CITY COUNCIL MEETING NO. 21-2008

Tuesday, October 21, 2008 at 7:00 pm in the Council Chamber at City Hall.
Council will resolve into the Committee of the Whole “In Camera” and will reconvene as regular Council at 7:30 pm.

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(a) Bus-Loading and Parking Changes at Various Schools
(b) Parking Changes on St. Catherine Street
(c) Kingston Economic Development Corporation (KEDCO) Tourist Information Office Lease - 209 Ontario Street
(d) 2009 FireFit Eastern Regional Championship Event

(1) Kingston Interval House
(2) Focus Kingston Steering Committee - Status Report
(3) Emergency Funding Request and Approval of RFP - Mould Remediation at the MacLachlan Woodworking Museum and Other Improvements
# ORDERS OF THE DAY

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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) Personal matters about an identifiable individual, including municipal or local board employees – evaluation of Chief Administrative Officer for 2008.

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

DISCLOSURE OF PECUNIARY INTEREST

PRESENTATIONS

(1) Mr. Brian McCurdy, Cultural Director, Grand Theatre will introduce Mr. Walter Fenlon, campaign co-chair of the Grand Theatre Restoration Foundation's fundraising team who will present Mayor Rosen with a cheque from the Grand Theatre Restoration Foundation.

(2) The Honourable Steven W. Mahoney PC, Chair of the Workplace Safety and Insurance Board will introduce the Community Workplace Health and Safety Charter.

(3) Ms. Kathy Burke, 2008 Campaign Chair, United Way, and Bhavana Varma, President, United Way, will present certificates in recognition of the workplace campaign.

DELEGATIONS

BRIEFINGS

(1) Ms. Linda Whitfield, Chair, Focus Kingston Steering Committee, will speak to Council regarding the annual Focus Kingston Steering Committee annual report.

(2) Representatives of the Kingston Firefighter Combat Challenge Team, will speak to Council regarding the FireFit Championships in 2009.

(See Clause (d), Report No. 114, Page No. 6)
MOTIONS OF CONGRATULATIONS/CONDOLENCES/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.

Motions of Speedy Recovery

Moved by Mayor Rosen
Seconded by Councillor Smith

THAT the best wishes of Kingston City Council be extended to Councillor Dorothy Hector for a speedy recovery from a sudden illness.
REPORTS

REPORT NO. 114 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

Report No. 114

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. 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) Bus-Loading And Parking Changes At Various Schools

THAT By-Laws be presented to Council to amend By-Law No.24, entitled, “A By-law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of the Highway Traffic Act” as amended, in order to implement new school bus loading zones and parking changes on streets adjacent to Truedell Public School, Henderson Public School, First Avenue Public School and St. Patrick School;

- and further-

THAT the By-Laws receive all three readings.

(See By-Law No. (6), 2008-188, (7), 2008-189, (8), 2008-190, (9), 2008-191)

(b) Parking Changes on St. Catherine Street

THAT By-Law No. 2008-187, be presented to Council to amend By-Law 24 being “A By-Law For Regulating Traffic in the Highways Of The City of Kingston, Subject To The Provisions Of The Highway Traffic Act” in order to eliminate parking at all times on the west side of St.Catherine Street and to permit parking at all times on the east side of St. Catherine Street.

(See By-Law No. (1), 2008-187)

(c) Kingston Economic Development Corporation (“KEDCO”)Tourist Information Office Lease - 209 Ontario Street

THAT Council authorize the Mayor and Clerk to enter into a lease with the Kingston Economic Development Corporation, for 209 Ontario Street for a term of three years commencing January 1, 2008 and expiring December 31, 2010, with annual gross rent to be $25,000 for the first year, $33,000 for the second year and $33,660 for the third year and which includes a renewal option of three years, in a form satisfactory to the Director of Legal Services.

(See By-Law No. (1), 2008-187)

(See By-Law No. (6), 2008-188, (7), 2008-189, (8), 2008-190, (9), 2008-191)
REPORT NO. 114 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

(d) 2009 FireFit Eastern Regional Championship Event

THAT Council authorize the Mayor and Clerk to enter into an agreement in a form satisfactory to the Director of Legal Services with FireFit of Canada Limited to host the 2009 Eastern Regional FireFit Championships scheduled for August 1st and 2nd, 2009.

(The Report of the Commissioner of Community Development Services (08-314) is attached as Schedule Pages 23-25)

(File No. CSU-M02-000-2008)
REPORTS (CONTINUED)

REPORT NO. 115 OF THE CHIEF ADMINISTRATIVE OFFICER (RECOMMEND)

Report No. 115

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

1. Kingston Interval House

   **THAT** Council approve a grant to Kingston Interval House in an amount equal to actual costs to a maximum of $114,000 from the Affordable Housing Construction Reserve to offset development charges, building permits and impost fees related to the conversion of 84 Stephen Street to affordable housing units.  
   (The Report of the Commissioner of Community Development Services (08-326) is attached as Schedule Pages 26-29)  
   (File No. CSU-F25-000-2008, CSU-S13-000-2008)

2. Focus Kingston Steering Committee - Status Report

   **WHEREAS** the Focus Kingston Steering Committee has undertaken initial consultations with key community stakeholders and interested participants resulting in the creation of preliminary principles and visions regarding community sustainability,

   **THEREFORE BE IT RESOLVED** that the Council of the City of Kingston receives the results of the Community Sustainability Charrette;

   - and further-

   **THAT** Council endorses the use of the Charrette results as a foundation for the Focus Kingston Steering Committee going forward in broader community engagement and consultations with the aim of creating the Integrated Community Sustainability Plan in 2009.  
   (The Report of the Commissioner of Sustainability and Growth (08-312) is attached as Schedule Pages 30-41)  
   (File No. CSU-E05-000-2008)

3. Emergency Funding Request and Approval of RFP – Mould Remediation at the MacLachlan Woodworking Museum and Other Improvements

   **THAT** funding be provided in the amount of $100,906, to be paid out of the Municipal Capital Reserve Fund, for mould remediation, upgrades to the air handling system, lot grading improvements and roof repairs at the MacLachlan Woodworking Museum;

   -and further-

   **THAT** Service Master, having submitted the lowest bid and highest ranked proposal in response to RFP F31-CDS-CH-2008-5, be awarded a contract for mould remediation services at a cost not to exceed $74,618.00 and in a form satisfactory to the Director of Legal Services.  
   (The Report of the Commissioner of Community Development Services (08-335) is attached as Schedule Pages 42-50)  
   (File No. CSU-F31-000-2008)
REPORTS (CONTINUED)

REPORT NO. 116 OF THE PLANNING COMMITTEE

Report No. 116

To the Mayor and Members of Council:
The Planning Committee reports and recommends as follows:

All items listed on the Planning Committee Report shall be the subject of one motion. Any member may ask for any item(s) included in the Committee Report to be separated from that motion, whereupon the Report of the Committee without the separated item(s) shall be put and the separated item(s) shall be considered immediately thereafter.

October 2, 2008

1. **Kingston Model for Action – Affordable Housing Supply - Review of Second Suites**
   
   **THAT** second suites which were recognized under Bill 120 up to November 1995 and those created under existing zoning provisions shall continue to be recognized as existing legal units within the City of Kingston;

   -and further-

   **THAT** this report be forwarded to the Affordable Housing Development Committee as well as to the Housing and Homelessness One Table for information;

   -and further-

   **THAT** second suites continue to be treated as residential conversions, which require an amendment to the Zoning By-law in most residential zones of the City, thereby ensuring public consultation, the necessary servicing capacity, parking availability and other requirements as set out for residential conversions in the draft Official Plan.

2. **Tree By-Law – Amendment to the Agricultural Exemption (Revised)**

   **THAT** Section 3(n) of By-Law No. 2007-170 (the Tree By-Law) of the City of Kingston be amended so as to add the following words “and outside of the area identified on Schedule ‘D’ of this By-Law” at the end of the provision, so that as amended, Clause 3(n) shall now read as follows:

   “The injury or destruction is necessary to clear land in accordance with a Normal Farm Practice conducted by an Agricultural Operation for its own Agricultural purposes, provided that the trees are situated outside of areas designated as Environmental Protection Areas (EPA) in a municipal official plan, and outside of the area identified on Schedule ‘D’ of this By-Law.”;

   -and further-

   **THAT** Schedule ‘D’ (attached as Schedule ‘A’ to Exhibit ‘A’ of Report PC-08-086) be added to By-Law No. 2007-170 (the Tree By-Law);

   -and further-

   **THAT** the By-Law to Amend By-Law No. 2007-170 attached as Exhibit ‘A’ to Report PC-08-086 be presented for all three readings.

   *(See By-Law No. (10), 2008-184)*
REPORT NO. 117 OF THE ENVIRONMENT, INFRASTRUCTURE AND TRANSPORTATION POLICIES COMMITTEE

Report No. 117

To the Mayor and Members of Council:
The Environment, Infrastructure and Transportation Policies Committee reports and recommends as follows:

All items listed on the Environment, Infrastructure and Transportation Policies Committee Report shall be the subject of one motion. Any member may ask for any item(s) included in the Committee Report to be separated from that motion, whereupon the Report of the Committee without the separated item(s) shall be put and the separated item(s) shall be considered immediately thereafter.

October 9, 2008


THAT the Transit Review Discussion Paper, draft Project Charter, and draft Implementation Plan for Transit Service Improvements be presented to Council for approval.
(Note: A copy of the Transit Review Discussion Paper, draft Project Charter, and draft Implementation Plan for Transit Service Improvements are attached as schedule pages 66-109)

2. Financial Considerations for Kingston Transit Improvement Project Charter/Implementation Plan

THAT an amount of $200,000 for the Implementation Plan for Transit Service Improvements costs be included in the city's draft 2009 budget submission for consideration by Council at its upcoming 2009 budget deliberations.

- and further -

THAT an additional $100,000 for the Implementation Plan for Transit Service Improvements for both 2010 and 2011 be shown in the city's budget forecast.

3. Revised Sewer Use By-Law

THAT By-Law 2008-192 being “A By-Law to Provide for the Regulation of Waste Water Services and Waste Discharges to Municipal Sewers for the City of Kingston”, be presented to Council for approval subject to final review by the City Solicitor;

- and further -


4. Accessible Taxi Study Status Report

THAT an additional $25,000 be allocated from the Working Fund Reserve to be used to increase the approved Accessible Taxi Study budget to $35,000.
5. Motion to Request an Inventory and Annual Updates of Greenhouse Gas Emissions

WHEREAS the City of Kingston is a member of the Federation of Canadian Municipalities’ Partners in Climate Protection program and, as such, is committed to reducing its greenhouse gas emissions; and,

WHEREAS the City of Kingston has set greenhouse gas reduction targets of 25% of 2000 levels by 2014 for its corporate emissions and 10% for community emissions; and,

WHEREAS it is necessary to track emissions to determine what further policies and plans might need to be put in place to reach these reduction targets; and,

WHEREAS inventories were completed in 2000 of corporate greenhouse gas emissions and in 2000 and again in 2006 of community greenhouse gas emissions;

THEREFORE BE IT RESOLVED THAT staff be directed to complete an inventory of greenhouse gas emissions for 2008 for both the city’s corporate emissions and for community emissions for presentation at the May 2009 Environment, Infrastructure and Transportation Policies Committee meeting, and

BE IT FURTHER RESOLVED THAT staff be directed to publish annual updates of corporate and community greenhouse gas emissions on a go forward basis.
REPORTS (CONTINUED)

REPORT NO. 118 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)

Report No. 118

To the Mayor and Members of Council:
The Kingston Municipal Heritage Committee (LACAC) reports and recommends as follows:

All items listed on the Kingston Municipal Heritage Committee Report shall be the subject of one motion. Any member may ask for any item(s) included in the Committee Report to be separated from that motion, whereupon the Report of the Committee without the separated item(s) shall be put and the separated item(s) shall be considered immediately thereafter.

Note: There are no clauses within Report No. 118 which must be dealt with this evening in order to meet the requirements of the Ontario Heritage Act, which states that a decision must be made regarding each application within 90 days of notice of receipt being served on the applicant.

October 6, 2008

The Kingston Municipal Heritage Committee reports and recommends as follows:

1. Approval for the Enclosure of an Existing Porch at 86 Sydenham Street

   THAT Application P18-364-071-2008 for a property located at 86 Sydenham Street requesting approval for the enclosure of an existing porch BE APPROVED in accordance with an amended submission filed September 22, 2008.

2. Approval for Replacement of a Door, Repairs to Windows and the Addition of Button Vents at 10 Union Street

   THAT Application P18-368-076-2008 for a property located at 10 Union Street requesting approval for the replacement of an existing modern kitchen door and frame, addition of prefinished metal flashing and replacement wood moulding to the top of six windows on the east and north façade of Parish Hall, and the addition of three button vents through existing windows BE APPROVED in accordance with a submission filed September 5, 2008 with the understanding that consideration be given for a door with two panels embossed in the lower section and a preference that the window stay in place rather than coming off.

3. Approval In Principle for the Construction of an Addition at 143 Union Street

   THAT Application P18-370-078-2008 for a property located at 143 Union Street also known as the former Victoria School requesting approval for the construction of an addition BE APPROVED IN PRINCIPLE in accordance with a submission filed September 22, 2008 with the understanding that a full set of drawings will be provided for final approval.

4. Approval for Mounting an Exterior Light at 34 Richard Street

   THAT Application P18-370-079-2008 for a property located at 34 Richard Street requesting approval to mount an exterior light into masonry joints over the main entrance BE APPROVED in accordance with a submission filed September 22, 2008.
REPORTS (CONTINUED)
REPORT NO. 118 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)

5. Reaffirmation of Emergency Approval for the Repair of Parapets on Wellington Street and at the Rear of the Building at 155-159 Wellington Street

THAT Application P18-393-074-2008(EA) for a property located at 155-159 Wellington Street which received Emergency Approval for the repair of parapets on Wellington Street and at the rear of the building BE REAFFIRMED in accordance with a submission filed August 28, 2008.

6. Reaffirmation of Emergency Approval for Emergency Masonry Repairs at 119-121 Johnson Street

THAT Application P18-152-077-2008 for a property located at 119-121 Johnson Street which received Emergency Approval for emergency masonry repairs BE REAFFIRMED in accordance with a submission filed September 15, 2008.

7. Final Approval for a Heritage Property Grant for Balcony Reconstruction at 244 Barrie Street

WHEREAS the owner of 244 Barrie Street has requested final approval for Heritage Grant Application HG-009-2007; and,

WHEREAS as per the requirements as per By-Law No. 2005-258 ‘A By-Law to Establish a Heritage Grants Program’, a site visit to review the completed works was completed; and,

THEREFORE BE IT RESOLVED THAT Heritage Property Grant HG-009-2007 for 244 Barrie Street BE APPROVED for balcony reconstruction;

- and further –

THAT staff be authorized to issue a cheque for $2000.00 as per the process outlined in By-Law No. 2005-258 ‘A By-Law to Establish a Heritage Grants Program’.
REPORT NO. 119 OF THE FOCUS KINGSTON STEERING COMMITTEE

Report No. 119

To the Mayor and Members of Council:
The Focus Kingston Steering Committee reports and recommends as follows:

August 28, 2008

1. Development of an Integrated Community Sustainability Plan

   THAT a 2009 working budget be developed and approved for this initiative (the development and implementation of Kingston's Integrated Community Sustainability Plan), funded from the Municipal Capital Reserve Fund, as follows:

   1. $65,000 for development of the ICSP:
      a. community engagement
      b. facilitation
      c. documentation and reporting
      d. engagement of consultant to assist with above items
      e. City staff support will be provided for this process

   2. $40,000 for implementation of the ICSP including:
      a. development of a communications and marketing plan
      b. implementation of a community based marketing campaign
      c. publishing of the ICSP and supporting documentation
      d. preparation of a State of Sustainability report to Council at year end (2009)
      e. City staff support will be provided throughout the process

   3. THAT the City apply to the Federation of Canadian Municipalities (FCM) for funding for the Integrated Community Sustainability Plan, with the understanding that the funds received from the grant will reduce the contribution from the above-noted reserve fund.

October 14, 2008

2. Committee Composition

   WHEREAS there is a need to create an Integrated Community Sustainability Plan (ISCP) framework by December 2009, and
   WHEREAS the workload on existing committee members is expected to be very high, and
   WHEREAS the time available to Councillors is decreasing and the time required by members of Committees is increasing,
   THEREFORE BE IT RESOLVED THAT a By-Law be presented to Council to amend By-Law No. 2004-360 being a By-Law To Define The Composition And Terms Of Reference For Committees Established By The Corporation Of The City Of Kingston to revise the composition of the FOCUS Kingston Steering Committee to two Councillors and five community members beginning in 2009.
   (See By-Law No. (5), 2008-194)
INFORMATION REPORTS


This report has been prepared to provide Council with information on the third quarter (July 1 to September 30, 2008) project schedule and project budget as well as fundraising.

(The Report of the Commissioner of Sustainability and Growth (08-322) is attached as Schedule Pages 51-54)

(File No. CSU-R05-001-2008)

(2) Grand Theatre Quarterly Project Management Committee Report Period Ending September 30, 2008

This report has been prepared to provide Council with information on the Grand Theatre Building Improvement Project for the period ending September 30, 2008.

(The Report of the Commissioner of Sustainability and Growth (08-320) is attached as Schedule Pages 55-60)

(File No. CSU-R05-000-2008)

(3) Multiplex Community Centre Quarterly Project Management Committee Report Period Ending September 30, 2008

This report has been prepared to provide Council with information on the Multiplex Community Centre Project for the period ending September 30, 2008.

(The Report of the Commissioner of Sustainability and Growth (08-321) is attached as Schedule Pages 61-63)

(File No. CSU-R05-002-2008)

(4) Project Status Report Update: Grand Theatre Building Improvement Project, K-Rock Centre, Multiplex Community Centre (INVISTA Centre)

This report has been prepared to update Council on the Project Status of the Grand Theatre Building Improvement Project, K-Rock Centre, and the Multiplex Community Centre (Invista Centre). A final report will be provided to Council once work on deficiencies has concluded.

(The Report of the Commissioner of Sustainability and Growth (08-331) is attached as Schedule Pages 64-65)

(File No. CSU-R05-000-2008, CSU-R05-002-2008, CSU-R05-002-2008)
MISCELLANEOUS BUSINESS

Motions of Council are required:

MOTIONS

Note: Motions No. (1) through (5) were deferred from the meeting of October 7th due to lack of time.

(1) Moved by Councillor Gerretsen
Moved by Councillor Garrison

WHEREAS the provincial government recently announced at the Association of the Municipalities of Ontario Conference on August 25, 2008, $1.1 billion to be distributed to municipalities throughout Ontario for the purpose of addressing municipal infrastructure needs; and,

WHEREAS the portion of these funds allocated to the City of Kingston is $11.152 million; and,

WHEREAS the City of Kingston continues to experience a backlog of infrastructure needs throughout the municipality primarily with respect to roads and sidewalks; and,

WHEREAS this City Council has indicated its commitment to the revitalization of our aging infrastructure;

THEREFORE BE IT RESOLVED THAT city staff be directed to earmark the $11.152 million to be spent entirely on addressing the backlog of aging road and sidewalk repair needs throughout the city;

-and further-

THAT city staff exercise the following process to determine the prioritization:

1. Request that all district councillors submit a list of the roads and sidewalks in their districts which are in most need of repair no later than October 15, 2008;

2. Create a master list comprised of all roads and sidewalks submitted by the district Councillors;

3. Rank the master list based on severity of need of repair;

-and further-

THAT staff be asked to present the ranked master list of the roads and sidewalks which will be revitalized with this $11.152 million to the Environment, Infrastructure and Transportation Committee at its meeting in November of 2008.

(2) Moved by Councillor Garrison
Seconded by Councillor Gerretsen

THAT the City of Kingston, in endorsing the motion passed by the City of Owen Sound, support the following motion:

"WHEREAS municipalities in Ontario are faced with on-going financial pressures in order to provide reasonable levels of service in Ontario communities; and,

WHEREAS local property taxes are the main source of funding for municipal budgets; and,

WHEREAS the Federal Government has shown leadership in exempting municipalities from having to pay GST in recognition of one level of government taxing another;
MOTIONS (CONTINUED)

NOW THEREFORE BE IT HEREBY RESOLVED THAT the Council of The Corporation of the City of Owen Sound hereby requests that the Government of Ontario provide a full exemption of provincial sales tax on goods and services to all Ontario municipalities similar to the GST exemption;

-and further-

THAT this resolution be forwarded to Premier Dalton McGuinty; The Honourable Dwight Duncan, Provincial Minister of Finance; the Association of Municipalities of Ontario; and Bill Murdoch, M.P.P., Bruce-Grey-Owen Sound; seeking support for municipalities being exempt from provincial sales tax on goods and services;

-and further-

THAT this resolution be circulated to all municipalities in Ontario through an AMO broadcast seeking support for municipalities being exempt from provincial sales tax on goods and services."

-and further-

THAT this resolution be forwarded to John Gerretsen, Minister of the Environment, M.P.P., Kingston and The Islands.

(3) Moved by Councillor Matheson
Seconded by Councillor Meers

WHEREAS the City of Kingston passed a resolution that called upon the Province of Ontario to enact a moratorium on uranium mineral exploration and to petition the Province of Ontario to undertake an immediate and comprehensive public review of the mining act; and,

WHEREAS the Province of Ontario has recently initiated a very short public consultation process that aims to secure public input prior to modernizing Ontario’s Mining Act; and,

WHEREAS it is essential that the modernization of that Act will result in the rights and interests and the health of all citizens being protected, and in municipalities being able to regulate mining activities within their own jurisdictions; and,

WHEREAS the consultation process of the Province directs the public to comment on five themes that do not lend themselves to the strengthening of the land use planning powers of municipalities so that they can execute their essential planning mandate in respect of controlling mineral exploration and development activities within their municipal boundaries so as to bring such activities into balance with other land uses and to protect the environment and the rights and interest, the health and investments of their citizens; and

WHEREAS a coalition of knowledgeable persons, municipal officials, conservation authorities, community groups and environmental organizations have come together behind “three modest proposals” that experts have concluded would resolve the fundamental imbalances that exist between mining activities and other land uses and essential policies and priorities;
THEREFORE BE IT RESOLVED THAT the City of Kingston; Endorses the Three Modest Proposals that were developed by the Coalition for Balanced Mining Act Reform, and petitions the Provincial Government of Ontario:

1. to re-unite all provincially-owned mining rights with land that is privately owned and municipally taxed;
2. to give all municipal governments: the ability to develop and enforce official plans including mineral land use designation; and thus the subsequent authority to zone lands so as to restrict the locations in which mining activities can be undertaken, in accordance with municipal needs; and
3. to require the comprehensive public review of the impacts of proposed mineral exploration and mining activities before such activities be undertaken by anyone.

BE IT FURTHER RESOLVED THAT this motion be sent to the Premiers Office of Ontario, and all appropriate Ministers, and Leaders of the opposition, as well as all the municipalities with a population over 50,000 that have passed resolutions similar to Kingston's requesting a review of the antiquated mining act, as well as asking for a moratorium on uranium mining, and that this also be sent to AMO for support and endorsement.

(4) Moved by Mayor Rosen
Seconded by Councillor Foster

WHEREAS three devastating hurricanes, Gustav, Hanna and Ike, have recently caused large-scale damage to the island of Cuba, more particularly the Province and City of Havana, the Provinces of Mantanzas, Holguin, Las Tunas, Ciego de Avila, and Camaguey, destroying approximately 90,000 homes, many schools, hospitals, power lines, roads and bridges, as well as damage to the agricultural sector including hundreds of hectares of bananas, citrus fruits and sugar cane, and damage to tourist facilities; and

WHEREAS it is estimated the consequences for the island are devastating in terms of housing, harvest and infrastructure, and will amount to between three and four billion dollars;

THEREFORE BE IT RESOLVED THAT Kingston City Council encourages the citizens of Kingston to support the Canadian Cuban Friendship Association Kingston relief effort by sending a donation to:

Canadian Cuban Friendship Association Kingston
C/o Mary Zureik, Recording Secretary
208 College Street
Kingston, ON K7L 4L8

(Tax receipts will be issued and 100% of all donations will go to Cuba directly or in shipping materials to help in reconstruction)
MOTIONS (CONTINUED)

(5) Moved by Councillor Osanic
Seconded by Councillor Matheson

THAT Councillors Garrison, Hector, Matheson and Osanic be and are hereby appointed as representatives of the City of Kingston to attend a rescheduled special meeting of the Cataraqui Region Conservation Authority, called by the Township of Leeds and the Thousand Island for 7:00 pm on Thursday, October 30, 2008 at the Outdoor Centre located on Little Cataraqui Creek Conservation Area, in accordance with Section 10(1) of the Conservation Authorities Act, to consider the enlargement of the area over which the Cataraqui Region Conservation Authority has jurisdiction, to include an off-shore area within the Township of Leeds and the Thousand Islands;

-and further-

THAT Councillors Garrison, Hector, Matheson and Osanic are hereby authorized to vote on behalf of the City of Kingston in support of the resolution.

(See Communication No. 20-563)
(Distributed to all Members of Council on October 3, 2008)

NOTICES OF MOTION

REPORTS (CONTINUED)

REPORT NO. 113 OF THE COMMITTEE OF THE WHOLE
Note: Report No. 113 of the Committee of the Whole was deferred due to lack of time.

Report No. 113

To the Mayor and Members of Council:
The Committee of the Whole reports and recommends as follows:

September 22, 2008

1. Municipal Capital Budget – Memorial Centre Revitalization Project - Parkland

THAT the budgeted amount for Item No. 5, Memorial Centre Revitalization Project – Parkland, as identified in the Major Projects Document, dated September 22, 2008, be increased from $250,000 to $750,000 in 2009 and that $500,000 be removed from the 2014 allocation, resulting in a balance of $1,350,000.

2. Municipal Capital Budget – Lake Ontario Park Upgrades

THAT the budgeted amount for Item No. 21, Lake Ontario Park Upgrades, as identified in the Major Projects Document, dated September 22, 2008, be revised to reflect “$500,000” in 2009, “$2,000,000” in 2010, “$2,000,000” in 2011, “$2,000,000” in 2012, and “$2,000,000” in 2013.
REPORTS (CONTINUED)

REPORT NO. 113 OF THE COMMITTEE OF THE WHOLE

3. Direction to Prepare the 2009 Municipal Operating Budget

THAT staff be directed to prepare the 2009 City of Kingston Operating Budget for consideration by Council, which reflects a tax rate increase up to 4%, inclusive of the University Hospitals Kingston Foundation Funding of 0.33%.

4. Staff Direction to Review 2009 Forecast for Supplies, Materials, Rents, and Other

THAT staff be directed to review the 2009 Forecast of $21,557,347 for Supplies, Materials, Rents, and Other as identified in the Operating Budget Summary Document, with a view to identifying cost savings, in order to reduce the percentage increase without impacting the level of service.

5. Staff Direction to Review Opportunities for Revenue or Reduced Costs during the past year

THAT no action be taken on the following motion:

THAT staff be directed to undertake a review of the opportunities that the City of Kingston has for revenue or reduced costs during the past year in an effort to determine whether the City can reconsider the identified items, so long as they do not impact on staffing and/or service levels.

MINUTES

THAT the Minutes of City Council Meeting No. 20-2008, held Tuesday, October 7, 2008 be confirmed.

(Distributed to all Members of Council on October 17, 2008)

TABLING OF DOCUMENTS

Note: Documents 2008-42 through 2008-47 were tabled on the agenda for the meeting on June 3rd. Documents 2008-48 and 2008-49 were tabled on the agenda for the meeting on June 17th. Documents 2008-50 through 2008-55 were tabled on the agenda for the meeting on July 15th. Documents 2008-56 through 2008-59 were tabled on the agenda for the meeting on August 12th. Document 2008-60 was tabled on the agenda for the meeting on September 2nd. Document 2008-61 was tabled on the agenda for the meeting on September 16th. Documents 2008-62 through 2008-68 were tabled on the agenda for the meeting on October 7th.

2008-69 Kingston, Frontenac and Lennox and Addington Public Health
Agenda – October 15, 2008
(File No. CSU-S08-001-2008)
COMMUNICATIONS
That Council consent to the disposition of Communications in the following manner:

Note: Communications No. 13-363 through 13-387 were listed on the agenda for disposition and distributed for the meeting on June 3rd. Communications No. 14-388 through 14-412 were listed on the agenda for disposition and distributed for the meeting on June 17th. Communications No. 15-413 through 15-477 were listed on the agenda for disposition and distributed for the meeting on July 15th. Communications No. 16-478 through 16-505 were listed on the agenda for disposition and distributed for the meeting on August 12th. Communications No. 18-506 through 18-524 were listed on the agenda for disposition and distributed for the meeting on September 2nd. Communications No. 19-525 through 19-543 were listed on the agenda for disposition and distributed for the meeting on September 16th. Communications No. 20-544 through 20-567 were listed on the agenda for disposition and distributed for the meeting on October 7th.

Filed
21-568 From the Committee of Adjustment, a Notice of Decision for the following applications:
CONSENT – In respect of an application to sever the property at 3029 Creekford Road, the Committee decided that the application SHOULD BE PROVISIONALLY APPROVED, subject to conditions. The final date for appeal is October 22, 2008.
(File No. CSU-D19-000-2008)

21-570 From the Town of Oakville, acknowledging receipt of Council's resolution regarding the "Heads and Beds" payment.
(File No. CSU-F22-000-2008)

21-572 From the Corporation of the Municipality of Clarington, acknowledging receipt of Council's resolution regarding the "Heads and Beds" payment.
(File No. CSU-F22-000-2008)

21-573 From the Corporation of the Township of Terrace Bay, acknowledging receipt of Council's resolution regarding the "Heads and Beds" payment.
(File No. CSU-F22-000-2008)

21-574 From the Corporation of the Township of St. Joseph, acknowledging support of Council's resolution regarding the "Heads and Beds" payment.
(File No. CSU-F22-000-2008)

21-575 From the Corporation of the Township of Emo, acknowledging support of Council's resolution regarding the "Heads and Beds" payment.
(File No. CSU-F22-000-2008)

21-576 From the Town of South Bruce Peninsula, acknowledging support of Council's resolution regarding the "Heads and Beds" payment.
(File No. CSU-F22-000-2008)

21-578 From the Committee of Adjustment, a Notice of Decision for the following applications:
CONSENT – In respect of an application to grant a right-of-way for pedestrian use to the property at 333 Barrie Street, the Committee decided that the application SHOULD BE PROVISIONALLY APPROVED, subject to conditions. The final date for appeal is October 30, 2008.
(File No. CSU-D19-000-2008)
COMMUNICATIONS (CONTINUED)

Referred to All Members of Council

21-571 From the Ontario Good Roads Association (OGRA), providing information regarding nominations for the 2009-2010 Board of Directors. (File No. CSU-A01-000-2008)

21-577 From the City of Woodstock, asking for Council’s support of a resolution requesting that the Government of Ontario provide full exemption of provincial sales tax on goods and services for Ontario Police Services similar to the GST exemption and that the Government of Ontario provide the same exemption for annual licence fees for municipal police vehicles as provided to the Ontario Provincial Police and to fire vehicles. (File No. CSU-C10-000-2008)

Referred to the Commissioner of Corporate Services

21-569 From the Ontario Coalition for Better Child Care (OCBCC) and the Canadian Union of Public Employees (CUPE), asking that Council proclaim Wednesday, October 22nd, 2008 as “Child Care Worker & Early Childhood Educator Appreciation Day” in the city of Kingston. (File No. CSU-M10-000-2008)


BY-LAWS

(A) THAT By-Laws (1) through (12) 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 (6) to (9) three readings.

(C) THAT By-Laws (6) through (14) be given their third reading.

(1) A By-Law To Amend By-Law No. 24 “A By-Law For Regulating Traffic In The Highways Of The City Of Kingston, Subject To The Provisions Of The Highway Traffic Act”, (Amend Parking Restrictions – St. Catherine Street) FIRST AND SECOND READINGS (See Clause (b), Report No. 114)
BY-LAWS (CONTINUED)

(2) A By-Law To Provide For The Regulation Of Waste Water Services And Waste Discharges To Municipal Sewers For The City Of Kingston.
FIRST AND SECOND READINGS
(See Clause (3), Report No. 117)
PROPOSED NO. 2008-192

(3) A By-Law to repeal By-Law No. 2000-264 Being a By-Law To Control Waste Discharges To Municipal Sewers.
FIRST AND SECOND READINGS
(See Clause (3), Report No. 117)
PROPOSED NO. 2008-193

FIRST AND SECOND READINGS
(See Clause (3), Report No. 117)
PROPOSED NO. 2008-195

(5) A By-Law To Amend By-Law No. 2004-360 Being A By-Law To Define The Composition And Terms Of Reference For Committees Established By The Corporation Of The City Of Kingston.
FIRST AND SECOND READINGS
(See Clause (2), Report No. 119)
PROPOSED NO. 2008-194

THREE READINGS
(See Clause (a), Report No. 114)
PROPOSED NO. 2008-188

THREE READINGS
(See Clause (a), Report No. 114)
PROPOSED NO. 2008-189

(8) A By-Law To Amend By-Law No. 24 "A By-Law For Regulating Traffic In The Highways Of The City Of Kingston, Subject To The Provisions Of The Highway Traffic Act", (Amend Parking Restrictions –First Avenue, Kingscourt Avenue)
THREE READINGS
(See Clause (a), Report No. 114)
PROPOSED NO. 2008-190

THREE READINGS
(See Clause (a), Report No. 114)
PROPOSED NO. 2008-191

(10) A By-Law To Amend By-Law No. 2007-170 Of The City Of Kingston, Being "A By-Law To Prohibit And Regulate The Destruction Or Injury Of Trees In The City Of Kingston.
THREE READINGS
(See Clause (2), Report No. 116)
PROPOSED NO. 2008-184
BY-LAWS (CONTINUED)

(11) A By-Law To Provide For The Assumption Of The Public Highways In Phases 1 & 2 Of Zanette Subdivision, Registered Plan 13m-24, In The City Of Kingston, In Accordance With Section 31(4) Of The Municipal Act, Chapter 25, S.O. 2001; And To Provide For The Acceptance By The City Of Kingston, Of The Associated Public Works Within. THREE READINGS (Delegated Authority) PROPOSED NO. 2008-185

(12) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, October 21, 2008. THREE READINGS (City Council Meeting No. 21-2008) PROPOSED NO. 2008-186

(13) A By-Law To Adopt The Recorded Information Management Policy And Records Retention Schedule For The City Of Kingston. THIRD READING (See Clause (1), Report No. 111) PROPOSED NO. 2008-182

(14) A By-Law to repeal By-Law 21-97, "Being a By-Law to Establish Schedules of Retention Periods During Which the Receipts, Vouchers, Instruments, Rolls or Other Documents, Records and Papers Must be Kept by the Corporation of the Township of Pittsburgh", By-Law 75-13, "Being a By-Law to Establish Schedules of Retention Periods During Which the Receipts, Vouchers, Instruments, Rolls or Other Documents, Records and Papers Must be Kept by the Corporation of the Township of Kingston", By-Law 88-27, being "A By-Law to Permit Destruction of Certain Documents and Records of the Engineering Department of the Township of Kingston", By-Law 95-41, being "A By-Law to Provide for the Destruction of Records in the Social Services Department of the Township of Kingston", By-Law 5125, being "A By-Law Establishing Schedules of Retention Periods for Certain Documents to be Kept by the City of Kingston and Certain Local Boards Thereof", and By-Law 90-211, being "A By-Law to Adopt the Records Management Policy and Procedures for the City of Kingston". THIRD READING (See Clause (1), Report No. 111) PROPOSED NO. 2008-183

ADJOURNMENT