sufficient funds allocated to complete this project.

CONTACTS:

Speros Kanellos, Manager, Engineering, Planning & Development Services (384-1770 ext. 3133)
Robert Brooks, Construction Supervisor, Engineering Division, Planning & Development Services (384-1770 ext. 3139)

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:

N/A

NOTICE PROVISIONS:

All traffic delays are advertised in the local paper prior to the closings and delays.

APPENDICES:

None

Terry Willing, Acting Commissioner
Planning and Development Services

Bert Meunier
Chief Administrative Officer
REPORT TO COUNCIL

TO: Bert Meunier, Chief Administrative Officer
FROM: Terry Willing, Acting Commissioner, Planning and Development Services
PREPARED BY: Jim Fowler, Senior Development Technologist, Engineering Division
DATE OF MEETING: September 21, 2004
SUBJECT: ARBOUR RIDGE SUBDIVISION PHASE 2C, 13M-23
RELEASE AND ABANDONMENT OF BLANKET EASEMENT PART 1, 13R-11516

RECOMMENDATION TO COUNCIL:

Whereas a blanket easement was registered over Part 1, 13R-11516 for the purpose of maintaining a drainage outlet adjacent to Plan 13M-23, and

Whereas the blanket easement is no longer required,

Therefore be it resolved that Council authorize the Director of Legal Services to release and abandon the blanket easement registered as instrument #LT024508, covering all of Part 1 on 13R-11516, save and except Registered Plan 1975, Plan 13M-5, and the lands of this subdivision, which is described as 13M-23. All other easements associated with this instrument number are to remain in effect.

ORIGIN/PURPOSE:

The City of Kingston entered into a subdivision agreement with the developer of Arbour Ridge Phase 2C, Brothlin Enterprises Ltd, on May 23, 2000. The agreement was registered as instrument #LT024508 (13M-23). The subdivision agreement required the developer to provide a blanket easement described above for the purpose of maintaining a drainage outlet on the adjoining lands later to become registered plan 13M-47 (Arbour Ridge Phase 3). This temporary condition has since been addressed with the approval of the plan of subdivision for 13M-47. The developer has requested that a temporary easement which was granted with the execution of the subdivision be discharged. This has also been requested from various solicitors on behalf of home buyers in this neighbourhood.

OPTIONS/DISCUSSION:

The blanket easement was acquired with the registration of plan 13M-23 for the purpose of maintaining a drainage outlet on the adjoining lands later to become plan 13M-47. The easement is no longer required because the drainage outlet is now conveyed through an underground storm sewer system in public rights-of-way, namely Tanner Drive and Melrose Street.
The easement document containing this blanket easement also contains easements described as Part of Lots 32 and 33, Plan 13M-23 designated as Part 3 and 4 on Plan 13R-15434 and Parts of Blocks 64 and 65, Plan 13M-23 designated as Parts 1 and 2 on Plan 13R-15434. These easements are to remain as registered easements as they are required for City utility purposes.

EXISTING POLICY/BY-LAW:

N/A

LINK TO STRATEGIC PLAN:

N/A

FINANCIAL CONSIDERATIONS:

None.

CONTACTS:

Peter Huigenbos, Development Supervisor, Engineering Division, 384-1770 ext. 3148
Jim Fowler, CET, Senior Development Technologist, Engineering Division, 384-1770 ext. 3172

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:

Department of Corporate Services, Tony Fleming, Senior Legal Counsel, 546-4291 ext. 1293

NOTICE PROVISIONS:

None required.

APPENDICES:

Schedule “A” Location Map

Terry Willing
Acting Commissioner, Planning & Development Services

Bert Meunier
Chief Administrative Officer
TO: Bert Meunier, Chief Administrative Officer
FROM: Lance Thurston, Commissioner of Community Services
PREPARED BY: John Cross, Community Emergency Management Coordinator
DATE OF MEETING: 2004-09-21
SUBJECT: Joint Emergency Preparedness Program (JEPP) Funding Application

RECOMMENDATION TO COUNCIL:
WHEREAS the Emergency Management Act (2003) requires all municipalities to conduct an annual emergency exercise;

AND WHEREAS applications can be made to the federal/provincial Joint Emergency Preparedness Program (JEPP) to apply for cost-sharing consideration for the costs of designing and administering an emergency tabletop exercise;

AND WHEREAS staff recommends that a 2005/2006 JEPP funding application be prepared requesting reimbursement consideration (up to $5,000 maximum) for approved costs towards the City of Kingston's 2005 emergency exercise.

THEREFORE IT BE RESOLVED THAT Council authorizes the Mayor and Clerk to sign the 2005/2006 JEPP funding application in a form satisfactory to the City Solicitor, as recommended by the Commissioner of Community Services, in a report dated September 21, 2004 (04-375).

ORIGIN/PURPOSE:
The purpose of this report is to seek Council’s approval to apply for 2005/2006 JEPP funding consideration by the September 21, 2004 application date.

OPTIONS/DISCUSSION:
Staff is recommending that professional consulting services be used to design and coordinate the City of Kingston’s Emergency Exercise to be held in the fall of 2005. A professionally facilitated emergency tabletop exercise will provide a controlled evaluation of the City of Kingston’s Emergency Plan and Emergency Operations Centre under simulated emergency conditions. The City of Kingston’s Municipal Control Group, designates and auxiliary staff will participate in the emergency exercise.
The “lessons learned” will be used to enhance the City of Kingston’s Emergency Response Plan and various supplementary emergency response plans and procedures. Successful completion of this exercise will meet the Ministry of Public Safety and Security’s year 2005 “Enhanced level” verification standard.

EXISTING POLICY/BY-LAW:
City of Kingston Emergency Plan (By-Law 2003-464 dated 2003-11-04)

LINK TO THE STRATEGIC PLAN:
Not applicable

FINANCIAL CONSIDERATIONS:
JEPP typically notifies successful applicants by June of the following year and all JEPP funding is paid in arrears. Once an approved project has been completed, the municipality will submit a claim to JEPP for the program portion of the cost of the JEPP project.

CONTACTS:
John Cross, Manager, Policy & Support Services, 546-4291 ext. 1249

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:
Municipal Control Group – City of Kingston
Dave Clarke, Community Officer, Emergency Management Ontario

NOTICE PROVISIONS:
Not Applicable

APPENDICES:
None

Lance Thurston,
Commissioner of Community Services

Bert Meunier
Chief Administrative Officer
TO: Bert Meunier, Chief Administrative Officer
FROM: Terry Willing, Acting Commissioner, Planning and Development Services
PREPARED BY: Peter Huigenbos, Development Supervisor, Engineering Division
DATE OF MEETING: September 21, 2004
SUBJECT: EMERALD ADULT COMMUNITY ASSOCIATION PETITION TO COUNCIL AT AUGUST 17, 2004 MEETING TEMPORARY ACCESS ROAD FROM EMERALD STREET TO CENTENNIAL DRIVE – KING’S LANDING SUBDIVISION

RECOMMENDATION TO COUNCIL:
Whereas the Emerald Adult Community Association submitted a petition to Council on August 17, 2004; and,

Whereas Council directed staff to investigate the closure of the access road from Centennial Drive to Emerald Street as described as Block 102 on plan 13M-18 and report back at the September 21, 2004 Council meeting; and,

Whereas the temporary access must remain in place to provide emergency vehicle access to the residents of King’s Landing Subdivision Phase 1, 13M-18;

Therefore be it resolved that Council direct staff to construct removable barricades or chains at each end of the temporary access road over Block 102 on Plan 13M-18 to allow access for pedestrians, cyclists and emergency vehicles only. The barricades will be removed each winter season from December 1 to March 31 to allow access for City snow ploughs.

ORIGIN/PURPOSE:
At the regular meeting of Kingston City Council held on August 17 and 18, 2004, a petition, bearing approximately 75 signatures, was presented by Councillor Meers, which read as follows:

"Whereas the Emerald Adult Community was initially registered on November 8, 1999, with the first units occupied in May, 2000 by elderly individuals, with the understanding that the Temporary Access Road from Centennial Drive to Emerald Street would be closed and a park setting be completed in a reasonable amount of time; Therefore, we, the undersigned residents who live on Emerald Street, which is located in King’s Landing Phase 1, Cataraqui North Neighbourhood, are requesting the City to issue forthwith instructions to all parties involved to
immediately install temporary barricades at both ends of the existing Temporary Access Road to permit emergency use vehicles only.

- Remove Section 5.2 of the Subdivision Agreement Instrument #LT02092 in order to have the park completed.

- Instruct all parties involved to proceed with all legal items, etc. necessary to provide a new temporary Emergency Access Road (if this is required), as outlined in Mr. Splinter's letter of July 27, 2004 on his land in King's Landing Phase 2."

At the meeting of Kingston City Council held on September 7, 2004 a motion was carried as follows:

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 RESOLVED 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.

The subdivision agreement for King's Landing Phase 1 between Braebury Homes Corporation and the City of Kingston was registered on title November 8, 1999. It contains the following Conditions and Notice relevant to the temporary access road between Emerald Street and Centennial Drive:

**Schedule “J” – Special Conditions**

5.2 **Temporary Access Road – All Lots**

1. A temporary access road to the subdivision, identified as Block 102 on the plan, shall be provided until such time as the extended Centennial Drive and Crossfield Avenue serve as a permanent access to the subdivision. All offers of purchase and sale and all deeds to land within the subdivision shall contain an appropriate notice to this effect. When the temporary access road is closed permanently, the lands upon which it is located may be used for the purposes for which they are zoned.

2. The temporary access road referenced above shall be both constructed and removed by the owner, in a manner which is to the satisfaction of the municipality. This shall include signage, lighting, surface treatment, landscaping and any necessary improvements to Emerald Street, as shown on the plan, resulting from the construction and ultimate closing of this temporary road.

3. Following the closing of the temporary access road referenced in Clause 2) above, Block 102, as shown on the plan, shall be improved for park purposes by the owner/developer to the satisfaction of the municipality in accordance with the approved plans in Schedule E of this Agreement.
Crossfield Avenue is a future road to be constructed with King’s Landing Phase 2. The commencement of Phase 2 construction is not in the immediate plans of the developer.

Planning and Development Services has been working with residents of this community to find a legal solution that addresses their concerns. In the interim, Engineering has erected a “No Heavy Trucks” sign at each end of the temporary access road to deter large construction vehicles from using the road. See Schedule ‘A’.

OPTIONS/DISCUSSION:

Prior to addressing the issues raised in the petition and the request from Council to investigate closure of the access road, the following points should be clear:

- The temporary access road is not a dedicated highway, it is property owned by the City, acquired for park purposes.
- The Subdivision Agreement states that “A temporary access road to the subdivision, identified as Block 102 on the plan, shall be provided until such time as the extended Centennial Drive and Crossfield Avenue serve as a permanent access to the subdivision.” All owners of lots on Emerald Street were made aware, through the notice provided in the subdivision agreement and their individual agreements of purchase and sale that this temporary road would be in place until Crossfield Avenue is constructed.
- Any closure of the access road, either by removable barricades or by permanent closure, at any time prior to the completion of Centennial Drive and Crossfield Avenue would be contrary to the understanding that all residents of the subdivision had pursuant to the Subdivision Agreement.
- The temporary access must remain in place to provide emergency vehicle access to the residents in King’s Landing Subdivision Phase 1, 13M-18.

Council has directed staff to investigate the closure of the access road. To this end and to address the three separate points raised in the petition, we report as follows:

**Petition Request #1:** “Immediately install temporary barricades at both ends of the existing Temporary Access Road to permit emergency use vehicles only.”

The option of barricading the access road has been discussed between Engineering, Fire & Rescue, Operations and Legal Services. Fire and Rescue requires the road to remain in place as it provides necessary emergency access until Crossfield Avenue is completed. Fire and Rescue will not agree to removable barricades or chains through the winter season as these cause maintenance problems for snow clearing and therefore would restrict access. Fire and Rescue would support barricading the access road
for eight (8) months of each year, from April 1 to November 30. The Department of Operations agrees that a form of barricade can be left in place for eight months of each year with the understanding that they will be removed from December 1 to March 31 to allow for unimpeded snow clearing.

The petition presented to council had signatures from residents of Emerald Street only. Signatures of all property owners in King’s Landing Phase 1, including Cavendish Crescent, were not provided. Restricting access to Emerald Street without support of all residents of the King’s Landing Phase 1 subdivision would be contrary to the understanding expressed in the subdivision agreement that the temporary access would be in place until Crossfield Avenue was constructed.

If the city erected barricades to allow for emergency access only, without the support of all owners, any owner within the subdivision that did not support this action might demand that the road be re-instated for public access.

The erection of posts and chain or similar barricade structure at each end of the temporary access road would be to the satisfaction of Fire and Rescue, Operations and the Engineer Division. The estimated cost of the work, plus appropriate signage, is $2,500.

The Engineering Division will work with the developer of King’s Landing Phase 2 to determine appropriate construction access over Block 102. Any construction access granted will be for Phase 2 work only and will be to the satisfaction of the Engineering Division.

**Petition Request #2:** “Remove Section 5.2 of the Subdivision Agreement Instrument #LT02092 in order to have the park completed.”

The park may be constructed to near full completion without the removal of Section 5.2 of the Agreement. The approved park that runs adjacent to the east side of Centennial Drive between Emerald Street and Cavendish Crescent is comprised of two separate blocks, Block 101 and Block 102. Block 102 provides for the temporary access road. The much larger Block 101 comprises the majority of the park lands and the associated plantings and works. See Appendix ‘A’ and ‘B’ for details.

The vast majority of the park known as Block 101 can be completed as per the terms of the current subdivision agreement. Therefore, there is no reason to remove Section 5.2 in order to have the park completed.

**Petition Request #3:** “Instruct all parties involved to proceed with all legal items, etc. necessary to provide a new temporary Emergency Access Road (if this is required), as outlined in Mr. Splinter’s letter of July 27, 2004 on his land in King’s Landing Phase 2.”

This request is to construct a new access road from Centennial Drive to Cavendish Crescent approximately 200 metres north of the existing access road on Block 102. There are two options with this scenario: construct another access road that provides access to the public as well as emergency vehicles; or construct an emergency vehicle use road only, with barricades for eight (8) months of the year as earlier discussed.
This may essentially shift the current concerns from Emerald Street to Cavendish Crescent. As it is a further 200 metres north along Centennial Drive, there may be some level of reduced traffic, however it is likely that similar concerns will be raised by the residents of Cavendish Crescent. In addition to the traffic concerns, there is also the issue of cost. The road would need to be constructed to current standards, which is estimated to cost at minimum $10,000-15,000.

Furthermore, it is unlikely that all residents of Cavendish Crescent would give their support to this option. The owners of Emerald Street purchased with full knowledge of the temporary road, those on Cavendish Crescent did not and a question of fairness emerges if this proposal were considered.

This option would also require the City to open Centennial Drive to public traffic from north of the existing access road. Currently, Centennial Drive is barricaded with concrete barriers.

EXISTING POLICY/BY-LAW:
N/A

LINK TO STRATEGIC PLAN:

Priority Area: Promotion of Neighbourhood Associations

"Neighbourhood associations will play a greater role in improving the quality of life of residents. Working in partnership with the City, neighbourhood associations will take a lead role in identifying and resolving neighbourhood issues."

FINANCIAL CONSIDERATIONS:
The estimated cost of the work is $2,500.

CONTACTS:
Speros Kanellos, P.Eng., Manager, Engineering Division, 384-1770 ext. 3133
Peter Huigenbos, Development Supervisor, Engineering Division, 384-1770 ext. 3148

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:
Department of Corporate Services, Tony Fleming, Senior Legal Counsel, 546-4291 ext. 1293
Department of Community Services, Robb Kidd, Assistant Fire Chief/Director of Fire Prevention, 548-4001 ext. 5107
Department of Operations, Damon Wells, Manager of Roads, 542-1436, ext. 103

NOTICE PROVISIONS:
None required.
APPENDICES:

Schedule "A" Location Map

Terry Willing  
Acting Commissioner, Planning & Development Services

Bert Meunier  
Chief Administrative Officer

K:\Public\2004\Reports To Council\04-367 Emerald Adult Community - Access Road Petition.DOC
Kings Landing Phase 1
Temporary Access Road

Location Map

CITY OF KINGSTON
Engineering Division
Planning & Development Services

Kings Landing Subdivision
Registered Plan 13M-18

Prepared By: D. Brodie
Date: Sept. 6, 2004
TO: Bert Meunier, Chief Administrative Officer
FROM: Denis Leger, Commissioner of Corporate Services
PREPARED BY: Janis Morrison, Purchasing Agent
DATE OF MEETING: 2004-09-21
SUBJECT: Request For Proposal CORP-FIN 2004-8 For The Supply of Furnace Oil

RECOMMENDATION TO COUNCIL:
That Request for Proposal (RFP), CORP-FIN-2004-8, for the supply of furnace oil be awarded to Triheat Anglin Energy Supply Company having submitted the highest scoring proposal based on the evaluation criteria provided.

ORIGIN/PURPOSE:
The RFP for furnace oil is coordinated by the Purchasing Agent of the City of Kingston to secure fair prices and consistent supply and service for the procurement of furnace oil. This RFP will have a one year term, commencing September 15, 2004, with one further one year renewal option, pending the agreement of both parties.

OPTIONS/DISCUSSION:
RFP CORP-FIN 2004-8 was publicly advertised and fax broadcast to vendors on the city vendor list. Six submissions were received.

Proposals were evaluated by the Purchasing Section, Finance Division in consultation with the Fleet, Cultural Services and Environment Divisions. The following evaluation criteria was provided to proponents and applied to the evaluation of submissions.

<table>
<thead>
<tr>
<th>Components</th>
<th>Weighting Applied</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pricing Option/Formula</td>
<td>40 %</td>
</tr>
<tr>
<td>Product Quality/Sulphur Content</td>
<td>30 %</td>
</tr>
<tr>
<td>Company Profile/References</td>
<td>20 %</td>
</tr>
<tr>
<td>Compliance to the RFP Format</td>
<td>7 %</td>
</tr>
<tr>
<td>Ontarians Disability Act</td>
<td>3 %</td>
</tr>
</tbody>
</table>
Proponents were required to submit pricing for the month of January 2004 that would reflect the prices the City of Kingston would have paid based on their proposed formulas. The resulting averages are illustrated in the Financial Considerations section of this report.

Product Quality and Sulphur content, a key component of the evaluation criteria worth 30% had the following results:

<table>
<thead>
<tr>
<th>Sulphur Content Ranking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Triheat Anglin</td>
</tr>
<tr>
<td>500 ppm</td>
</tr>
<tr>
<td>Suncor</td>
</tr>
<tr>
<td>500 ppm</td>
</tr>
<tr>
<td>Rosen Fuels</td>
</tr>
<tr>
<td>1744 ppm</td>
</tr>
<tr>
<td>McKeown &amp; Wood</td>
</tr>
<tr>
<td>2153 min</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>4239 max</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>ppm</td>
</tr>
<tr>
<td>Ultramar</td>
</tr>
<tr>
<td>No Response</td>
</tr>
<tr>
<td>Imperial Oil</td>
</tr>
<tr>
<td>No Response</td>
</tr>
</tbody>
</table>

The proposal submitted by Triheat Anglin Energy Supply Company scored the highest offering competitive prices, based on the predetermined evaluation criteria. The recommended supplier is the city’s current supplier for this commodity.

<table>
<thead>
<tr>
<th>Proposal Ranking Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Triheat Anglin</td>
</tr>
<tr>
<td>2 Suncor</td>
</tr>
<tr>
<td>3 Rosen Fuels</td>
</tr>
<tr>
<td>4 McKeown &amp; Wood</td>
</tr>
<tr>
<td>5 Ultramar</td>
</tr>
<tr>
<td>6 Imperial Oil</td>
</tr>
</tbody>
</table>

EXISTING POLICY/BY-LAW:

Purchasing By-Law 2000-134, a By-law to Establish Purchasing Policies and Procedures for the City of Kingston, as amended.

LINK TO THE STRATEGIC PLAN:

N/A

FINANCIAL CONSIDERATIONS:

The following per litre prices, are based on market prices using various formulas that the city would have paid for fuel in January of 2004.
A firm price option of 0.5316/litre was also submitted. This option was researched and it was decided the current market formula would be recommended. It is impossible to determine future pricing of this commodity with certainty.

CONTACTS:

Janis Morrison    Purchasing Agent   546-4291  2229
Gerard Hunt       Manager of Finance 546-4291  2205
Bud Steele        Manager, Fleet     546-4291  2216
Jim English       Pollution Prevention Specialist 384-1770  138
Wayne Freeman     Supervisor, Parks and Green Space 544-2075

DEPARTMENTS/OThERS CONSULTED AND AFFECTED:
All Departments that have oil furnaces.

NOTICE PROVISIONS:
N/A

APPENDICES:
N/A

Denis Leger
Commissioner of Corporate Services

Bert Meunier
Chief Administrative Officer
TO: Bert Meunier, Chief Administrative Officer
FROM: Mark Segsworth, Commissioner of Operations
PREPARED BY: Brad Finch, Airport Manager
DATE OF MEETING: September 21, 2004
SUBJECT: Amendment to the Lease Agreement between the Corporation of the City of Kingston and Central Airways Corp.

RECOMMENDATIONS TO COUNCIL:

1. That City Council approve a lease amendment to Clause 1 in the Lease Agreement dated the 1\textsuperscript{st} day of December, 1993, between The Corporation of the City of Kingston and Central Airways Corp., for the use of Rooms 109 and 128, plus Counter and Queuing Areas in the Air Terminal Building, at the Kingston (Norman Rogers) Airport as follows:

   1. The City hereby leases to the Company certain space in the City’s Air Terminal Building. The City hereby allows the Company to occupy, rent free, in the Terminal Building:
      
      (a) a check-in counter; (with an area of 8.95m\textsuperscript{2} for passenger service and 1.84m\textsuperscript{2} for cargo service) queuing areas; (with an area of 4.75m\textsuperscript{2} for passenger service and 0.98m\textsuperscript{2} for cargo service); and

      (b) a single (Room 109) office; (with an area of 9.76m\textsuperscript{2}) plus a storage (Room 128) area (with an area of 4.24m\textsuperscript{2}) and

      (c) the use of one-half (14.46m\textsuperscript{2}) of the area of the Baggage Room 107 and one-half (4.35m\textsuperscript{2}) of the Cargo Room 108; it being understood that rent for all areas will be negotiated upon right of renewal as per Clause 3; and

      to permit the Company to operate as an airline handling agent, using, on a non-exclusive basis, the facilities and areas to be provided for passenger, freight, and baggage processing.

2. That the terms of the lease amendment shall be in a form satisfactory to City Solicitor; and

3. That the Mayor and City Clerk be authorized to sign said amendment.
ORIGIN/PURPOSE:

Airport Administration, Operations Services. The purpose of this report is to recommend that a lease amendment spelling out specific leased areas with Central Airways Corp., be approved.

OPTIONS/DISCUSSION:

1. On December 1, 1993, Clause 2A, Report No. 151, 1993, Central Airways Corp. entered into a Lease Agreement with the City of Kingston relinquishing Pad 2 at the Airport in order that the City could build an Air Terminal Building (ATB). Further clauses in the Lease, gave Central rent-free occupancy of an office, ticket counter, queuing area and storage. All areas were approximate and made prior to final construction of the Terminal. The term of the Lease was for 12 years with two-five year extensions, on the same terms except rent which is to be negotiated.

2. On January 1, 1999, Clause 1, Report No. 9, 1999, Central entered into another Lease Agreement for office space and counter and queuing area in the ATB, in addition to the above. This lease is null and void as of April 1, 2004.

3. In the fall of 2003, Airport Administration built an addition on the ATB for security purposes which eliminated the area of the second lease as of April 1, 2004. To facilitate the terms of the first lease, Airport Administration provided Central with spaces, rent-free, in the new addition that were close in area to the original leased areas. These new areas should be reflected in an amendment to Clauses 1 (a) and (b) of the 1993 lease and the inclusion of a new Clause 1 (c) as follows:

   a. a check-in counter; (with an area of 8.95m$^2$ for passenger service and 1.84m$^2$ for cargo service) queuing areas; (with an area of 4.75m$^2$ for passenger service and 0.98m$^2$ for cargo service); and

   b. a single (Room 109) office; (with an area of 9.76m$^2$) plus a storage (Room 128) area (with an area of 4.24m$^2$) and

   c. the use of one-half (14.46m$^2$) of the area of the Baggage Room 107 and one-half (4.35m$^2$) of the Cargo Room 108; it being understood that rent for all areas will be negotiated upon right of renewal as per Clause 3.

4. All other Clauses of the Agreement dated the 1st day of December, 1993, will remain in place.

5. Airport Administration recommends that the City approve this lease amendment.

EXISTING POLICY/BY-LAW:

By-Law No. 98-1, Council Procedural By-Law, provides authority for the Mayor and Clerk to sign all agreements that are approved by Council.
By-Law No. 2000-119, a By-Law to Establish a User Fee Structure at the Kingston (Norman Rogers) Airport.

LINK TO STRATEGIC PLAN:
This is not directly linked to the Priority Action Items in the Strategic Plan.

FINANCIAL CONSIDERATIONS:
As part of the original Lease Agreement the City of Kingston approved a rent free Lease and upon first renewal all leased areas will be subject to rent to be negotiated as per By-Law 2000-119.

CONTACTS:
Brad Finch, Airport Manager – 389-6404, Ext. 101
Sandra Brash, Central Airways Corp – 389-9300

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:
Alan McLeod, Legal Division – Ext. 1237
Lorraine Thibadeau, Properties Division – Ext. 1602

NOTICE PROVISIONS:
N/A

APPENDICES:
N/A

Mark Segsworth
Commissioner of Operations

Bert Meunier
Chief Administrative Officer