TO: Mayor and Council

FROM: Cynthia Beach, Commissioner of Sustainability and Growth Group

RESOURCE STAFF: Brian McCurdy, Cultural Director, Cultural Services Department
Colin Wiginton, Manager, Cultural Services Department
Elizabeth Cashman, Administrative Assistant, Cultural Services Department

DATE OF MEETING: 2009-12-01

SUBJECT: 2009 Healthy Community Fund

EXECUTIVE SUMMARY:

During the 2009 budget process, Council approved funding of $212,995 toward the Healthy Community Fund.

The United Way administered this process at no charge for the third consecutive year on behalf of the City.

Council appointed four Councillors to review the applications within the three categories: Sports and Recreation (Councillor Matheson), Heritage (Councillor Glover) and Community Development (Councillor Smith and Councillor Schmolka).

Three separate panels were set up by the United Way to review the applications aligned with the categories. At the end of the process, all of the funds are recommended for allocation within the community.

RECOMMENDATION:

THAT Council approve the Healthy Community Fund recommendations for distribution as outlined in the United Way 2009 Healthy Community Fund Report which is attached as Exhibit "A".
AUTHORIZING SIGNATURES:

ORIGINAL SIGNED BY COMMISSIONER
Cynthia Beach, Commissioner, Sustainability and Growth Group

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER
Gerard Hunt, Chief Administrative Officer

CONSULTATION WITH THE FOLLOWING COMMISSIONERS:

<table>
<thead>
<tr>
<th>Commissioner</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Commissioner Beach, Sustainability and Growth</td>
<td>✓</td>
</tr>
<tr>
<td>Commissioner Thurston, Community Development Services</td>
<td>N/R</td>
</tr>
<tr>
<td>Commissioner Leger, Corporate Services</td>
<td>N/R</td>
</tr>
<tr>
<td>Jim Keach, President, Utilities Kingston</td>
<td>N/R</td>
</tr>
</tbody>
</table>

(N/R indicates consultation not required)
OPTIONS/DISCUSSION:

The Healthy Community Fund was allocated $212,995 in the 2009 operating budget. An additional $4,000 in unexpended funds from a previous application was also carried over, for a total of $216,995 available this year.

For the third consecutive year, the United Way provided the following services, at no charge, for the City:

a) Administration of the 2009 Healthy Community Fund application process;
b) Determination and approval of grants from the Healthy Community Fund;
c) Contracting with successful applicants as agent of the City; and

d) Issuing approved grants and tracking fulfillment of conditions of each grant.

City staff Brian McCurdy, Colin Wiginton and Elizabeth Cashman served as a resource to the process. Ms. Cashman and Mr. Wiginton participated as non-voting members at the committee meetings. Kim Hockey, Director, Community Investment and Marg Kubalak, Program Associate, both from the United Way, provided expertise and support to the jury panel volunteers.

There was a base figure in this year's municipal budget of $190,000 with unspent municipal funds of $22,995 carried forward from 2008. In addition, $4,000 was added to the fund due to a previously approved project which was cancelled by the applicant.

The 2009 Healthy Community Fund grant recommendation process included 18 community volunteers. A total of 38 applications were received during this year's application process requesting a total of $537,160. Funds were prorated for each of the 3 categories based on the percentage of dollars requested for each category. The Volunteers and Councillors carefully reviewed and thoroughly deliberated on all requests in accordance with the Healthy Community Fund criteria and guidelines as established by the City of Kingston. Of these requests, 19 projects have been recommended to Kingston City Council for approval.

EXISTING POLICY/BY LAW:

N/A

NOTICE PROVISIONS:

N/A

ACCESSIBILITY CONSIDERATIONS:

N/A

FINANCIAL CONSIDERATIONS:

The 2009 budget had $212,995 allocated to the Healthy Community Fund. This report recommends expenditure of all these funds; with no carry over into 2010.

CONTACTS:

Brian McCurdy, Cultural Director 613-546-4291, ext. 1354
Elizabeth Cashman, Administrative Assistant 613-546-4291, ext. 1355
Colin Wiginton, Manager, Cultural Services 613-546-4291, ext. 1357
OTHER CITY OF KINGSTON STAFF CONSULTED:

N/A

EXHIBITS ATTACHED:

Exhibit “A” – United Way 2009 Healthy Community Fund Report
City of Kingston
2009 HEALTHY COMMUNITY FUND
Administered by
United Way serving KFL&A

SUMMARY REPORT

BACKGROUND

The United Way serving KFL&A is very pleased to work in partnership with the City of Kingston once again this year to administer the 2009 Healthy Community Fund process at no charge to the City of Kingston. This service, provided by the United Way for the third year as an in-kind contribution, consisted of staff time and incidental expenses for: volunteer recruitment and orientation; application processing, coordination of panel meetings; photocopying and preparation of documentation for meetings; facilitating discussions and documenting recommendations by volunteers for the disbursement of Healthy Community Fund grants.

The 2009 Healthy Community Fund grant recommendation process engaged 18 community volunteers as its voting members, four of which were Kingston City Councillors. Volunteers were divided into three panels based on the three categories identified this year. The three categories are: Community Development, Heritage and Sports & Recreation.

Brian McCurdy, Cultural Director, Colin Wiginton, Manager, Culture & Heritage and Elizabeth Cashman, Administrative Assistant, of the Cultural Services Division for the City of Kingston, served as a resource to the process. Elizabeth Cashman and Colin Wiginton participated as non-voting members at the committee meetings.

From the United Way, Kim Hockey, Director Community Investment, and Marg Kubalak, Program Associate, provided support and guidance to the volunteers through the granting process.

$216,995 was available for disbursement through the Healthy Community Fund in 2009. A total of 38 applications were received through this year's application process with a total requested amount of $547,433. Funds were prorated for each of the 3 categories based on the dollars requested for each category. Volunteers and Councillors carefully reviewed and deliberated on all requests in accordance with the Healthy Community Fund criteria and guidelines, as established by the City of Kingston. Of these requests, 19 projects are being recommended to Kingston City Council for approval of grants in the amount of $216,995.

The following is a summary of the recommendations made by the volunteer committee members listed by each category.

Total dollars available for disbursement: $216,995

| Total number of applications received: | 38 |
| Total dollars requested:             | $547,433 |
| Total number of grants recommended:  | 19 |
| Total dollars recommended:           | $216,995 |
COMMUNITY DEVELOPMENT CATEGORY

Review Panel Members:
Jack Cooper, Martha Forkes, Christine Jewell, Lesley Kelly, Laurie Newport, Steve Newstead, Leanne O’Mara, Melissa Raby, Councillor Vicki Schmolka, Councillor Ed Smith, Remi Straus, Maureen Thompson

Number of Applications: 24 applications
Number of Grants Recommended: 11 grants

Total $'s Requested: $348,259
Total $'s Recommended: $136,606

Community Development - Grant Recommendations:

<table>
<thead>
<tr>
<th>Organization</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Harvest Working Group</td>
<td>Gardening / Seasonal Workshop Series, Part 2</td>
<td>$12,313</td>
</tr>
<tr>
<td>Good Times Diner Soup Kitchen</td>
<td>Client Support and Referral Project</td>
<td>$5,000</td>
</tr>
<tr>
<td>H’art School of Smiles</td>
<td>Community of Voices</td>
<td>$15,596</td>
</tr>
<tr>
<td>Kingston Community Chaplaincy</td>
<td>Valuable Volunteers</td>
<td>$20,000</td>
</tr>
<tr>
<td>Kingston Home Base Non-Profit Housing Inc.</td>
<td>Art Spark Personal Growth &amp; Development Program</td>
<td>$1,300</td>
</tr>
<tr>
<td>Kingston Regional Arts Council</td>
<td>Interactive Arts Portal – Phase II</td>
<td>$18,104</td>
</tr>
<tr>
<td>Loving Spoonful</td>
<td>Loving Spoonful Funding and Governance Coordinator</td>
<td>$18,104</td>
</tr>
<tr>
<td>Ontario Public Interest Research Group (OPIRG)</td>
<td>Urban Agriculture Kingston Food Garden Education Outreach</td>
<td>$18,910</td>
</tr>
<tr>
<td>Pladec Day Care Centre</td>
<td>Pladec Day Care Centre, Kingston East Expansion</td>
<td>$5,499</td>
</tr>
<tr>
<td>Reelout Arts Project Inc.</td>
<td>Wheelout Reelout</td>
<td>$13,000</td>
</tr>
<tr>
<td>Rustle</td>
<td>Make, Part 2 – Neighbourhood Based After-School Program</td>
<td>$8,780</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total $'s Recommended: $136,606</td>
</tr>
</tbody>
</table>

HERITAGE CATEGORY

Review Panel Members:
Peter Bacon, Michele Finney, Councillor Bill Glover

Number of Applications: 7 applications
Number of Grants Recommended: 4 grants

Total Dollars Requested: $93,586
Total $'s Recommended: $39,159

Heritage - Grant Recommendations:

<table>
<thead>
<tr>
<th>Organization</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cataraqui Archaeological Research Foundation</td>
<td>Exterior Signage for Kingston Archaeological Centre</td>
<td>$5,893</td>
</tr>
<tr>
<td>Cataraqui Archaeological Research Foundation</td>
<td>Exhibit Upgrades</td>
<td>$3,963</td>
</tr>
<tr>
<td>Kingston Community Health Centres</td>
<td>Kingston Global Exposure Festival</td>
<td>$9,303</td>
</tr>
<tr>
<td>Marine Museum of the Great Lakes Kingston</td>
<td>Collections Storage Upgrade Project</td>
<td>$20,000</td>
</tr>
</tbody>
</table>
Total $’s Recommended: $39,159

SPORTS AND RECREATION CATEGORY

Review Panel Members:
Cindy Chappell, Laurie Dixon, Councillor Rob Matheson

Number of Applications: 7 applications
Number of Grants Recommended: 4 grants

Total Dollars Requested: $105,608
Total $’s Recommended: $41,230

Sports and Recreation – Grant Recommendations:

<table>
<thead>
<tr>
<th>Organization</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boys and Girls Club of Kingston &amp; Area</td>
<td>Boys and Girls Club Inter-City Sports League</td>
<td>$19,230</td>
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<tr>
<td>Community Response to Neighbourhood Concerns</td>
<td>Shannon Park Skateboard Park</td>
<td>$10,000</td>
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<tr>
<td>Kingston Ringette Association</td>
<td>Revealing Ringette: The Under-Represented Canadian Ice-Sport</td>
<td>$5,000</td>
</tr>
<tr>
<td>Limestone Learning Foundation</td>
<td>Get Active 2010</td>
<td>$7,000</td>
</tr>
</tbody>
</table>

Total $’s Recommended: $41,230

Respectfully submitted,

Kim Hockey
Director, Community Investment
United Way serving Kingston, Frontenac, Lennox & Addington
EXECUTIVE SUMMARY:
North Frontenac Housing Corporation (NFHC) was one of five proposals approved by council for DOOR (Delivering Opportunities for Ontario Renters) funding, for the construction of a five-unit seniors townhouse complex in Sharbot Lake. The project is to be constructed on land already owned by NFHC. The Ministry of Municipal Affairs and Housing (MMAH) has advised that ministerial consent is necessary prior to any construction on this property. In order to receive ministerial consent, NFHC must sever the property and transfer ownership of the land and project to a separate corporate entity. MMAH also requires confirmation of Council’s endorsement of this proposal, as the Service Manager for affordable housing in Kingston and Frontenac.

Earlier this year, MMAH released the new Canada-Ontario Affordable Housing Program, Extension, 2009 to provide funding for construction ready affordable housing projects. NFHC is nearing construction ready status and would meet the criteria outlined in the program guidelines. It is therefore recommended that this project be submitted to MMAH for funding under AHP Extension 2009, thus allowing their DOOR allocation to remain in the reserve for future affordable housing developments. If the provincial application is not successful we would continue to use the DOOR allocation already approved by Council.

RECOMMENDATION:

THAT Council endorses the proposal by North Frontenac Housing Corporation to sever land on Clement Road in Sharbot Lake and to convey this parcel of land to a new corporation, Central Frontenac Housing Corporation, for the construction and ownership of a five-unit seniors’ affordable housing project;

AND FURTHER THAT Council endorses the submission of an application for this affordable housing project to the Ministry of Municipal Affairs and Housing for consideration for funding under the Canada-Ontario Affordable Housing Program, Extension 2009.
AUTHORIZING SIGNATURES:

<table>
<thead>
<tr>
<th>ORIGINAL SIGNED BY COMMISSIONER</th>
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<tr>
<td>Lance Thurston, Commissioner, Community Development Services</td>
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<tr>
<th>ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER</th>
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<tr>
<td>Gerard Hunt, Chief Administrative Officer</td>
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CONSULTATION WITH THE FOLLOWING COMMISSIONERS:

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<thead>
<tr>
<th>Commissioner Beach, Sustainability &amp; Growth</th>
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</thead>
<tbody>
<tr>
<td>Commissioner Leger, Corporate Services</td>
<td>n/r</td>
</tr>
<tr>
<td>Jim Keech, President, Utilities Kingston</td>
<td>n/r</td>
</tr>
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</table>

(N/R indicates consultation not required)
OPTIONS/DISCUSSION:

North Frontenac Housing Corporation submitted a proposal in response to the city’s DOOR RFP No. F31-CDS-CFS-2009-01. The proposal was for the construction of a five-unit townhouse complex to house senior citizens. Council approved an allocation from the DOOR reserve in the amount of $625,000.

North Frontenac Housing Corporation (NFHC) is a social housing provider legislated under the Social Housing Reform Act, 2000. One of its projects is a four-plex townhouse located on 2.8 hectares of land at 1096 Clement Road. It was determined that there is sufficient land on this site to build a small affordable housing development, thus avoiding the additional cost of purchasing land. Prior to construction, NFHC must obtain ministerial consent from the Ministry of Municipal Affairs and Housing (MMAH).

In order to receive ministerial consent, NFHC must meet the following requirements:

1. Resolution from the Housing Corporation Board approving the severance and affordable housing development
2. Severance of the land;
3. City Council resolution endorsing the severance and the affordable housing development
4. A pre- and post-appraisal of the retained property to ensure the remaining value is in excess of any outstanding mortgage.
5. A separate corporation to take ownership of the severed parcel (the governance can include the same people as on the current board while allowing a separate legal entity to be protected in the event of mortgage default.)
6. Copy of the site plan indicating the parcel to be severed.
7. Confirmation of funding for the affordable housing development.

The Corporation has met most of the above requirements. It has received the necessary municipal planning approvals (official plan amendment, severance and site plan). A new corporate entity, Central Frontenac Housing Corporation, has been established to own the new property and the affordable housing development. The Board of Directors and Property Manager are the same people associated with North Frontenac Housing Corporation. All that is required now is endorsement from the Service Manager for social and affordable housing programs, the City of Kingston.

EXISTING POLICY/BY LAW:
Municipal Housing Facilities By-Law No. 2003-61
Service Manager Affordable Housing Strategy - The Kingston Model for Action

NOTICE PROVISIONS:
No notice requirements

ACCESSIBILITY CONSIDERATIONS:
This report is available in alternative formats upon request, including translation to French.

FINANCIAL CONSIDERATIONS:
As noted earlier, NFHC received conditional approval from city council for funding under the DOOR program (on June 8, 2009). Funding is conditional on meeting all planning requirements necessary to begin construction. Since that time, the Canada-Ontario Affordable Housing Program, Extension 2009 was released. As this project falls within the guidelines of this provincial
program, it is recommended that an application be submitted for consideration of this project for funding under the program; this requires a council resolution.

It is understood that should NFHC receive funding from the province under the Affordable Housing Program, the city’s DOOR money will remain in reserve for allocation to future affordable housing developments. It should also be noted that should the funding from MMAH be less than the original DOOR allocation, NFHC will receive a top up from the original DOOR allocation. Council previously authorized the allocation of $625,000 for the development of this project and those monies are still available.

CONTACTS:
Jim de Hoop, Director, Community and Family Services (x4957)

OTHER CITY OF KINGSTON STAFF CONSULTED:
Cheryl Hitchen, Manager, Applicant Services and Community Programs Administration (x4806)
Mary McIntyre, Housing Programs Administrator, (x4948)

EXHIBITS ATTACHED
n/a
EXECUTIVE SUMMARY:

Tender F18-PWS-SW-2-2009 for the supply of recycling boxes for a two year term with an optional one year extension closed on November 4, 2009 and four submissions were received. One vendor submitted "No Bid" and one submission was rejected as it contained no written guarantee, no laboratory testing results, and no samples; all of which were identified as required bid documents. The annual quantity identified in the tender was based on historical purchases and included for evaluation purposes. Payment will be based on actual purchases.

The tender specified that two factors would be considered during evaluation: pricing and related costs; and product characteristics and specifications. The low bidder, Norseman Plastics, is the current supplier of both grey and blue boxes for the City of Kingston and both the product and the company have been very satisfactory.

Purchasing By-law 2000-134, section 3.4, specifies that when less than three valid responses are received and the contract is over $50,000 Council approval is required. The projected value of the tender exceeds $50,000 as the tender is for a minimum of two years.

RECOMMENDATION:

THAT Norseman Plastics Ltd., in the amount of $38,490, be awarded the contract in response to Tender No. F18-PWS-SW-2-2009 for the supply of recycling boxes for the City of Kingston blue box / grey box recycling program for two years with an optional one year extension to be exercised at the sole discretion of the City of Kingston; and

THAT an agreement be prepared in a form satisfactory to the Legal Services Department; and

THAT the Mayor and Clerk be authorized to sign the agreement.
AUTHORIZING SIGNATURES:

<table>
<thead>
<tr>
<th>ORIGINAL SIGNED BY PRESIDENT &amp; C.E.O., UTILITIES KINGSTON</th>
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</thead>
<tbody>
<tr>
<td>Jim Keech, President &amp; C.E.O., Utilities Kingston</td>
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<td>Jim Keech, President, Utilities Kingston</td>
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</table>

(N/R indicates consultation not required)
OPTIONS/DISCUSSION:
Tender F18-PWS-SW-2-2009 for the supply of recycling boxes for a two year term with an optional one year extension to be exercised at the sole discretion of the City of Kingston closed on November 4, 2009 and four submissions were received. One vendor submitted “No Bid” and one submission was rejected as it contained no written guarantee, no laboratory testing results, and no samples; all of which were identified as required bid documents. The annual quantity identified in the tender was based on historical purchases and included for evaluation purposes. Payment will be based on actual purchases.

The submissions are as follows:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Annual Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Busch Systems International Inc.</td>
<td>$42,150.00</td>
</tr>
<tr>
<td>Norseman Plastics Ltd.</td>
<td>$38,490.00</td>
</tr>
<tr>
<td>Scepter Corporation</td>
<td>Rejected</td>
</tr>
<tr>
<td>Toter Incorporated</td>
<td>No Bid</td>
</tr>
</tbody>
</table>

The tender specified that two factors would be considered during evaluation: pricing and related costs; and product characteristics and specifications. Norseman Plastics is the current supplier of both grey and blue boxes for the City of Kingston and both the product and the company have been very satisfactory.

EXISTING POLICY/BY LAW:
Purchasing By-law 2000-134, section 3.4, specifies that when less than three valid responses are received and the contract is over $50,000 Council approval is required. The projected value of the tender exceeds $50,000 as the tender is for a minimum of two years.

NOTICE PROVISIONS:
There are no notice requirements associated with the subject of this report.

ACCESSIBILITY CONSIDERATIONS:
There are no accessibility considerations associated with the subject of this report.

FINANCIAL CONSIDERATIONS:
The operating budget includes sufficient funds to purchase recycling boxes. A Consumer Price Index (CPI) adjustment will be applied to unit prices in the second year and optional one year extension, if exercised, based on the previous Average Annual CPI for Ontario – All Items.

CONTACTS:
Janis Morrison, Purchasing Coordinator, Financial Services
Nicole Paquin, Legal Assistant, Legal Services

OTHER CITY OF KINGSTON STAFF CONSULTED AND AFFECTED:
Janis Morrison, Purchasing Coordinator, Financial Services
John Rhodes, Supervisor, Solid Waste Disposal

EXHIBITS ATTACHED: n/a
EXECUTIVE SUMMARY:

Queen's University has made a request to the City of Kingston to allow for the temporary closure of Arch Street from Stuart Street northerly for a distance of approximately 80 meters to just south of the former Deacon Street right of way. The road is to be closed to regular vehicular traffic from December 2009 to December 2010. The request for the temporary road closure is to facilitate the expansion of the Queen's School of Medicine. Pedestrian traffic shall continue to be permitted on the west side of Arch Street through the duration of the temporary closure. The temporary road closure will allow Queen's University and their contractor to undertake construction, provide a staging area for construction equipment and supplies, and enhance the public safety for the duration of the project. The Engineering Department has received an application for a Long Term Encroachment Permit to allow for a partial encroachment into the Arch Street right of way in the interim.

Municipal staff have been provided delegated authority to temporarily close a municipal road through By-Law No. 2005-255, “A By-Law to Delegate Authority for the Processing and Approval of Temporary Highway Closures”. In accordance with the terms of this by-law, municipal staff have elected to refer the request for a temporary road closure and staff's recommendation directly to Council for consideration.

RECOMMENDATION:

That a By-law be presented to City Council to provide for the temporary closure, for construction purposes, of Arch Street from Stuart Street northerly for a distance of approximately 80 meters to just south of the former Deacon Street right of way, from December 2009 to December 2010.

FURTHER that this By-law be given all three readings.
AUTHORIZING SIGNATURES:

<table>
<thead>
<tr>
<th>Original Signed By President &amp; C.E.O., Utilities Kingston</th>
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<tr>
<td>Jim Keech, President &amp; C.E.O., Utilities Kingston</td>
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<tr>
<td>Commissioner Leger, Corporate Services</td>
<td>✓</td>
</tr>
<tr>
<td>Jim Keech, President, Utilities Kingston</td>
<td>N/R</td>
</tr>
</tbody>
</table>

(N/R indicates consultation not required)
OPTIONS/DISCUSSION:

Queen's University plans to expand the existing School of Medicine located on Stuart Street. The University has made application to the City of Kingston for a temporary closure of Arch Street from Stuart Street northerly for a distance of approximately 80 meters to just south of the former Deacon Street right of way to facilitate the construction and staging for this project. The road is expected to be closed for a two year period, from December 2009 to December 2010. The Engineering Department has received an application for a Long Term Encroachment Permit to allow for a partial encroachment of 6.0 meters into the Arch Street right of way in the interim. This encroachment will not impact traffic as Arch Street is a one way street and one lane of traffic will be maintained until such time as the road closure is approved.

As part of this temporary road closure, 20 parking spaces on Arch Street designated for use by Queen's University permit holders will be eliminated for the one-year period. Queen's University will continue to pay the City their required fees for the parking spaces on Arch Street.

Kingston Fire & Rescue has reviewed the proposal submitted for the temporary closure of Arch Street and has no objections to the closure of the street subject to the following conditions:

- Deacon Street (Access route north of 21 Arch Street) shall be maintained as a fire access route / turn-around facility
- No parking will be permitted south of 5th Field Company Lane to the restricted access gates.
- The thoroughfare will be maintained for emergency access only (No parking of equipment or materials in the access route)  
- The restricted access gate opening shall have a unrestricted minimum width of 4 meters
- Proposed signage and barriers to limit traffic south along Arch Street shall be easily removed for emergency vehicle access. 
- Required snow removal operations will be completed to facilitate the use of the emergency access and turn around facilities.
- Provide Kingston Fire & Rescue with written documentation that all conditions have been implemented and the street has been closed.

Queen's University will be responsible for snow removal on Arch Street from Union Street to Stuart Street throughout the duration of the closure.

Queen's University will be advised that all asphalt and concrete road repairs, landscaping restoration, signage and advertisement of the temporary road closure will be completed and paid for by Queen's at no cost to the City of Kingston. In addition to the road closure Queen's will be required to ensure that their long duration encroachment permit is in place for the duration of the closure. The long duration encroachment permit provides the opportunity for Queen's and their contractor to utilize the public right of way for the purpose of constructing the Medical Building.

EXISTING POLICY/BY LAW:

By-Law No. 2005-255, "A By-Law to Delegate Authority for the Processing and Approval of Temporary Highway Closures"

By-Law No. 2004-107 "A By-Law to Protect the City's Highways from Unauthorized Encroachments

NOTICE PROVISIONS:

Not applicable
ACCESSIBILITY CONSIDERATIONS:

Queen's will ensure that the west side sidewalk of Arch Street will remain open throughout the closure, save and except any time when excavation work is required to connect to services in the Arch Street right of way.

In addition signage will be provided to indicate when pedestrians will be required to use the south sidewalk on Stuart Street.

FINANCIAL CONSIDERATIONS:

All costs related to the temporary road closure will be the responsibility of Queen’s University. For the opportunity to utilize the City right-of-way as a staging area for construction, Queen’s University will obtain a Long Duration Encroachment Permit from the City. As per By-Law 2004-10, the fees required would be the application fee ($250.00), the occupancy fee ($1,500.00 for the first three months or any part thereof), $750.00 per month after three months or any part thereof, a security deposit based on an engineer’s estimate to reinstate the roadway, and liability insurance in the amount of $2,000,000.00 with the City named as an additional insured.

CONTACTS:

Deanna Green, Manager Traffic Division, Engineering Department Ph. 613-546-4291 ext. 3170
Kim Brown, Infrastructure Engineer, Engineering Department, Ph. 613-546-4291 ext. 3132
Donald R Brodie, Senior Development Technologist, Ph: 613-546-4291 ext 3146

OTHER CITY OF KINGSTON STAFF CONSULTED:

Chris Sleeth, Traffic Supervisor, Engineering Department, Ph.613-546-4291 ext.3149
Paula Nichols, Manager Parking, Transportation Department, Ph. 613-546-4291 ext.2392
Paul Patry, Fire Prevention Bureau, Kingston Fire & Rescue, Ph. 613-548-4001 ext.5127
Damon Wells, Director, Public Works Department, Ph 613-546-4291 ext. 2313

EXHIBITS ATTACHED:

Exhibit A – Draft By-Law
Exhibit B – Location Map
Exhibit C – Request letter
BY-LAW NO. 2009-XX

A BY-LAW TO AUTHORIZE THE TEMPORARY CLOSING OF A PORTION OF ARCH STREET FROM STUART STREET NORTHERLY FOR A DISTANCE OF APPROXIMATELY 80 METERS TO JUST SOUTH OF THE FORMER DEACON STREET RIGHT OF WAY, FROM DECEMBER 2009, TO DECEMBER 2010 (Construction Purposes – Queen’s School of Medicine)

PASSED:

WHEREAS Subsection 1 of Section 11 of the Municipal Act, S.O. 2001, c. 25, permits municipalities to pass by-laws for closing to vehicular traffic on a temporary basis for such period as may be specified in the By-law, any highway or portion of such highway under the jurisdiction of the Council;

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

1. The portion of Arch Street (from Stuart Street northerly for a distance of approximately 80 meters to just south of the former Deacon Street right of way shall be closed to vehicular traffic from December 2009 to December 2010 for construction purposes (Queen’s School of Medicine) but pedestrian traffic shall continue to be permitted on the West side of the street.

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

GIVEN ALL THREE READINGS AND PASSED

CITY CLERK

MAYOR
Shoalts and Zaback Architects Ltd

September 29, 2009

City of Kingston
218 Ontario Street
Kingston, Ontario

Attention: Mark Van Buren

Re: Encroachment Permit
Queen’s School of Medicine

Dear Sir,

Queen’s University is planning to build a 4-storey 120,000 s.f. building at 15 Arch Street for its new School of Medicine. Queen’s has received approval for a minor variance to permit the building to extend to the property lines (public right of way) along Arch and Stuart Streets. The size of the building and its proximity to other buildings on the site results in a work area that is minimal for the construction of a building of this size. The construction will be extremely difficult, if not impossible, without the use of Arch Street as an access/loading/unloading area for construction vehicles and laydown space for materials.

Queen’s is requesting that the southern half of Arch Street be temporarily restricted to construction vehicles with a dedicated through lane for one passage of construction vehicles and emergency vehicles such as ambulances, fire trucks and police cars.

The northern half of Arch Street would remain available for permit parking from Union Street to Field Company Lane. South of Field Company Lane, only delivery vehicles for the Queen’s Biociences Building and Abramsky Hall will be permitted. Street parking will be removed from this area during the construction period. A gate access will be provided south of the Abramsky Hall pedestrian entrance on Arch Street and at the Stuart Street/Arch Street intersection. The sidewalk on the east side of Arch Street will remain in use for the public. Signing and protective measures will be provided as indicated on the attached overall site plan. A larger scale plan of the site is also included to illustrate specific work anticipated at the actual building site. These measures would remain in place from October 2009 to the end of construction scheduled for August 31, 2011.

The measures described above and illustrated above are based on discussions with Kim Browne regarding this matter on August 27, 2009. A copy of our meeting minutes has been included on the overall site plan.

Please contact us with any questions or concerns you may have. We would be happy to discuss any issues you wish and look forward to your review and approval.

Yours truly,

Raymond Zaback

4 Catherine Street, Suite 906, Kingston, ON, K7K 1Z7
Tel: (613) 541 0804  Fax: (613) 541 8844
E-Mail: mail@szarch.com
Web: www.szarch.com
TO: Mayor and Council
FROM: Denis Leger, Commissioner, Corporate Services
RESOURCE STAFF: Speros Kanellos, Director, Real Estate & Construction Services
DATE OF MEETING: 2009-12-01
SUBJECT: Grant of Easement to Canadian Renewable Energy Corporation over the driveway to City Lands at 546 Gardiners Rd.

EXECUTIVE SUMMARY:

Council approved Report #08-260 to authorize the Mayor and Clerk to sign a Master Facility Crossing Agreement between the City and Canadian Hydro Developers, Inc. (CHD). This permitted CHD to install underground infrastructure within the City of Kingston related to the Wind Farm Project on Wolfe Island. The route of the underground infrastructure required the CHD to cross the lands of several different property owners, including the driveway of the City-owned lands at 546 Gardiners Road. This report recommends Council to grant the easement to Canadian Renewable Energy Corporation (CREC), a wholly owned subsidiary of Canadian Hydro Developers, Inc., in a form satisfactory to the City Solicitor.

RECOMMENDATION:

That Council authorize the Mayor and Clerk to sign all necessary documents to grant an easement in favour of Canadian Renewable Energy Corporation (CREC) over the driveway of the City Lands known as 546 Gardiners Road "(City Lands)", in a form satisfactory to the City Solicitor.
AUTHORIZING SIGNATURES:

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CONSULTATION WITH THE FOLLOWING COMMISSIONERS:

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<tr>
<td>Jim Keech, President, Utilities Kingston</td>
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(N/R indicates consultation not required)
OPTIONS/DISCUSSION:

Canadian Renewable Energy Corporation (CREC) is a wholly owned subsidiary of Canadian Hydro Developers Inc., the owner/developer of the Wind Farm Project on Wolfe Island. The energy generated by the turbines is transmitted to the Hydro One Gardiners Road Transformer Station via submarine cables under Lake Ontario and continuing by underground cables from the landing point at Invisa to the transformer station. From the transformer station the energy is distributed to the electricity grid. The Kingston side of the power cable route is provided in Exhibit "A". The route was vetted through the Ontario Energy Board's (OEB) formal Environmental process. During the process the City and Utilities Kingston made application for "Intervener Status" to the process to ensure that the interests and/or concerns of the City and Utilities Kingston were able to be presented during the review process. Both the City and Utilities Kingston were granted intervener status and thereby able to participate in the engineering design process to ensure all crossings of existing municipal utilities, public highways and private property are undertaken in an appropriate manner. The final route was ruled on by the OEB and City and Utilities Kingston staff worked with CREC to finalize the specific design details related to the route. These details included alignment, separation from infrastructure and construction methods. The installation is now complete and the wind project is fully operational.

Council approved Report #08-260 to authorize the Mayor and Clerk to sign a Master Facility Crossing Agreement between the City of Kingston and the CREC. Similar agreements were signed between the CREC and other utility providers such as Bell Canada, Union Gas and Cogeco. The agreements provide for mutually agreed to terms and conditions related to ongoing operations that may occur in and around the infrastructure, location plan and profile drawings, and some specific terms and conditions which contain the Orders from the Ontario Energy Board specific to the City of Kingston and Utilities Kingston representation to the hearing. The agreements permitted the CREC to install their underground cables on municipally owned lands in Kingston. The CREC also agreed to easements with several private property owners between Lake Ontario and the Transformer Station.

As shown in Exhibit A, the CREC underground transmission line crosses two public roads (Days Road and Bath Road), and also the City Lands at 546 Gardiners Road. The two crossings under Days Road and Bath Road required a Municipal Access Agreement, permitting the CREC to utilize the public road allowance similar to a project by Union Gas or Hydro One. The CREC paid the standard $300 fee for the Municipal Access Agreement, and also covered legal, surveying and engineering design and review costs. However, the crossing of City Lands that are not a public highway, in this case 546 Gardiners Road, cannot be approved by way of a Municipal Access Agreement. It requires a registered easement on title to the City Lands. At their own risk, CREC agreed to negotiate a future easement agreement at fair market value and acceptance by the City, in exchange for entering into the Master Facility Crossing Agreement and proceeding with construction. Staff negotiated the terms and sale price of the easement with CREC based on fair market value as determined by appraisal.

The CREC has agreed to pay the City $65,000 for the easement on City Lands to allow for their underground transmission line to cross part of the City driveway at 546 Gardiners Road, and for vehicular access along the City driveway from Gardiners Road to the underground transmission line, as shown on Exhibit B. In addition to the payment, the CREC will reimburse the City for any costs incurred by the City in response to future CREC requests to maintain the surface of the driveway. Also, at the request of the City, the CREC installed three (3), 150mm diameter pipe sleeves under the transmission line to facilitate any future servicing needs to the City property. This will allow for servicing installations, such as a sanitary pipe, without the need to dig at or near the high voltage cable. Staff considers the deal fair and equitable to both parties, with the future interests of the property protected. Should the City not agree to grant the easement to the CREC, the CREC has the ability to expropriate the easement from the City under the terms of the transmission line approval by the Ontario Energy Board.

The property located at 546 Gardiners Road was formerly owned and operated by the County of Frontenac Roads Department. It was transferred to the City as part of the 1998 municipal amalgamation. The four acre site and 6,000 square foot building was used by the County as a garage for snow ploughs and road salt in the winter months and lawn mowers in the summer months. The steel building and connecting wood-framed salt shed were built in 1986 and served as the County’s satellite garage until amalgamation in 1998. The County's main garage was located in Sydenham.
The City of Kingston currently uses 546 Gardiners Road as a maintenance shop for the trades group in Corporate Services/Facilities Management and as storage space for the Public Works. Council declared the property surplus in May 2006 and it was placed into the Industrial Lands inventory for sale. The staff and function of this maintenance shop will be re-located to other municipally-owned facilities should the site be sold.

The site is located on prime development land along Gardiners Road. It is ideally situated for industrial uses with access to CN rail spurs and relatively easy access to Highway 401. The CREC easement crosses only the driveway leading to the property from Gardiners Road. The driveway itself was encumbered with telephone, natural gas, fibre optic and water services prior to the installation of the CREC transmission line. The CREC easement does not physically encumber any part of the four acre development site to the northeast of the driveway.

City legal staff has reviewed the form of easement. Engineering and Utilities Kingston staff consulted with CREC on the construction details and approved the final design and installation. Therefore, it is recommended that the City register an easement in favour of Canadian Hydro Developers Inc. over part of the City Lands known as 546 Gardiners Road, in a form satisfactory to the City Solicitor.

EXISTING POLICY/BY LAW:
The City of Kingston has previously granted easements on City owned lands to other service providers. Most recently, Union Gas purchased an easement through Woodbine Park for the purpose of expanding and improving gas services in Kingston West.

NOTICE PROVISIONS:
N/A

ACCESSIBILITY CONSIDERATIONS:
This report and related information is available in alternative formats upon request.

FINANCIAL CONSIDERATIONS:
The Industrial Land Reserve Fund will realize $65,000 in revenue from the sale of the easement.

CONTACTS:
Susan Nicholson, Senior Legal Counsel 613-546-4291, ext 1293
Speros Kanellos, Director, Real Estate & Construction Services 613-546-4291, ext 3133

OTHER CITY OF KINGSTON STAFF CONSULTED:
Jim Miller, Manager, Utilities Kingston Technical Services 613-546-4291, ext 2475
Kim Brown, Project Engineer, Engineering Department 613-546-4291, ext 3132
Damon Wells, Director, Public Works 613-546-4291, ext 2313

EXHIBITS ATTACHED:
Exhibit A Crossing Locations over City-owned Lands
Exhibit B Easement over driveway at 546 Gardiners Road
CITY OF KINGSTON
Engineering Department

Underground Transmission Line Crossing Locations

Date: Nov. 9, 2009

Prepared by: N. Traves
CITY OF KINGSTON
Engineering Department

Proposed Easement
at 546 Gardiners Road

Date: Nov. 9, 2009
TO: Mayor and Members of Council
FROM: Denis Leger, Commissioner of Corporate Services
RESOURCE STAFF: John Johnson, Manager of Facilities
Lorraine Thibadeau, Property Leasing Specialist
DATE OF MEETING: December 1, 2009
SUBJECT: Central Airways Ltd. – Proposed Lease Amendment

EXECUTIVE SUMMARY:
Central Airways Ltd. (Central Airways) owns a building located at Norman Rogers Airport on land that they lease from the City. Central Airways has requested permission to sublet a portion of their building. According to their letter of request dated October 26, 2009, Central Airways is experiencing a downturn of work due to the economic conditions and consequently, they have several offices vacant in their building. As a means to strengthen their financial position, they wish to sublet two of these rooms to one company and one room to another company, each to be subleased for a period of three years. Staff is requesting a lease amendment to allow Central Airways to sublet portions of their office space to two companies.

RECOMMENDATION:
That Council authorize the Mayor and Clerk to execute a lease amending agreement, to the satisfaction of the Director of Legal Services, to allow Central Airways Ltd. to sublet vacant office space in their building to Executrans and Ovation Travel Experiences Inc. for a period of three years.

AUTHORIZING SIGNATURES:

| ORIGINAL SIGNED BY COMMISSIONER |  |
| Denis Leger, Commissioner of Corporate Services |  |

| ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER |  |
| Gerard Hunt, Chief Administrative Officer |  |

CONSULTATION WITH THE FOLLOWING COMMISSIONERS:

| Commissioner Beach, Sustainability & Growth | N/R |
| Commissioner Thurston, Community Development Services | N/R |
| Commissioner Leger, Corporate Services | N/R |
| Jim Keech, President, Utilities Kingston | N/R |

(N/R indicates consultation not required)
OPTIONS/DISCUSSION:
Central Airways Ltd. (Central Airways) provides vital services at the Norman Rogers Airport including refuelling for aircraft, ramp services including marshalling, ground power, baggage loading, de-icing and towing as well as rental of heated hangar space. In addition, they provide service for disabled passengers. Central Securities Ltd., a sister company of Central Airways, provides pre-boarding screening to all scheduled flights out of Norman Rogers Airport. Central Airways employs approximately 30 people.

The building, owned by Central Airways, is situated on land that is leased to Central Airways by the City of Kingston. Central Airways has been at this location since 1984. The current lease for these lands is for a term of fifteen (15) years, commencing September 1, 2006, and expiring August 31, 2021. Central Airways has requested permission to sublet a portion of their building to two separate companies, Executrans and Ovations Travel Experiences, Inc., each for a period of three years. In order for Central Airways to sublet offices in their building, an amendment must be made to their current lease

Section 4.5 of the existing lease allows for subleasing (with prior written consent of the landlord), but Section 4.6 states “The Lands shall be used for purposes in connection with the operation of a public airport and shall be used for no other purpose or purposes whatsoever. The Tenant may operate a flying school, charter air service, aircraft maintenance and paint shop, together with such restaurant, lunch counter, canteen or other concession in its building located on the Lands.”

Section 4.6 is based on a factor that must be taken into consideration regarding these proposed subleases. The land that Norman Rogers Airport occupies was granted to the City by the Federal Government through two separate grants; in both cases restrictions were placed on the use of the land.

In the 1974 grant, the restriction is stated as “for so long as the said lands are continuously used as an airport.”

In the 1987 Federal grant of the airport lands received by the City it states that the City shall have and hold:

... the said lands... for so long as the lands and every party thereof are used for airport purposes as part of an airport.”

If Central Airways is to sublease any portion of their building, it should do so to companies with businesses that are connected with the operations of the airport.

Of the two companies being considered for subleases, one company, Executrans, provides corporate transportation in executive sedans, SUV's and vans. This service is often supplied to passengers arriving by air to do business in Kingston and area. The other company, Ovation Travel Experiences Inc., offers event promotion and coordination, VIP event packaging and internet based sales, which on occasion may have a connection to air travel. This company has been operating in Kingston for thirty years, previously under the name Great Canadian Tours.

In summary, the two companies that Central Airways Ltd. is looking to sublet vacant office space to have some relationship to airport operations and therefore the recommendation is to allow for subleasing for a period of 3 years.

EXISTING POLICY/BY LAW:
N/A

NOTICE PROVISIONS:
N/A

ACCESSIBILITY CONSIDERATIONS:
N/A
FINANCIAL CONSIDERATIONS:
N/A

CONTACTS:
John Johnson, Manager of Facilities 546-4291, Ext. 1241
Lorraine Thibadeau, Leasing Consultant 546-4291, Ext. 1839

OTHER CITY OF KINGSTON STAFF CONSULTED:
Shirley de Silva, Airport Manager 389-9604, Ext. 101

EXHIBITS ATTACHED:
N/A
TO: Mayor and Council
FROM: Cynthia Beach, Commissioner, Sustainability & Growth
RESOURCE STAFF: Lanie Hurdle, Director, Recreation & Leisure Services
Kelly Williams, Manager, Parks Development, Recreation & Leisure Services
DATE OF MEETING: 2009-12-01
SUBJECT: Cataraqui Clippers Soccer Club Donation

EXECUTIVE SUMMARY:
The Cataraqui Clippers Soccer Club wishes to donate $50,000 to the City of Kingston for improvements to the Jim Beattie East Soccer Field and for the purchase of new soccer goal frames for City of Kingston soccer fields.

RECOMMENDATION:
THAT the Mayor and Clerk be authorized to enter into an agreement with the Cataraqui Clippers Soccer Club, to the satisfaction of the Director of Legal Services, for the donation of $50,000 which is to be allocated towards turf improvements to Jim Beattie East Soccer Field and the purchase of new soccer goal frames.

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(N/R indicates consultation not required)
OPTIONS/DISCUSSION:
The Cataraqui Clippers Soccer Club recently offered the City of Kingston a donation of $50,000 which is to be allocated as follows:

1. $25,000 to be spent on turf replacement at the Jim Beattie East Soccer Field
2. $25,000 to be spent on the purchase of new soccer goal frames for soccer fields

The Jim Beattie East Soccer Field is one of four soccer fields on the Jim Beattie park site. As an “A” level field that sees heavy use from season to season, this field typically shows classic signs of over-use such as soil compaction, turf damage in the goal crease areas and down the centre of the field. Over the many years of heavy usage, the crown originally established on the field will slowly disappear over time. In order to re-establish the crown and turf quality, without closing the field for a season or two, an industry accepted practice of turf replacement can occur. This technique involves stripping the sod off of the middle 1/3 of the field, re-establishing a crown within this section and then installing new sod specially grown and designed for sport field/soccer use. Typically, the field will be ready for use approximately 6-8 weeks after the treatment has been completed.

The soccer goal frames to be purchased will be used to replace existing frames that are aging and nearing their useable lifecycle. The purchase of new frames will allow City staff to update aging frames with frames appropriate to today’s standards and to work towards consistency amongst fields across the City.

Field will be available for booking to user groups and equipment will also be made available for usage by other user groups.

EXISTING POLICY/BY LAW:
N/A

NOTICE PROVISIONS:
N/A

ACCESSIBILITY CONSIDERATIONS:
N/A

FINANCIAL CONSIDERATIONS:
The cost to refurbish the turf at the Jim Beattie East Soccer Field will be approximately $24,000. The number and type of goal frames to be purchased will be dependent on pricing at the time of purchase. It is anticipated that $25,000 will purchase approximately 7-8 pairs of senior sized goal frames (installed).

CONTACTS:
Lanie Hurdle, Director, Recreation and Leisure Services

OTHER CITY OF KINGSTON STAFF CONSULTED:
Alan McLeod, Senior Legal Counsel, Legal Services
Kelly Williams, Manager, Parks Development, Recreation & Leisure Services Department
Ken McGuirk, Supervisor, Public Works Department

EXHIBITS ATTACHED:
Exhibit 'A' Letter from Jonathon Hulse, President, Cataraqui Clippers Soccer Club
October 29th, 2009

Dear Mr Williams,

Re: Jim Beattie East Soccer Fields

The Cataraqui Clippers Soccer Club has approved the release of $25,000 in 2010 towards the rehabilitation of the Jim Beattie East soccer field. This is in addition to the $25,000 already offered towards new goal posts. We understand that these improvements will be considered property of the City of Kingston and will be available for use by anyone who obtains the necessary field permit.

Yours Sincerely,

Jonathan Hulse
President, Cataraqui Clippers Soccer Club

Email: jonathan.hulse@kos.net

Cc: Carmine Lanzo
    Dale Neal
    Wayne Buller

    VP
    Director, Fields
    Club Secretary
CITY OF KINGSTON
REPORT TO COUNCIL

TO: Mayor and Council
FROM: Denis Leger, Commissioner, Corporate Services
RESOURCE STAFF: Speros Kanellos, Director, Real Estate & Construction Services
DATE OF MEETING: 2009-12-01
SUBJECT: Authorization for Mayor and Clerk to Sign Easement Agreement for Rock Dowels on City Property Adjacent to the Marine Museum of the Great Lakes Dry Dock

EXECUTIVE SUMMARY:

Public Works and Government Services Canada (PWGSC) has requested permission from the City of Kingston to replace rock dowels under the City-owned Navy Memorial Park at 61 Ontario Street, which is adjacent to the Dry Dock at the Marine Museum of the Great Lakes. The new dowels are necessary during the reconstruction and stabilization enhancement of the Dry Dock’s north wall adjacent to the park.

RECOMMENDATION:

THAT Council authorize the Mayor and the Clerk to sign easement agreements as necessary, in a form satisfactory to the Director of Legal Services, with Public Works and Government Services Canada to permit the placement of rock dowels within a portion of the Navy Memorial Park at 61 Ontario Street, and to permit municipal infrastructure within a portion of lands owned by Public Works and Government Services Canada.
AUTHORIZING SIGNATURES:

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*(N/R indicates consultation not required)*
OPTIONS/DISCUSSION:

Public Works and Government Services Canada (PWGSC) has requested permission to replace rock dowels under the City’s Navy Memorial Park at 61 Ontario Street, adjacent to the Marine Museum of the Great Lakes Dry Dock, to facilitate the reconstruction of the north Dry Dock wall. The existing rock dowels were put in place several decades ago on the City’s property with no known formal agreement. The existing north Dry Dock wall also slightly encroaches into the City's park property. The location of the new dowels will closely resemble that of the existing dowels and extend to a maximum of 6 meters into City property, starting at a minimum depth of 5 meters below ground level at the property line and descending at an angle of 35% to the horizontal. The total area of the easement is estimated to be less than 50 square meters. An easement agreement to be signed by the Mayor and the Clerk is required to permit the dowels to be placed under the City owned property. A sketch of the approximate area required for the easement is found in Exhibit A. Affected City Departments were consulted and no concerns were identified. Given that the dowels will be at a minimum depth of 5 meters below ground level, they should not interfere with any future development potential of the City property.

Technical reports by PWGSC have identified that a void may exist behind the north wall of the dry dock underneath the City’s park. If a void is found to exist as part of this reconstruction work, PWGSC intends to fill the void with a grout mixture at no cost to the City.

PWGSC contacted the City on November 16, 2009 to indicate that it plans to award the tender for the Dry Dock reconstruction on November 20, 2009. PWGSC requires the easement from the City prior to proceeding with on-site works. Due to the historical nature of the current encroachment, and the City’s positive relations with PWGSC regarding this dry dock and other federal projects, staff recommends that the City grant the easement for a nominal sum of $1.00. PWGSC will be responsible for any associated legal costs, surveys, city disbursements and any other costs associated with the grant of easement. PWGSC will also be responsible for reinstating any portion of the park it disturbs during construction. Construction is estimated to last from four to twelve weeks.

If the City requires any easements on federal land at this location for municipal infrastructure, it will be addressed at this time.

Staff recommends that Council authorize the Mayor and the Clerk to sign an easement agreement prepared to the satisfaction of the Director of Legal Services.

EXISTING POLICY/BY LAW:

An easement agreement for the placement of rock dowels under City property must be signed by the Mayor and Clerk. There is no existing by-law that gives delegated authority to staff or the Mayor and Clerk to proceed.

NOTICE PROVISIONS:

N/A

ACCESSIBILITY CONSIDERATIONS:

This report and related information is available in alternative formats upon request.

FINANCIAL CONSIDERATIONS:

PWGSC will be responsible for any associated legal costs, surveys, city disbursements and any related costs associated with the grant of easement.

CONTACTS:
Speros Kanellos, Director, Real Estate & Construction Services  
Jamie Dickey, Project Engineer, Real Estate & Construction Services  

613-546-4291, Ext. 3133  
613-546-4291, Ext. 3125

OTHER CITY OF KINGSTON STAFF CONSULTED:  
Kim Brown, Infrastructure Engineer, Engineering Department  
Damon Wells, Director, Public Works  
Hal Linscott, Director, Legal Services  
Lanie Hurdle, Director, Recreation and Leisure Services  
Chris Phippen, Engineer, Utilities Kingston

EXHIBITS ATTACHED:  
Exhibit A  Sketch of Proposed Easement Location
Sketch of the area of underground work subject to proposed easement
EXECUTIVE SUMMARY:

The purpose of this report is to receive Council authorization to award the Newcomers Web Portal development and hosting services contract to Dragonfly Information Technology Inc. The contract would be in effect until the completion of the grant (March 31, 2010) and total no more than $50,000 for the provision of web development and hosting of the web portal as necessary to complete the agreed-upon scope of the project.

A Request for Information (RFI) was issued in 2009 September with detailed evaluations of the 17 responses submitted. The Dragonfly Information Technology Inc. submission was selected on the basis of appropriateness of technical framework (Seagull) suggested, flexibility, competitive pricing and custom programming capabilities to meet initial and future needs of the website.

This report seeks council's approval to award the website development and hosting services contract to Dragonfly Information Technology Inc. dependent on a mutually acceptable scope and timeline (in progress). Staff is required to present a recommendation to City Council to award a contract as this was not the lowest cost proposal received and hence it does not meet the conditions for delegated authority in the City's Purchasing Bylaw.

RECOMMENDATION:

THAT Council authorizes the Mayor and Clerk to enter into a time and materials contract with Dragonfly Information Technology Inc, in a form satisfactory to the Director of Legal Services, in reference to RFI No. F32-SG-SEC-2009-1, for an amount not exceeding $50,000, with annual web hosting and maintenance fees to be determined.
AUTHORIZING SIGNATURES:

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<td>Leger, Corporate Services</td>
<td>N/R</td>
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<td>Jim Keech, President, Utilities Kingston</td>
<td>N/R</td>
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(N/R indicates consultation not required)
OPTIONS/DISCUSSION:

In 2009, the City of Kingston secured grant funding from the Ontario Ministry of Citizenship and Immigration for the development of a Newcomers Web Portal as part of the Municipal Immigration Information Online (MII0) project which officially ends March 31, 2010. This project is currently in progress.

As part of this project, an RFI was issued in September 2009 for the design, development, and hosting of the Newcomers Web Portal. Portions of the work outlined were severable.

In addition to explaining the requirements of the web site to be developed, the RFI specified that in particular, LifeRay or another open source framework was sought, but that other frameworks would be considered. LifeRay is the framework chosen for the City of Kingston's Intranet, but it was unclear as to whether or not there would be programmers available to complete this project within the timeline and budget.

Since the full scope of the website needs and requirements had yet to be determined and are dependent on what could realistically be accomplished within the grant deadline, it was necessary for the website to be portal and flexible, with the possibility of more direct integration with the City's web services in the future.

Seventeen (17) responses were received, suggesting a variety of different frameworks, and underwent a preliminary evaluation which consisted of proposal reviews and assessment of the information provided in the following categories.

- Technical platform
- Timeline, flexibility and ability of vendor to meet deadline
- Multilingual capability (for all content, public and administrative views)
- Permissions levels, multi-partner, browser-based access
- Granular metadata
- Cross-referencing capability
- Surveys/comments, question forms
- 3rd party syndicated content (integration with info-sharing partner databases and RSS pulls)
- Accessibility (W3C 2.0)
- Calendar
- Search capability
- Statistics package
- Licensing model

Note that cost, while a consideration (the cost had to fall within realistic parameters for baseline and baseline plus costs), was not the final basis for determination.

The following vendors/products were shortlisted:

- Dragonfly Information Technology/Seagull (PHP)
- rTraction/Drupal (PHP)
- eSolutions Group Limited/iCreate

The following submissions were not chosen for subsequent review:

- 14 Theories
- ideaLEVER
Only two submissions for LifeRay were received. Neither were shortlisted as neither were within the set cost parameters and they did not address the specific elements required by the RFI in sufficient detail. Secondary evaluations of the top three vendors included follow-up questions and reference checks.

All three semi-finalists demonstrated strong capabilities yet it was concluded that the clear, best, fit for the needs of the Newcomers Web portal was Dragonfly Information Technology. The Seagull framework is extremely flexible, and can be customized as needed, when needed for the site. It has full multilingual capabilities (for all types of content, public and administrative interfaces), the granular security needed for browser based content management, granular metadata and accessibility capabilities. It is also an open source product, so there will be no recurring licensing fees. Additional client reference checks were performed on the preferred vendor and were uniformly positive.

Next Steps

Since the project value is less than $50,000 and the selected vendor does not have the lowest bid, staff does not have delegated authority to proceed and requires City Council approval before awarding a contract.

Once approved and the contract awarded, the project will follow the scope and timeline which is currently being determined. City staff has been actively involved in setting development directions and will continue to be throughout the project. Given a 2009 December start, the project is expected to be fully completed by 2010 March.

EXISTING POLICY/BY LAW:
By-Law No. 2000-134 – Purchasing Policies and Procedures

NOTICE PROVISIONS:
Not Applicable

ACCESSIBILITY CONSIDERATIONS:
Not Applicable

FINANCIAL CONSIDERATIONS:
Funding for this project will be provided by the Newcomers Web Portal grant. The total fees for this project will be within the allotted budget.
CONTACTS:
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Andria King, Project Co-ordinator, Newcomers Web Portal 613-546-4291 ext. 1271

OTHER CITY OF KINGSTON STAFF CONSULTED:
Stephen Skinner, Manager Systems Development/Administration, Information Systems & Technology
Therese Greenwood, Manager of Communications

EXHIBITS ATTACHED:
None