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THE COMMITTEE OF THE WHOLE “IN CAMERA”

(1) THAT Council resolve itself into the Committee of the Whole “In Camera” to consider the following items:
   
   (a) Labour relations or employee negotiations – Professional Firefighter Association; Ontario Nursing Association

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

DISCLOSURE OF PECUNIARY INTEREST

PRESENTATIONS

DELEGATIONS

(1) Mr. Gordon Manning will speak to Council regarding the proposed affordable housing project in Barriefield village.
   (See Clause (1), Report No. 8, Page No. 12)

BRIEFINGS

(1) Ms. Claudette Richardson, KFPL Board Chair, Ms. Elizabeth Bowes, Calvin Park Building Committee Chair, and Ms. Deborah Defoe, Chief Librarian/Chief Executive Officer, will provide Council with a final report on the Calvin Park Library building project.

(2) Mr. Glenn Outhwaite, Chair of the Municipal Accessibility Advisory Committee, will speak to Council regarding the City of Kingston 2010 Accessibility Plan.
   (See Clause (2), Report No. 8, Page No. 12)

PETITIONS
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 Condolence

(1) Moved by Councillor Hector
    Seconded by Councillor Schmolka
    THAT the sincere condolences of Kingston City Council be extended to Brian Smith, Health and Safety Coordinator, Human Resources and Organization Development Department, and family, on the death of his father on November 26, 2009.

(2) Moved by Mayor Rosen
    Seconded by Councillor Garrison
    THAT the sincere condolences of Kingston City Council be extended to the family of Dave Cornwall, former employee of the City of Kingston, past CUPE 109 President from 1988 to 2000, and trustee for the Limestone District School Board, who passed away on December 7, 2009.
INFORMATION REPORTS

Note: The following information report was deferred from the meeting on December 1, 2009, to be dealt with prior to the Report of the Chief Administrative Officer (Consent).

(1) K-ROCK Centre Year-to-Date Operations Report for the Period Ending September 30, 2009

The purpose of this report is to allow Arcturus/SMG the opportunity to provide its quarterly review of operations, and the corresponding financial results, for the nine months ending September 30, 2009, relative to the expected results based on their 2009 budget submission.

(The Report of the Commissioner of Corporate Services (09-340) is attached as Schedule Pages 1-14)
(File No. CSU-R05-001-2010)
REPORTS

REPORT NO. 7 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

Report No. 7

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) Annual Amendment to Fees and Charges By-Law No. 2005-10

THAT a by-law be presented to amend By-Law No. 2005-10, as amended, being “A By-Law To Establish Fees And Charges To Be Collected By The Corporation Of The City Of Kingston”, in order to establish fees and charges for 2010;

- and further -

THAT a by-law be presented to amend By-Law No. 4489, as amended, being “A By-Law To Regulate, Supervise And Govern The Parking Of Vehicles On Parking Lots And To Fix The Rates And Charges For Parking On Such Parking Lots”; in order to consolidate fees into By-Law 2005-10, as amended;

- and further -

THAT a by-law be presented to amend By-Law No. 2006-213, as amended, being “A By-Law To License, Regulate And Govern Certain Businesses”, in order to consolidate fees into By-Law 2005-10, as amended;

- and further -

THAT the aforementioned by-laws be given three readings and passed.

(See By-Law No. (5), 2010-10, By-Law No. (6), 2010-11 and By-Law No. (7), 2010-12)

(b) Lease Agreement with Transport Canada for Part of Anglin Parking Lot

THAT Council authorize the Mayor and Clerk to execute an agreement to extend the lease between the City of Kingston and with Transport Canada, for a part lot at the foot of Bay Street in the Anglin Parking Lot for a four year term ending December 31, 2013, at a rate of $4,174 per annum and that the agreement shall be in a form satisfactory to the Director of Legal Services.

(See By-Law No. CSU-L07-000-2010)

(c) Reduced Parking Fees for Long Term Construction at Queen's University

THAT Council approve the waiving of 50% of the parking fees associated with displaced parking on Union and Division Streets during construction of the Queen’s Centre;

- and further -
THAT staff be directed to report back to the Environment, Infrastructure and Transportation Policies Committee with a policy governing displaced parking for long term construction projects, for its consideration in the first quarter of 2010.

(The Report of the Commissioner of Corporate Services (10-010) is attached as Schedule Pages 61-65)

(File No. CSU-T02-000-2010)

(d) **Stop Up and Close an Unopened Road Allowance in the Cataraqui Estate Business Park to Facilitate Plan of Subdivision Application**

THAT Council give two readings to the by-law attached as Exhibit C, to stop up and close the portion of unopened road allowance described as the Road Allowance between Concessions 3 and 4, part of Lots 11 and 12, former Township of Kingston, more particularly described as Part 1 on the draft reference plan 13R- ------, as depicted in Exhibit A;

- and further -

THAT Council authorize and direct the City Clerk, in accordance with the City of Kingston Notice By-Law No. 2003-15 as amended, to give notice of Council's intention to stop up and close the portion of unopened road allowance described as the Road Allowance between Concessions 3 and 4, part of Lots 11 and 12, former Township of Kingston, more particularly described as Part 1 on the draft reference plan 13R- ------, as depicted in Exhibit A;

- and further -

THAT Council, upon providing the prescribed public notice of Council's intent, give third reading and approve the attached by-law to stop up and close the portion of unopened road allowance described as the Road Allowance between Concessions 3 and 4, part of Lots 11 and 12, former Township of Kingston, more particularly described as Part 1 on the draft reference plan 13R- ------, as depicted in Exhibit A.

(The Report of the Commissioner of Corporate Services (10-018) is attached as Schedule Pages 66-71)

(File No. CSU-T09-000-2010)

(See By-Law No. (1), 2010-6)

(e) **Award of RFP for One 2010 Seven-Passenger Minivan to Thompson Chrysler**

THAT the RFP F31-CS-FL-2009-21 for the purchase of one 7-passenger minivan be awarded to Thompson Chrysler for the purchase price of $20,157 plus applicable taxes.

(The Report of the Commissioner of Corporate Services (10-027) is attached as Schedule Pages 72-73)

(File No. CSU-F31-000-2010)

(f) **Award of Tender for One 31' Mid-Size, Rear-Wheel Drive, Low Floor Transit Bus to Leeds Transit Inc.**

THAT the tender F18-CS-FL-2009-20 for the purchase of one 31' mid-size, rear-wheel drive, and low-floor transit coach be awarded to Leeds Transit Inc. for the purchase price of $215,900 plus applicable taxes;

- and further -

THAT $186,698.21 plus applicable taxes, the net of insurance proceeds less the deductible, be funded from the Transit Equipment Replacement Reserve Fund.

(The Report of the Commissioner of Corporate Services (10-028) is attached as Schedule Pages 74-75)

(File No. CSU-F18-004-2010)
REPORT NO. 7 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

(g) Award of RFP for One Compact Pickup Truck to Edwards Ford Ltd.

THAT the RFP F31-CS-FL-2009-19 for the purchase of one compact pickup truck be awarded to Edwards Ford Ltd. for the purchase price of $18,534 plus applicable taxes.

(The Report of the Commissioner of Corporate Services (10-031) is attached as Schedule Pages 76-77)

(File No. CSU-F31-000-2010)

(h) Award of RFP for Architectural Design Services for Leo Lafleur Pool/Aquatic Centre and Memorial Gardens to Cannon Design

THAT Council award the contract for architectural design services for the Leo Lafleur Pool/Aquatic Centre and Memorial Gardens at Memorial Centre site to Cannon Design;

- and further -

THAT Mayor and Clerk be authorized to enter into an agreement with Cannon Design, subject to the satisfaction of the Director of Legal Services;

- and further -

THAT Council approve a capital budget amendment of $270,000 with funding from the Municipal Capital Reserve Fund, to allow for the construction completion of the Memorial Gardens project.

(The Report of the Commissioner of Sustainability and Growth (10-032) is attached as Schedule Pages 78-80)

(File No. CSU-F31-000-2010)

(i) Award of RFP for the Purchase of a Portable Stage to Stage Line Mobile Stage Inc.

THAT Council award the contract for the purchase of a portable stage, to be used for special events including FebFest and Rocking at the Clock, and additional options, to Stage Line Mobile Stage Inc. for $144,000, exclusive of GST.

(The Report of the Commissioner of Sustainability and Growth (10-033) is attached as Schedule Pages 81-83)

(File No. CSU-F31-000-2010)

(j) Award of RFP for Engineering Design Services for Two (2) International Size Soccer Fields and a Washroom Building at John Machin Park to MMM Group

THAT the RFP No. EN-2009-14 be awarded to MMM Group for the price of $133,840 (excluding taxes);

- and further -

THAT Mayor and Clerk be authorized to enter into a contract with MMM Group, to the satisfaction of the Director of Legal Services, for engineering design services for two (2) international size soccer fields and a washroom building at John Machin Park at a cost of $133,840.

(The Report of the Commissioner of Sustainability and Growth (10-034) is attached as Schedule Pages 84-87)

(File No. CSU-F31-000-2010)
REPORT NO. 7 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

(k) Stop Up and Close an Unopened Road Allowance at 4080 Bath Road

THAT Council give two readings to the by-law attached as Exhibit C, to stop up and close the portion of unopened road allowance described as the Road Allowance between Mile Square Lot and Lot 1, Concession 2, lying between Bath Road and the waters of Collins Bay, more particularly defined as the portion of road allowance within the property known as 4080 Bath Road, as depicted in Exhibit A;

- and further -

THAT Council authorize and direct the City Clerk, in accordance with the City of Kingston Notice By-Law No. 2003-15 as amended, to give notice of Council's intention to stop up and close the portion of unopened road allowance described as the Road Allowance between Mile Square Lot and Lot 1, Concession 2, lying between Bath Road and the waters of Collins Bay, more particularly defined as the portion of road allowance within the property known as 4080 Bath Road, as depicted in Exhibit A;

- and further -

THAT Council, upon providing the prescribed public notice of Council's intent, give third reading and approve the attached by-law to stop up and close the portion of unopened road allowance described as the Road Allowance between Mile Square Lot and Lot 1, Concession 2, lying between Bath Road and the waters of Collins Bay, more particularly defined as the portion of road allowance within the property known as 4080 Bath Road, as depicted in Exhibit A.

(The Report of the Commissioner of Corporate Services (10-036) is attached as Schedule Pages 88-94)
(File No. CSU-T09-000-2010)
(See By-Law No. (2), 2010-7)

(l) Appointment of a Municipal By-Law Enforcement Officer

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

- and further -

THAT the by-law receive all three readings.

(The Report of the Commissioner of Community Development Services (10-039) is attached as Schedule Pages 95-98)
(File No. CSU-P01-000-2010)
(See By-Law No. (8), 2010-13)

(m) Installation of Pay and Display Parking on Earl Street between Division Street and University Avenue

THAT a by-law be presented to Council to amend “Schedule 1A” of By-Law No. 495, “A By-Law To Provide For A Parking Meter Zone In Certain Streets Or Portions Thereof, And To Provide For The Installation, Regulations, Supervision And Control Of Such Parking Meters” and By-Law No. 24, “A By-Law For Regulating Traffic In The Highways Of The City Of Kingston”, to convert the south side of Earl Street between University Avenue and Division Street to Pay and Display parking.

(The Report of the Commissioner of Corporate Services (10-040) is attached as Schedule Pages 99-104)
(File No. CSU-T02-000-2010)
(See By-Law No. (3), 2010-8 and By-Law No. (4), 2010-9)
## REPORTS (CONTINUED)

### REPORT NO. 7 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

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<td>(n)</td>
<td>City of Kingston Response to the Ministry of Municipal Affairs and Housing (MMAH) Affordable Housing Strategy for Ontario</td>
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**THAT** the “City of Kingston's Response to the Ministry of Municipal Affairs and Housing (MMAH) Consultation on the Long Term Affordable Housing Strategy”, attached to this report as Exhibit “A”, be approved for submission to the Ministry of Municipal Affairs and Housing before December 31, 2009.

(The Report of the Commissioner of Community Development Services (10-041) is attached as Schedule Pages 105-110)

(File No. CSU-S18-000-2010)
REPORTS (CONTINUED)
REPORT NO. 8 OF THE CHIEF ADMINISTRATIVE OFFICER (RECOMMEND)

Note: This item appeared as Clause (2) of Report No. 111 of the Chief Administrative Officer (Recommend) for the meeting held on November 3, 2009, and was deferred in order that staff could report back after consultation with the public or to the second meeting of Council in December, whichever was earliest.

Report No. 8

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

(1) **Exploring Merits of Affordable Housing Development in Barriefield Village on Surplus Federal Lands**

**THAT** subject to its approval of Clause 1, Report No. 102 on the October 20, 2009, Council agenda (Barriefield affordable housing concept), Council hereby:

1. Receive the preliminary affordable housing development concept plan prepared by Hughes/Downey Architects attached to Report No. 09-312 of the Commissioner of Community Development Services as Exhibit A, for lands described as Part 3 on Plan 13R-18296 as shown on the map contained in the concept plan report, showing 32 units in 8 buildings;
2. Direct staff to undertake a broad and inclusive public consultation process to seek neighbourhood and community input into the question of developing the subject lands for affordable housing purposes in accordance with the concept plan developed by Hughes/Downey Architects;
3. Direct staff to investigate and report back on development partnership opportunities with a local housing provider;
4. Earmark up to $2.46 million from the city’s DOOR Affordable Housing Construction Reserve towards the possible development of twenty (20) housing units as phase one on lands labeled as Part 3 consistent with the concept prepared by Hughes/Downey architects;
5. Authorize staff to submit an application for funding through the Canada-Ontario Affordable Housing Extension 2009 – Year Two, or subsequent funding programs as they may become available, for an additional twelve (12) housing units on the remaining portion of land described as Part 3 on Plan 13R18296, consistent with the concept prepared by Hughes/Downey architects.

(The Report of the Commissioner of Community Development Services (09-312) is attached as Schedule Pages 111-129)

(2) **Approval of the City of Kingston 2010 Accessibility Plan**

The Report of the Commissioner of Sustainability and Growth (10-045) will be distributed separately from the agenda.

(See Information Report No. (5), Page No. 23)
REPORT NO. 9 OF THE PLANNING COMMITTEE

Report No. 9

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.

December 3, 2009

1. Application for Official Plan Amendment and Zoning By-Law Amendment for 247-249 Brock Street

THAT the application for Official Plan Amendment (Our File No. D09-048-2009) submitted by George Edward Lloyd and Jean Marc Rapin, for the property located at 247-249 Brock Street, BE APPROVED.

AND BE IT FURTHER RESOLVED THAT the City of Kingston Official Plan be amended as follows:

1. The City of Kingston Official Plan, as amended, is hereby further amended by the following map and text change, which shall constitute Amendment No. 41 to the City of Kingston Official Plan:

   (a) AMEND Schedule ‘C’, ‘Site and Area Specific Policies’, of the City of Kingston Official Plan, so as to designate the property located at 247-249 Brock Street, as shown on Schedule ‘A’ to By-Law No. 2010-14, as ‘Site Specific Policy Area No. 37’.

2. That the Official Plan for the City of Kingston, as amended, be further amended by adding the following new Site Specific Policy as Section 4.8(t):

   “(t) 247-249 Brock Street

   Notwithstanding the policies of the Official Plan, a residential use shall be permitted on the ground floor of the building in addition to the existing permitted commercial uses.”

AND BE IT FURTHER RESOLVED THAT the application for Zoning By-Law Amendment (Our File No. D14-161-2009) submitted by George Edward Lloyd and Jean Marc Rapin, for the property located at 247-249 Brock Street, BE APPROVED.

AND BE IT FURTHER RESOLVED THAT the Downtown and Harbour Zoning By-Law No. 96-259, as amended, be further amended as follows:

1. That Zoning Map No. 1 of Zoning By-Law No. 96-259, as amended, is hereby further amended by changing the zone symbol of the subject site from ‘C1-1’ to ‘C1-28’ as shown on Schedule ‘A’ attached hereto and forming part of By-Law No. 2010-15.

2. That the following be added as Section 7.3.28 of the Zoning By-Law:

   “7.3.28  247-249 Brock Street (C1-28):

   REGULATIONS

   Notwithstanding any provisions of the By-Law to the contrary, the following shall only apply to the ‘C1-28’ Zone:

   (a) Conversion of Commercial Buildings for Residential Use

   Residential Uses may be permitted on the ground floor.”
REPORTS (CONTINUED)

REPORT NO. 9 OF THE PLANNING COMMITTEE

AND BE IT FURTHER RESOLVED THAT the by-laws be presented to City Council for all three readings.

(See By-Law No. (9), 2010-14 and By-Law No. (10), 2010-15)

(Note: A copy of the draft by-laws are attached as Schedule Pages 130-134)

2. Delegation of Authority to Staff for All Uncontested Consent Applications

THAT no action be taken on the request for further delegation of approval authority to staff for all “uncontested” consent applications.

3. Amendments To Site Plan Control By-Law No. 2006-65

WHEREAS it is necessary to amend the method for calculating Site Plan Control securities in order to balance a proponent's ability to finance their project and at the same time ensure the municipality has sufficient financial securities to complete any required works that may not be developed in accordance with the approved site plans or Agreement conditions:

THEREFORE BE IT RESOLVED THAT Council amend By-Law No. 2006-65 as follows:

(a) By deleting Section 7(7) Financial Securities and replacing it with the following new Section 7(7):

“(7) Financial Securities

Where an agreement is required pursuant to Section 7 of this By-law, and said agreement requires the submission of financial securities to ensure the satisfactory completion / maintenance of the works required by the Agreement and approved plans listed therein, the amount of the financial security shall be calculated as follows:

50% of on site improvements (paving, grading, stormwater management, and landscaping; includes all hard and soft landscaping, walkways, retaining walls, and fencing), exclusive of buildings or structures, is required as part of the Site Plan Control Agreement; and

Where a proposed development covers 100% of the site, the method for calculating securities shall be as follows:

• 10% of the first $500,000.00 of the total value of construction; plus
• 1% of the balance of the value of construction in excess of $500,000.00.

For all works on municipal property, 100% of the cost of the works is required.”

(See By-Law No. (11), 2010-16)

(Note: A copy of the draft by-law is attached as Schedule Pages 135-136)
REPORT NO. 10 OF THE ARTS, RECREATION AND COMMUNITY POLICIES COMMITTEE

To the Mayor and Members of Council:
The Arts, Recreation and Community Policies Committee reports and recommends as follows:

All items listed on the Arts, Recreation and Community 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.

December 2, 2009

1. Childcare Fee Subsidy Policy Changes

THAT in order to ensure limited provincial funding allocations are used for the intended program purposes of providing support to families participating in the workforce or pursuing education and training, the following policy changes to the Childcare Fee Subsidy Program are to be implemented effective January 1, 2010:

1. The Fee subsidy program return to its original program rules pertaining to referral and recreation fee subsidy assistance;
2. Fee Subsidy to enable parents to job search will only be provided to Ontario Works participants or ongoing child care subsidy families at the end of their education training program or in the case of employment loss;
3. Childcare service providers will no longer be reimbursed for unpaid parent fees;
4. Income testing will be done for all applicants seeking child care subsidies including foster parents;

- and further -

THAT staff prepare a report that can be used as a submission by the City of Kingston to the provincial and federal governments outlining the concerns the City has with the inadequate level of funding currently provided to the City for childcare subsidy and outlining the amount of funding the City requires from upper levels of government in order to meet the childcare subsidy needs in the City;

- and further -

THAT the recommendation be send to the Round Table on Poverty for their information and comments.

(Note: The Report of the Commissioner of Community Development Services (ARCP-10-001) was attached to the ARCP agenda as Schedule Pages 1-17.)

2. Sport Field Allocation Policy

THAT Council approve the Sports Field Allocation Policy and Guideline attached as Exhibit “A”, to be effective January 1, 2010;

- and further -

THAT Section 19.1 of Exhibit ‘A’ be amended to add the words ‘document’ and ‘policy’ so the paragraph reads:

This policy document will be reviewed on an annual basis, initiated by the facility booking office. The facility booking office has the authority to adjust procedural items related to timing, process, etc., as appropriate and to respond to overarching Council policy directions related to revenue achievement and strategic business approaches.
### REPORT NO. 10 OF THE ARTS, RECREATION AND COMMUNITY POLICIES COMMITTEE

(Note: The Report of the Commissioner of Sustainability and Growth Group (ARCP-10-007) was attached to the ARCP agenda as Schedule Pages 39-55.)

(Note: A copy of the amended Sports Field Allocation Policy and Guideline with the proposed changes is attached as Schedule Pages 137-148)

<table>
<thead>
<tr>
<th>3. City of Kingston Special Events Policy for City Parks and Recreational Facilities</th>
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<tr>
<td>THAT the City of Kingston Special Events Policy, attached as Exhibit “A” to Report No. ARCP-10-002, be approved and that the policy be implemented on January 1, 2010.</td>
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<tr>
<td>(Note: The Report of the Commissioner of Sustainability and Growth Group (ARCP-10-002) was attached to the agenda as Schedule Pages 56-70.)</td>
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REPORT NO. 11 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)

Report No. 11

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.

December 7, 2009

Note: There are no clauses (below) 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.

1. Facility Accessibility Design Standards

WHEREAS the City of Kingston Facility Accessibility Design Standards, attached as Exhibit ‘C’ to the Facility Accessibility Design Standards (FADS) report was approved by Council on November 17, 2009, with the exception of the following proposed amendments which were recommended by the Municipal Accessibility Advisory Committee:

- Section 4.1.4 Accessible Routes, Paths & Corridors (FADS p. 14), seventh bullet point under “Design Requirements” – Included the words “as a minimum” at the end, so the section reads as follows: “for accessible exterior circulation routes, the existing municipal standard of 1500 mm may be used, as a minimum.”

- Section 4.2.2 Toilet Stalls (FADS p. 36 and 37) – Changed the minimum clear opening (width) of the stall door from 900 mm to 950 mm. This change was applied to the sixth bullet point under “Design Requirements” on page 37 and to Figure 4.2.2.1 on page 36.

WHEREAS the proposed amendments to the FADS standards were deferred and referred to the Kingston Municipal Heritage Committee for consideration,

THEREFORE IT IS RESOLVED THAT the following amendments to the policy be approved:

- Section 4.1.4 Accessible Routes, Paths & Corridors (FADS p. 14), seventh bullet point under “Design Requirements” – Included the words “as a minimum” at the end, so the section reads as follows: “for accessible exterior circulation routes, the existing municipal standard of 1500 mm may be used, as a minimum.”

- Section 4.2.2 Toilet Stalls (FADS p. 36 and 37) – Changed the minimum clear opening (width) of the stall door from 900 mm to 950 mm. This change was applied to the sixth bullet point under “Design Requirements” on page 37 and to Figure 4.2.2.1 on page 36.

2. Request for Staff Review of Current Zoning with respect to Natural and Cultural Heritage for Department of National Defence Land in Barriefield Village

WHEREAS the Barriefield Heritage Conservation District Plan has not been reviewed since 1992;
REPORTS (CONTINUED)

REPORT NO. 11 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)

THEREFORE BE IT RESOLVED THAT the Heritage Committee recommend to Council that staff be directed to review the zoning with respect to natural and cultural heritage on the Department of National Defence land in Barriefield;

- and further -

THAT should it be deemed desirable to amend the current zoning, that the process for doing so also be examined;

- and further -

THAT staff report back to the March meeting of the Heritage Committee on the zoning and Heritage District Plan recommendation;

- and further -

THAT the Planning Committee be advised of this direction to staff.

3. Updating the Barriefield Heritage Conservation District Plan

THAT the Kingston Municipal Heritage Committee request that Council note the urgency of updating the Barriefield Heritage Conservation District Plan.

4. Approval for an Application for the Removal of Elements within the Sanctuary and Installation of a Subfloor and Flooring located at 82 Sydenham Street also known as Sydenham Street United Church

THAT Application P18-362-001-2010 for a property located at 82 Sydenham Street requesting approval for the removal of choir pews, wooden fences and screens from the front of the church sanctuary, risers under the pews, carpet and tile flooring from raised chancel area, and the installation of a level smooth subfloor, flooring to match the adjacent sanctuary floor, and storage of items removed BE APPROVED in accordance with details described within a submission filed October 28, 2009, and deemed complete by the Planning and Development Department November 05, 2009;

- and further -

THAT it be understood that if any structural requirements are identified with regard to the floor leveling, a building permit will be required;

- and further -

THAT the proponent take care to carefully remove and store choir pews and the wooden fences/screens from the front of the church sanctuary to allow for a return to the current conditions should the opportunity occur in the future.

5. Approval for an Application for Repainting, Eavestroughing and Landscaping at 18 Wellington Street

THAT Application P18-382-003-2010 for a property located at 18 Wellington Street requesting approval for repainting exterior elements of the house, sheds, the installation of new eavestroughing, and landscaping to include new fencing, patio, sheds, driveway and walkway BE APPROVED in accordance with details described within a submission filed November 10, 2009, and deemed complete by the Planning and Development Department November 13, 2009, with the understanding that the fence and shed should be painted in a different way than the porch so as not to detract from the architectural element of the porch;
REPORTS (CONTINUED)

REPORT NO. 11 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)

- and further -
THAT in the event that deeply buried or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, all work must immediately cease and the site must be secured. The Cultural Program Branch of the Ministry of Culture (416-314-7123) and the City of Kingston Heritage Planner (613-546-4291, ext. 1386) must be immediately contacted;

- and further -
THAT in the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police (613-549-4660), the Registrar of Cemeteries Regulation Section of the Ontario Ministry of Consumer Business Services (416-326-8494), the Cultural Program Branch of the Ministry of Culture (416-314-7123), and the City of Kingston Heritage Planner (613-546-4291, ext. 1386) must be immediately contacted;

- and further -
THAT the applicant be requested to ensure that the municipal walk be kept clean and clear of construction materials to ensure safe use by pedestrians;

- and further -
THAT any alteration to grading does not negatively impact adjacent properties.

6. Approval for an Application for the Modification and Replacement of a Wood Ramp with a Concrete Ramp at 34 Barrie Street

THAT Application P18-058-006-2010 for a property located at 34 Barrie Street requesting approval for the modification of a wood ramp and replacement of a concrete ramp BE APPROVED in accordance with details described within a submission filed November 20, 2009, and deemed complete by the Planning and Development Department November 25, 2009;

- and further -
THAT the ramp should be reversible to allow for a return to the original conditions in the future should the need for the structure be re-examined;

- and further -
THAT in the event that deeply buried or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, all work must immediately cease and the site must be secured. The Cultural Program Branch of the Ministry of Culture (416-314-7123) and the City of Kingston Heritage Planner (613-546-4291, ext. 1386) must be immediately contacted;

- and further -
THAT in the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police (613-549-4660), the Registrar of Cemeteries Regulation Section of the Ontario Ministry of Consumer Business Services (416-326-8494), the Cultural Program Branch of the Ministry of Culture (416-314-7123), and the City of Kingston Heritage Planner (613-546-4291, ext. 1386) must be immediately contacted;

- and further -
THAT signage should be provided at the Front Entrance and adjacent to the Barrier Free Path indicating the appropriate route;
REPORTS (CONTINUED)

REPORT NO. 11 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)

THAT it be understood that the proposed walk on the south side of 34 Barrie Street will be partially located within the City owned right of way. Though every effort is made when works are undertaken within the right of way by City forces and agents of the City to replace private walks there is no guarantee that the reinstatement of the sidewalk will be in the exact same form in the event of excavation of the area in question.

7. Final Approval for a Heritage Property Grant for the Costs of Work to be Done for Repointing of Damaged and Missing Masonry Fill at 329 Division Street

WHEREAS the owner of 329 Division Street has requested final approval for Heritage Grant Application HG-18-2006; 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 RECOMMENDED THAT Heritage Property Grant HG-18-2006 for 329 Division Street BE APPROVED for the costs of the work to be done for repointing of damaged and missing masonry fill;
- 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’.

8. Final Approval for a Heritage Property Grant for the Costs of Work to be Done for the Replacement of Roof Covering on Main Dwelling and Rear Single Storey Addition, and the Installation of a Metal Cap over the Southwest Parapet at 106 Montreal Street

WHEREAS the owner of 106 Montreal Street has requested final approval for Heritage Grant Application HG-012-2009; 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 RECOMMENDED THAT Heritage Property Grant HG-012-2009 for 106 Montreal Street BE APPROVED for the costs of the replacement of roof covering on main dwelling and rear single storey addition, and the installation of a metal cap over the southwest parapet;
- 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’.

9. Final Approval for a Heritage Property Grant for the Costs of Work to be Done for the Restoration of the Front of the House with Original Window, Porch Posts and Gingerbread Detail at 404 Regent Street

WHEREAS the owner of 404 Regent Street has requested final approval for Heritage Grant Application HG-003-2007; 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,
REPORTS (CONTINUED)

REPORT NO. 11 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)

THEREFORE BE IT RECOMMENDED THAT Heritage Property Grant HG-003-2007 for 404 Regent Street BE APPROVED for the costs for the restoration of the front of the house with original window, porch posts and gingerbread detail;

- and further -

THAT staff be authorized to issue a cheque for $1813.83 as per the process outlined in By-Law No. 2005-258, 'A By-Law to Establish a Heritage Grants Program'.
REPORTS (CONTINUED)
REPORT NO. 12 OF THE ARTS, RECREATION AND COMMUNITY POLICIES COMMITTEE AND THE KINGSTON MUNICIPAL HERITAGE COMMITTEE

Report No. 12

To the Mayor and Members of Council:
The Arts, Recreation and Community Policies Committee and the Kingston Municipal Heritage Committee report and recommend as follows:

1. **Proposed Renaming of Breakwater Park**
   
   **THAT** the name Breakwater Park be maintained;

   - and further -

   **THAT** staff be directed to work with the Kingston Historical Society to develop and erect a plaque, in accordance with the requirements of the Kingston Remembers program, which will recognize Lieutenant-Colonel John Bradstreet in Breakwater Park;

   - and further -

   **THAT** staff, in consultation with suitable experts, develop the Kingston Remembers Program to commemorate other locations of aboriginal and French historical importance.
Note: Information Report No. (2) was deferred from the meeting held on December 1, 2009, due to lack of time.

(2) Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of October 2009

The purpose of this report is to advise Council of tenders/RFPs approved and contracts awarded greater than $50,000 that meet the established criteria of delegated authority for the month of October 2009 and to report additional information on contracts awarded by senior staff between the $20,000 and $50,000 level for the month of October 2009.

(The Report of the Deputy Treasurer (10-002) is attached as Schedule Pages 149-153)

(File No. CSU-F18-000-2010)

(3) City/Queen’s Shared Solutions

This report provides Council with an update on the progress of the various working groups established to address common issues of Queen’s University and the City of Kingston.

(The Report of the Chief Administrative Officer (10-013) is attached as Schedule Pages 154-159)

(File No. CSU-R07-000-2010)

(4) Toilet Rebate Program

The purpose of this report is to provide Council with an update regarding the toilet rebate program for 2009.

(The Report of the President and CEO of Utilities Kingston (10-042) is attached as Schedule Pages 160-161)

(File No. CSU-E06-000-2010)

(5) Barriefield Village, Potential Acquisition of Federal Surplus Land for Affordable Housing

The purpose of this report is to provide an update to Council on efforts to date to investigate the possibility of constructing affordable housing on available surplus Federal lands within the limits of the Barriefield Village Heritage Conservation District.

(The Report of the Commissioner of Community Development Services (10-043) is attached as Schedule Pages 162-169)

(File No. CSU-S18-000-2010)

(See Clause (1), Report No. 8, Page No. 12)
MISCELLANEOUS BUSINESS

Motions of Council are required:

(1) THAT the following appointments, provided by the Kingston Arts Council, for membership to the Arts Advisory Committee, for the term ending November 30, 2010, be confirmed:

- Liz Schell
- Ebon Gage
- Doug Rooks
- Jan Allen
- Matt Rogalsky
- Harry Symons
- Joanne Page
- Margaret Hughes.

MOTIONS

Note: Motions No. (1) through (10) were deferred from the Council meeting on December 1, 2009, due to lack of time.

(1) Moved by Deputy Mayor Matheson
Seconded by Councillor Glover

WHEREAS the District system is the preferred choice of this and previous Councils’ since amalgamation, representing the desires for governance of the majority of Citizens in Kingston; and,

WHEREAS it has been 10 years since amalgamation and Kingston has experienced growth and population redistribution; and,

WHEREAS currently there is not a process in place to review Kingston's electoral District system nor the current boundaries; and,

WHEREAS each District should be divided as closely as possible by population numbers, so that citizens are fairly represented;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk report back with a process to review Kingston's current District boundaries and population distribution within each, with a suggested timeline for review, that allows for public input and adequate Council deliberation; and,

BE IT FURTHER RESOLVED THAT this review process be brought back to Council for consideration by February 2010, for a target date for review by within the 2nd year of office of the next Council, so that any new District format would be in place by 2014.

DEFERRED

Moved by Councillor Garrison
Seconded by Councillor Meers

THAT Motion No. (1) be amended to add the following:

- and further -

THAT as part of this process, the Clerk take into account such factors as, but not limited to, the following:

1. The importance of established neighbourhoods and communities, socio-demographic factors, geographic boundaries, natural barriers and identifiable growth areas;
2. The under-representation of certain demographic groups (e.g. students, renters) in the current census data and the need to obtain population data from other sources such as, but not limited to, the Kingston Community Profile;  

LOST (4:5)

3. The need for input from independent experts with experience in issues pertaining to establishing electoral boundaries;  

LOST

- and further -

THAT as part of this process, the Clerk be authorized to consider the possibility of increasing the number of electoral districts.  

LOST (3:6)

(2) Moved by Councillor Schmolka
Seconded by Councillor Foster

WHEREAS communities across Ontario are concerned with the Accommodation Review Committee process and the impact this flawed process has on the socio-economic fabric of our municipalities; and,

WHEREAS many schools are the hubs of their communities, a better accommodation review system is needed to address the educational facility needs of our residents; and,

WHEREAS a system to address the educational facility needs in Ontario must ensure that school boards and municipal councils partner on decisions regarding education infrastructure; and,

WHEREAS greater accountability for school board decisions is needed; and,

WHEREAS a thorough review of the governance model for school accommodation decisions must include an opportunity to appeal these decisions; and,

WHEREAS the accommodation review process should respect and value the input of students, parents, the community and municipality;

NOW THEREFORE BE IT RESOLVED THAT the Province of Ontario be petitioned to implement a “smart moratorium” on disputed school closings to provide the opportunity for the Ministry of Education, school boards and municipalities to work together to develop policies addressing such issues as planning for declining enrolments, a mutually agreed upon Accommodation Review Committee process, a review of funding to rural and small community schools, and transparency and accountability between municipalities and school boards;

AND BE IT FURTHER RESOLVED THAT a copy of this resolution be sent to The Honourable Kathleen Wynne, Minister of Education, Mowat Block, 900 Bay Street, Toronto, Ontario M7A 1L2, Canada and to the Community Schools Alliance, 399 Ridout Street N, London, Ontario, N6A 2P1, reycraft@mdlsx.ca

(3) Moved by Councillor Garrison
Seconded by Councillor Osanic

THAT the following motion, considered at the July 14th/15th, 2009 Council be reconsidered:
MOTIONS (CONTINUED)

“THAT a by-law be presented to amend By-Law 2006-122 being “A By-Law to Provide for the Regulation of Water Supply for the City of Kingston” to allow for the use of children’s water sprinklers/toys during the period June 15 to September 15 for the sole purpose of allowing children to play and remain cool during the summer, it being understood that children must be present when these toys are in use, and the devices are not to be used as a means to circumvent the watering by-law; and

THAT staff report back regarding enforcement at the August 4th, 2009 Council meeting, prior to Third Reading.”

A 2/3 Vote of Council is required.

(4) Moved by Councillor MacLeod-Kane
Seconded by Councillor Osanic

WHEREAS Council has asked the Arts, Recreation and Community Policies Committee to review the Fire & Rescue Action Plan 2010-2015; and,

WHEREAS a Maclean’s magazine report on cities, July 27, 2009, gives Kingston’s fire services a “D” rating for effectiveness, judged by monetary losses per fire, and ranks costs to taxpayers per dwelling at $394, significantly higher than, for example, top ranking Quebec City of $198 per dwelling and Saskatoon at $295 per dwelling;

NOW THEREFORE BE IT RESOLVED THAT Council asks the Arts, Recreation and Community Policies Committee to include in its report to Council on the Fire & Rescue Action Plan any recommendations it deems appropriate with respect to the effectiveness and costs of fire services in Kingston.

(5) Moved by Councillor MacLeod-Kane
Seconded by Councillor Meers

WHEREAS the City’s lease on the British Whig is coming to an end in the near future; and,

WHEREAS Kingston Utilities has indicated the need to expand their building on John Counter Boulevard; and,

WHEREAS the current economic situation should encourage Council to practice fiscal restraint;

THEREFORE BE IT RESOLVED THAT City staff make all preparations necessary to have the Midland Ave Building ready for occupancy, as a minimum, for the following staff, Planning, Engineering, and Buildings and Licensing Departments and a payment centre no later than February 2010; and,

BE IT FURTHER RESOLVED THAT Kingston Utilities report to Council on the probable impact of their office space requirements over the next ten years, including the need to expand the building, if the Planning, Engineering, and Building and Licensing Departments vacate their current space, no later than the first Council meeting in September 2009.

(See Clause (4), Report No. 90, which was approved and in part resulted in Council re-endorsing 1211 John Counter Blvd. as the administrative hub and including 1425 Midland Ave. as part of a parcel of land to be assembled for employment lands)

(6) Moved by Councillor Hutchison
Seconded by Councillor Garrison

WHEREAS Ontario’s 2009 budget has proposed to harmonize sales taxes, the implementation of which will apply to electricity rates starting July 1, 2010, having the effect of increasing electricity rates by 8% across the Province; and,
MOTIONS (CONTINUED)

WHEREAS this increase in taxation on electricity bills will provide undue hardship to the residents and businesses of Ontario, particularly middle and low income families who are being hard pressed during the current economic recession due to reduced incomes and job losses and small businesses that are struggling to stay financially viable;

THEREFORE BE IT RESOLVED THAT the Province of Ontario be requested to exempt electricity sales from the provincial portion of the single harmonized sales tax;

- and further -

THAT this resolution be forwarded to all Ontario municipalities with a population over 50,000 for their support;

- and further -

THAT this Resolution be forwarded to the Premier, Deputy Premier/Minister of Energy and Infrastructure, Minister of Finance, Minister of Municipal Affairs and Housing, and the AMO.

(7) Moved by Councillor Smith
Seconded by Councillor Schmolka

THAT it is Council’s request that the Kingston Community Roundtable on Poverty Reduction brief Council on a regular basis on its endeavours in the community.

(8) Moved by Councillor Hutchison
Seconded by Councillor Schmolka

WHEREAS it has been contended in the public that the City has numerous sites or properties available for affordable housing development;

BE IT RESOLVED THAT staff be requested to report back to Council with a list of all properties owned by the City that may be utilized for affordable housing and that list identify the properties that are either vacant, or have been declared surplus, or any City owned properties with or without buildings that may have potential for the building of affordable housing;

- and further -

THAT a separate list be provided identifying lands that are (a) brownfields in tax default or (b) subject to potential tax sales in the next year;

- and further -

THAT both lists be annotated as to the suitability of the lands for affordable housing.

(9) Moved by Councillor Smith
Seconded by Councillor Hector

WHEREAS, a global reduction in the emissions of carbon dioxide (CO2) and its significant contribution to the creation of greenhouse gases (GHG) is necessary to slow climate change and reduce the risks to our economy, human health, the physical environment and quality of life; and,

WHEREAS, human activities have caused a dramatic increase in the amount of carbon dioxide (CO2) in the earth's atmosphere. Since the mid 1700s, the concentration of CO2 has risen from about 280 parts per million (ppm) to reach 387 ppm in 2009. This is amount is likely the highest concentration in the atmosphere in the past 20 million years; and,
MOTIONS (CONTINUED)

WHEREAS, evidence presented in the Intergovernmental Panel of Climate Change (IPCC) November 2007 report indicates that “Warming of the climate system is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting of snow and ice and rising global average sea level” and “Most of the observed increase in global average temperatures since the mid-20th century is very likely due to the observed increase in anthropogenic GHG concentrations. It is likely that there has been significant anthropogenic warming over the past 50 years averaged over each continent (except Antarctica).”; and,

WHEREAS, reducing greenhouse gases makes economic sense. New and improved infrastructure, renewable energy technologies, energy efficiency, energy conservation, waste reduction, building retrofits, transit, walking, cycling, water conservation, better fleet management, more effective wastewater treatment and distribution, etc., can reduce short-term and/or long-term municipal operating costs and help maintain community services, while having a positive impact on the environment; and,

WHEREAS the impacts of climate change as well as the responsibility for mitigation will fall primarily on the municipalities; and,

WHEREAS, in December, national governments from around the world will meet in Copenhagen, Denmark to negotiate terms and conditions of a global climate agreement for the period after 2012 (i.e., after the Kyoto Protocol). It is critical that Canada has the support it needs during these negotiations to conclude negotiations; and,

WHEREAS, mayors and municipal leaders responsible for the well-being of communities across Canada have urged federal and provincial/territorial governments to make climate protection a priority;

BE IT RESOLVED THAT the Corporation of the City of Kingston send a strong message to the Federal Government of Canada of the importance to the citizens and businesses of the City of Kingston of a world-wide climate agreement;

- and further -

THAT we encourage municipalities across Ontario and Canada to join the City of Kingston in requesting the Federal Government to make every effort to reach an international agreement on climate change;

- and further -

THAT we urge the Federation of Canadian Municipalities to rally the support of its membership and send a strong message to the Federal Government of Canada of the importance to the citizens and businesses of a world-wide climate agreement.

(10) Moved by Councillor Smith  
Seconded by Councillor Foster

THAT Council authorize the Kingston and District Sports Hall of Fame to present their inductees for 2010 at the Council meeting scheduled for January 5, 2010.

(11) Moved by Councillor Glover  
Seconded by Deputy Mayor Gerretsen

WHEREAS on 14 August 2007 Council authorized staff to “explore” options with the Hotel Dieu Hospital about their parking needs in relation to the Chown Parking Garage; and,

WHEREAS subsequent to further direction from Council to staff on 5 February 2008, on 17 June 2008 Council approved an arrangement for the sale of the structure while retaining ownership of the land; and,

WHEREAS at that time representation had been made as to the urgency of progressing the work to provide additional parking by December 2008; and,
MOTIONS (CONTINUED)

WHEREAS in December 2009 the approved sale has yet to be concluded;

THEREFORE BE IT RESOLVED THAT staff be directed to report to Council not later than 19 January 2010 on:
1. The status of the discussions with the Hotel Dieu Hospital about the sale; and,
2. The legal obstacles that would prevent council from rescinding its 17 June 2008 approval.

NOTICES OF MOTION

REPORTS (CONTINUED)
REPORT NO. 13 OF THE COMMITTEE OF THE WHOLE

Report No. 13

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

November 23–25, 2009

1. Approval of the 2010 Municipal Utility Operating Budgets

THAT Council approve the 2010 Municipal Utility Operating Budgets in the amounts noted below:

SEWER
Operating Budget $10,951,574
Debt Costs $2,871,943
Transfer to Capital Reserve Fund $8,903,140

WATER
Operating Budget $9,895,765
Debt Costs $418,907
Transfer to Capital Reserve Fund $6,089,950

GAS
Operating Budget $3,714,868
Purchase & Transportation $40,000,000
Debt Costs $596,112
Transfer to Gas Capital Reserve Fund $1,615,095
Transfer to City Municipal Capital Reserve Fund $3,000,000
**REPORTS (CONTINUED)**

**REPORT NO. 13 OF THE COMMITTEE OF THE WHOLE**

**APPLIANCE RENTAL BUSINESS**

<table>
<thead>
<tr>
<th>Operating Budget</th>
<th>$356,119</th>
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<tbody>
<tr>
<td>Transfer to Appliance Rentals Capital Reserve Fund</td>
<td>$493,881</td>
</tr>
<tr>
<td>Transfer to City Environment Fund</td>
<td>$750,000</td>
</tr>
</tbody>
</table>

2. **Approval of the Local Distribution Rate Changes for 2010 for the Gas Utility**

   **THAT** Council approve:

   1) The proposed Gas Rate changes effective January 1, 2010 to April 30, 2010, and the proposed Gas Rate changes effective May 1, 2010, as detailed in Report No. 09-346.

   2) By-Law No. 2010-17 – “A By-Law To Impose Gas Rates” (1425445 Ontario Limited operating as Utilities Kingston) to reflect the approved Gas Rates effective January 1, 2010 to April 30, 2010, and the approved Gas Rates effective May 01, 2010 (Exhibit A).

   3) The repeal of By-Law No. 2009-2, “A By-Law To Impose Gas Rates” (1425445 Ontario Limited operating as Utilities Kingston)

4) Three readings of the aforementioned by-laws at the same Council meeting.

   *(See By-Law No. (12), 2010-17 and By-Law No. (13), 2010-18)*

3. **Approval of Rate Changes for 2010 for Miscellaneous Charges and the Appliance Rental Business**

   **THAT** Council approve:

   1) The proposed Miscellaneous Charges and Appliance Rental rates adjustments as detailed in Report No. 09-347, effective January 1, 2010.

   2) By-Law No. 2010-19 – “A By-Law To Impose Miscellaneous Charges And Appliance Rental Rates” to reflect the approved rates for 2010 (Exhibit A).

   3) The repeal of By-Law No. 2009-4, “A By-Law To Impose Miscellaneous Charges And Appliance Rental Rates” at the effective date of By-Law No. 2010-20.

4) Three readings of the aforementioned by-laws at the same Council meeting.

   *(See By-Law No. (14), 2010-19 and By-Law No. (15), 2010-20)*

4. **Approval of the 2010 City of Kingston General Municipal Operating Budget**

   **THAT** the 2010 City of Kingston General Municipal Operating Budget in the amount of $281,067,115, be approved as amended as follows by:

   - decreasing the Kingston Frontenac Public Library Board budget amount from $5,239,344 to $5,204,606;
   - increasing the Cataraqui Region Conservation Authority budget amount from $957,993 to $1,008,626;

   **THAT** a by-law be presented to Council, for three readings, to adopt these estimates.

   *(See By-Law No. (16), 2010-21)*

   *(Note: A copy of the draft by-law is attached as Schedule Pages 170-192)*
THAT the Minutes of City Council Meeting No. 21-2009, held Tuesday, November 3, 2009, and Meeting No. 22-2009, held Tuesday, November 17, 2009, be confirmed.

(Meeting No. 21-2009 and No. 22-2009 - Distributed to all Members of Council on Friday, December 4, 2009)

TABLING OF DOCUMENTS

Note: Documents 2009-57 through 2009-65 were tabled on the agenda for the meeting on August 4, 2009. Documents 2009-66 through 2009-67 were tabled on the agenda for the meeting on September 15, 2009. Documents 2009-68 through 2009-73 were tabled on the agenda for the meeting on October 6, 2009. Documents 2009-74 through 2009-76 were tabled on the agenda for the meeting on October 20, 2009. Documents 2009-77 through 2009-82 were tabled on the agenda for the meeting on November 3, 2009. Documents 2009-83 through 2009-86 were tabled on the agenda for the meeting on November 17, 2009. Documents 2010-01 through 2010-02 were tabled on the agenda for the meeting on December 1, 2009.

2010-03 Cataraqui Region Conservation Authority
Minutes – Full Authority Meeting – October 28, 2009
(File No. CSU-D03-000-2010)

2010-04 Local Authority Services Ltd. (LAS)
Annual Report 2008
(File No. CSU-A01-004-2010)

2010-05 HIV/AIDS Regional Services
Newsletter – Fall 2009
(File No. CSU-M07-000-2010)

2010-06 Cataraqui Region Conservation Authority
Agenda – Full Authority Meeting – December 9, 2009
(File No. CSU-D03-000-2010)

2010-07 Cataraqui Region Conservation Authority
Agenda – Cataraqui Source Protection Committee Meeting – December 10, 2009
(File No. CSU-D03-000-2010)
COMMUNICATIONS

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

Note: Communications No. 16-345 through 16-371 were listed on the agenda for disposition and distributed for the meeting on August 4, 2009. Communications No. 17-372 through 17-422 were listed on the agenda for disposition and distributed for the meeting on September 1, 2009. Communications 18-423 through 18-441 were listed on the agenda for disposition and distributed for the meeting on September 15, 2009. Communications 19-442 through 19-476 were listed on the agenda for disposition and distributed for the meeting on October 6, 2009. Communications 20-477 through 20-552 were listed on the agenda for disposition and distributed for the meeting on October 20, 2009. Communications 21-553 through 21-581 were listed on the agenda for disposition and distributed for the meeting on November 3, 2009. Communications 22-582 through 22-596 were listed on the agenda for disposition and distributed for the meeting on November 17, 2009. Communications 01-001 through 01-008 were listed on the agenda for disposition and distributed for the meeting on December 1, 2009.

Filed

03-009 From the Committee of Adjustment, a Notice of Decision for the following applications:

CONSENT – In respect of an application for the purpose of a technical consent 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 December 21, 2009.

(File No. CSU-D19-000-2010)

03-019 From the Association of Municipalities of Ontario (AMO), advising that municipal governments in Ontario are still waiting to hear about OMPF allocations for 2010 and about whether OMPF Mitigation Funding will be provided again in 2010.

(File No. CSU-F11-000-2010)

(Digitally distributed to all Members of Council on December 8, 2009)

03-020 From the Association of Municipalities of Ontario (AMO), advising that the Ministry of the Environment (MOE) has amended O.Reg. 170/03 and O.Reg. 248/03 with regard to requirements for lead sampling in municipal systems and schools and day nurseries, respectively.

(File No. CSU-L11-000-2010)

(Digitally distributed to all Members of Council on December 8, 2009)

03-021 From the Association of Municipalities of Ontario (AMO), providing an update from the Economic Development Task force.

(File No. CSU-D02-000-2010)

(Digitally distributed to all Members of Council on December 8, 2009)

03-022 From the Association of Municipalities of Ontario (AMO), advising that the Ministry of the Environment (MOE) has issued proposed draft compost guidelines for consultation.

(File No. CSU-E07-000-2010)

(Digitally distributed to all Members of Council on December 8, 2009)
COMMUNICATIONS (CONTINUED)

Referred to All Members of Council

03-010 From the District Municipality of Muskoka, asking for Council’s support of a resolution requesting that municipalities be eligible for a 100% rebate on the Ontario portion of the proposed Harmonized Sales Tax similar to the existing rebate for the Federal Goods and Services Tax.
(File No. CSU-C10-000-2010)

03-011 From Mr. Tom Adam, urging Council to publicly state its position on Ontario’s proposed Harmonized Sales Tax and the Mayor to urge other provincial mayors to do the same.
(File No. CSU-F00-000-2010)

03-014 From the Regional Municipality of Durham, asking for Council’s support of a resolution petitioning the Premier of Ontario to take the necessary steps in a timely manner to amend the Ombudsman Act to include hospitals under the jurisdiction of the Ombudsman.
(File No. CSU-C10-000-2010, CSU-L11-000-2010)

03-015 From the Township of McNab/Braeside Disaster Relief Committee, asking Council for financial assistance to their community due to a torrential rainstorm on July 24, 2009, that caused such localized flooding that the Ministry of Municipal Affairs and Housing declared the affected area a “Disaster Area” for the purposes of the Ontario Disaster Relief Program.
(File No. CSU-P03-000-2010)

03-016 From the Corporation of the Township of Madawaska Valley, asking for Council’s support of a resolution petitioning the Province of Ontario to financially assist municipalities to pay for those legislated province requirements including a financial plan and the required operational plan so that water users in the Province of Ontario pay the same amount for a cubic metre for clean, safe drinking water.
(File No. CSU-C10-000-2010)

03-017 From the Corporation of the City of St. Catharines, asking for Council’s support for the Private Members Bill introduced by Welland MP Malcolm Allen, asking that the Royal Canadian Legion be exempt from GST on purchases of red lapel poppies.
(File No. CSU-C10-000-2010)

03-018 From the Town of Niagara-on-the-Lake, asking for Council’s support of a resolution asking lower tier municipalities across Ontario to follow the lead of Niagara municipalities and negotiate with their upper tier partners a benefit-sharing agreement that distributes the uploading tax room with each municipality in both the upper and lower tiers.
(File No. CSU-C10-000-2010)
COMMUNICATIONS (CONTINUED)

03-023  From the Corporation of the City of Oshawa, asking for Council's support of a resolution asking that the Province be mandated to compel owners and managers of condominiums and apartments to ensure that all key holders are bonded and obtain police criminal checks. (File No. CSU-C10-000-2010)

03-024  From the Corporation of the Township of Madawaska Valley, asking for Council's support of a resolution requesting that the Province of Ontario change the legislation of property assessment back to values of 2008, a more realistic value for property owners based on the current market and a more realistic value for a tax rate to be based on and also, back to a one year annual assessment better to react to a current real estate market; and that legislation be drafted to recognize the significant tax burden carried by those owners of waterfront properties who may be forced to sell their homes due to unrealistic assessed value provided for their homes. (File No. CSU-C10-000-2010, CSU-F22-000-2010)

Referred to the Commissioner of Community Development Services

03-012  From Home Base Housing, providing information regarding funding for their programs and requesting that Council reconsider the decision to eliminate Municipal Bridge Funding. (File No. CSU-S13-000-2010)

Referred to the Awards Committee

03-013  From the Ministry of Citizenship and Immigration, providing information regarding Ontario's volunteer recognition programs for 2010. (File No. CSU-R08-000-2010)

BY-LAWS

(A) THAT By-Laws (1) through (18) 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 (5) through (8) and (12) through (17) three readings.

(C) THAT By-Laws (5) through (18) be given their third reading.

(1) A By-Law To Stop Up And Close The Portion Of Highway Described As The Road Allowance Between Concessions 3 And 4, Part Of Lots 11 And 12, Former Township Of Kingston, More Particularly Described As Part 1 On Draft Reference Plan 13R-
FIRST AND SECOND READINGS
PROPOSED NO. 2010-6
(To be held for Third Reading pending the Notice Provisions By-Law)
(See Clause (d), Report No. 7)
(2) A By-Law To Stop Up And Close The Portion Of Highway Described As The Road Allowance Between Mile Square Lot And Lot 1, Concession 2, Lying Between Bath Road And The Waters Of Collins Bay, More Particularly Defined As The Portion Of Road Allowance Within The Property Known As 4080 Bath Road
FIRST AND SECOND READINGS  PROPOSED NO. 2010-7
(To be held for Third Reading pending the Notice Provisions By-Law)
(See Clause (k), Report No. 7)

(3) A By-Law To Amend “Schedule 1A” of By-Law No. 495, “A By-Law To Provide For A Parking Meter Zone In Certain Streets Or Portions Thereof, And To Provide For The Installation, Regulations, Supervision And Control Of Such Parking Meters” (amend parking restrictions on Earl Street)
FIRST AND SECOND READINGS  PROPOSED NO. 2010-8
(See Clause (m), Report No. 7)

(4) A By-Law To Amend By-Law No. 24, “A By-Law For Regulating Traffic In The Highways Of The City Of Kingston” (amend parking restrictions on Earl Street)
FIRST AND SECOND READINGS  PROPOSED NO. 2010-9
(See Clause (m), Report No. 7)

(5) A By-Law To Amend By-Law No. 2005-10, “A By-Law To Establish Fees And Charges To Be Collected By The Corporation Of The City Of Kingston” (to delete Section 2 (c) and to replace Schedule A)
THREE READINGS  PROPOSED NO. 2010-10
(See Clause (a), Report No. 7)

(6) A By-Law To Amend By-Law No. 4489, “A By-Law To Regulate, Supervise And Govern The Parking Of Vehicles On Parking Lots And To Fix The Rates And Charges For Parking On Such Parking Lots” (various amendments)
THREE READINGS  PROPOSED NO. 2010-11
(See Clause (a), Report No. 7)

(7) A By-Law To Amend By-Law No. 2006-213, “A By-Law To License, Regulate And Govern Certain Businesses” (to replace Schedule A-1)
THREE READINGS  PROPOSED NO. 2010-12
(See Clause (a), Report No. 7)

(8) A By-Law To Amend By-Law No. 98-9 “A By-Law To Appoint Municipal Law Enforcement Officers Of The Corporation Of The “New” City Of Kingston” (to appoint Tara Buchan for the purpose of enforcing the Bylaws of the City of Kingston)
THREE READINGS  PROPOSED NO. 2010-13
(See Clause (l), Report No. 7)
(9) A By-Law To Amend The Official Plan Of The City Of Kingston Planning Area (Amendment No. 41, known municipally as 247-249 Brock Street)
THREE READINGS
(See Clause (1), Report No. 9) PROPOSED NO. 2010-14

(10) A By-Law To Amend By-Law No. 96-259, “Downtown And Harbour Zoning By-Law For The Corporation Of The City Of Kingston” (Zone Change from ‘C1-1’ to ‘C1-28’, 247-249 Brock Street)
THREE READINGS
(See Clause (1), Report No. 9) PROPOSED NO. 2010-15

(11) A By-Law To Amend By-Law No. 2006-65, “A By-Law To Designate The Whole Of The City Of Kingston As A Site Plan Control Area, Pursuant To Section 41 Of The Planning Act, R.S.O. 1990, Chapter P.13, As Amended, And To Adopt Certain Procedures For The Processing Of Site Plan Control Applications, And To Exempt Certain Classes Of Development From Approval Of Plans And Drawings, And To Repeal And Replace By-Law No. 98-91 In Its Entirety” (Administrative Amendments – Financial Securities)
THREE READINGS
(See Clause (3), Report No. 9) PROPOSED NO. 2010-16

(12) A By-Law To Impose Gas Rates (1425445 Ontario Limited operating as Utilities Kingston)
THREE READINGS
(See Clause (2), Report No. 13) PROPOSED NO. 2010-17

(13) A By-Law To Repeal By-Law No. 2009-2, “A By-Law To Impose Gas Rates (1425445 Ontario Limited operating as Utilities Kingston)”
THREE READINGS
(See Clause (2), Report No. 13) PROPOSED NO. 2010-18

(14) A By-Law To Impose Miscellaneous Charges And Appliance Rental Rates (Utilities Kingston)
THREE READINGS
(See Clause (3), Report No. 13) PROPOSED NO. 2010-19

(15) A By-Law To Repeal By-Law No. 2009-4, “A By-Law To Impose Miscellaneous Charges And Appliance Rental Rates (Utilities Kingston)”
THREE READINGS
(See Clause (3), Report No. 13) PROPOSED NO. 2010-20

(16) A By-Law To Adopt The 2010 Operating Budget
THREE READINGS
(See Clause (4), Report No. 13) PROPOSED NO. 2010-21
BY-LAWS (CONTINUED)

(17) A By-Law To Amend By-Law 2004-360, “A By-Law To Define The Composition And Terms Of Reference For Committees Established By The Corporation Of The City Of Kingston” (To change the composition of the Environment, Infrastructure and Transportation Policies Committee from 7 Members of Council to 6 for 2009-2010 term)

THREE READINGS

(See Miscellaneous Business Item No. 5, Meeting No. 01-2010)

PROPOSED NO. 2010-22

(18) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, December 15, 2009

THREE READINGS

(City Council Meeting No. 03-2010)

PROPOSED NO. 2010-23

ADJOURNMENT