CITY COUNCIL MEETING NO. 03-2004

The regular meeting of City Council was held on Tuesday, December 16, 2003 at 7:30 pm in the Council Chamber, City Hall. His Worship Mayor Harvey Rosen presided.

(Council Chambers)
ROLL CALL
Present: Mayor Rosen, Councillor Beavis, Councillor Downes (arrived 9:00pm), Councillor Foster, Councillor Garrison, Councillor B. George, Councillor K. George, Councillor Meers, Councillor Pater, Councillor Patterson, Councillor Smith, Councillor Stoparczyk, Councillor Sutherland (13)

(Council Chambers)
Administrative Staff Present:
Mr. B. Meunier, Chief Administrative Officer
Mrs. C. Downs, Manager, Council Support/City Clerk
Mr. J. Giles, Manager, Solid Waste
Mr. G. Grange, Manager, Housing Division
Mr. G. Hunt, Manager, Finance
Mr. S. Kanellos, Manager, Engineering
Mr. D. Leger, Commissioner, Corporate Services
Mr. H. Linscott, Director, Legal Services
Ms. A. Pappert, Manager, Cultural Services
Mr. M. Segsworth, Commissioner, Operations
Ms. N. Sullivan, Deputy City Clerk
Mr. L. Thurston, Commissioner, Community Services
Mr. G. Wallace, Acting Manager, Planning
Mr. T. Willing, Acting Commissioner, Planning & Development Services

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DISCLOSURE OF PECUNIARY INTEREST

(1) Councillor Pater declared a possible pecuniary interest in the matter of Clause (h) of Report No. 03 of the Chief Administrative Officer (Consent) as her husband is employed by Queen's University.

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PRESENTATIONS

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DELEGATIONS

************

PETITIONS

************

REPORTS
Report No. 03 of the Chief Administrative Officer (Consent)

Council consented to the separation of Clauses (h) and (k).

Moved by Councillor Sutherland
Seconded by Councillor Stoparzyk

THAT Report No. 03 of the Chief Administrative Officer (Consent) be received and adopted.

Report No. 03

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

All matters listed on the Consent Report are considered to be routine and are enacted by one motion. There is no separate discussion on these items. If discussion is desired upon request of a Member of Council, that item is removed from the Consent Report and is considered separately. Council Members may request that an item be considered separately if they have a conflict of interest.

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

(a) THAT a by-law be presented for three readings to provide for the temporary closure of Ontario Street from Brock Street to Market Street on Wednesday, December 31, 2003 from 2:00 pm to 10:30 pm for community purposes (New Year’s Eve Celebrations), subject to the following conditions:
   - That the applicant (Cultural Services Department) shall pay for the cost of advertising the temporary street closure as invoiced by the Council Support Division.
   - That the applicant shall be responsible for the acquiring/renting, placing and removal of all barricades necessary to fully close the roadway(s) affected and install advance signage to indicate the street closure and install detour signage.

(File No. CSU-T08-000-2004)
(See By-Law No. (1), 2004-9)
THAT a by-law be presented to amend By-Law No. 203-209 "A By-Law To Regulate Traffic" to establish all-way stop control at the following intersections:

- Lancaster Drive at Limestone Drive
- Roosevelt Drive at Vista Drive
- Chelsea Road at Glen Castle Road

### Add to Schedule C-1 – Through Highways:

<table>
<thead>
<tr>
<th>Highway</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lancaster Drive</td>
<td>Mona Drive</td>
<td>West side of Limestone Drive</td>
</tr>
<tr>
<td>Lancaster Drive</td>
<td>East side of Limestone Drive</td>
<td>Kennan Drive</td>
</tr>
<tr>
<td>Roosevelt Drive</td>
<td>Henderson Boulevard</td>
<td>East side of Vista Drive</td>
</tr>
<tr>
<td>Roosevelt Drive</td>
<td>West side of Vista Drive</td>
<td>Bayridge Drive</td>
</tr>
<tr>
<td>Chelsea Road</td>
<td>Front Road</td>
<td>East Side of Glen Castle Road</td>
</tr>
<tr>
<td>Chelsea Road</td>
<td>West side of Glen Castle Road</td>
<td>Henderson Boulevard</td>
</tr>
</tbody>
</table>

### Delete from Schedule C-1 – Through Highways:

<table>
<thead>
<tr>
<th>Highway</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lancaster Drive</td>
<td>Mona Drive</td>
<td>Keenan Drive</td>
</tr>
<tr>
<td>Roosevelt Drive</td>
<td>Henderson Boulevard</td>
<td>Bayridge Drive</td>
</tr>
<tr>
<td>Chelsea Road</td>
<td>Front Road</td>
<td>Henderson Boulevard</td>
</tr>
</tbody>
</table>

### Add to Schedule C-3 – All-Way Stop Signs

<table>
<thead>
<tr>
<th>Highway</th>
<th>At</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lancaster Drive</td>
<td>Limestone Drive</td>
</tr>
<tr>
<td>Roosevelt Drive</td>
<td>Vista Drive</td>
</tr>
<tr>
<td>Chelsea Road</td>
<td>Glen Castle Road</td>
</tr>
</tbody>
</table>

(File No. CSU-T07-000-2004)

(See By-Law No. (2), 2004-10)

REPORTS

Report No. 03 of the Chief Administrative Officer (Consent)
THAT a by-law be presented to City Council to amend By-Law No. 24 “A By-Law For Regulating Traffic In The Highways Of The City Of Kingston, Subject To The Provisions Of The Highway Traffic Act” to change the existing parking restrictions on McMahon Avenue to add a bus-loading zone on McMahon Avenue and remove the existing bus-loading zone of Seaforth Road;

–and further–

THAT a by-law be presented to City Council to amend By-Law No. 2003-209 “A By-Law To Regulate Traffic” to reduce the speed limit on McMahon Avenue from 50 kilometres per hour to 40 kilometres per hour in the vicinity of St. Paul School and Lord Strathcona School on McMahon Avenue.

By-Law No. 24, Section 18 (Various Parking):

Delete:

| McMahon Avenue – | North side – 15 minutes parking time limit |
| 23.0 metres west of Seaforth Road | Pick-up and drop-off 8:00 am to 4:00 pm |
| westerly 50.0 metres | School days only |

Add:

| McMahon Avenue – | Between 8:00 am and 4:00 pm |
| 103.0 metres west of Seaforth Road | School days only |
| westerly 40.0 metres |

By-Law No. 24, Section 47 (School Bus Loading Zone):

Delete:

Seafort Road – west side
from 20.0 metres north of McMahon Avenue 35.0 metres northerly

Add:

McMahon Avenue
23.0 metres west of Seaforth Road westerly 50.0 metres

By-Law No. 2003-209 “A By-Law To Regulate Traffic”

Add to Schedule A-5 “Highways with a Limit of 40 Kilometres per Hour”

<table>
<thead>
<tr>
<th>Highway</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>McMahon Avenue</td>
<td>McMichael Street</td>
<td>150 metres east of Seaforth Road</td>
</tr>
</tbody>
</table>

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

(See By-Law No. (3), 2004-11; By-Law No. (4), 2004-12)

REPORTS
Report No. 03 of the Chief Administrative Officer (Consent)
THAT a by-law be presented to amend By-Law No. 24 "A By-Law For Regulating Traffic In The Highways Of The City Of Kingston, Subject To The Provisions Of The Highway Traffic Act" to change the existing parking restrictions on Russell Street:

**By-Law No. 24, Section 18 (Various Parking):**

**Add:**

<table>
<thead>
<tr>
<th>Location</th>
<th>Time Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Russell Street - From 91.0 metres east of Division Street to Cowdy Street</td>
<td>North Side – No Parking – 7:30 am to 8:30 am and from 2:00 pm to 3:00 pm, School Days only</td>
</tr>
</tbody>
</table>

**Delete:**

<table>
<thead>
<tr>
<th>Location</th>
<th>Time Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Russell Street - From 300 feet east of Division Street to 635 feet east of Division Street</td>
<td>North Side – No Parking – 8:00 am to 9:00 am and from 3:00 pm to 4:00 pm, Monday to Friday inclusive</td>
</tr>
</tbody>
</table>

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

(See By-Law No. (5), 2004-13)

THAT a by-law be presented to amend By-Law No. 24 "A By-Law For Regulating Traffic In The Highways Of The City Of Kingston, Subject To The Provisions Of The Highway Traffic Act" to change the times of the existing parking restrictions on Cowdy Street between Pine Street and Stephen Street to accommodate the earlier dismissal time of Frontenac Public School:

**By-Law No. 24, Section 18 (Various Parking):**

**Delete:**

<table>
<thead>
<tr>
<th>Location</th>
<th>Time Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cowdy Street From Pine Street to Stephen Street</td>
<td>East side – Parking prohibited from 10:00 am to 11:00 am and from 2:00 pm to 3:00 pm, except Sundays (By-Law No. 8635 – 1975)</td>
</tr>
</tbody>
</table>

**Add:**

<table>
<thead>
<tr>
<th>Location</th>
<th>Time Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cowdy Street From Pine Street to Stephen Street</td>
<td>East Side – Parking prohibited from 9:00 am to 10:00 am and from 1:00 pm to 2:00 pm, except Sundays.</td>
</tr>
</tbody>
</table>

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

(See By-Law No. (6), 2004-14)

REPORTS

Report No. 03 of the Chief Administrative Officer (Consent)

THAT a by-law be presented to amend By-Law No. 24 "A By-Law For Regulating Traffic In The Highways Of The City Of Kingston, Subject To The Provisions Of The Highway Traffic Act" to correct the reference for the location of a truck-
loading zone on the south side of Princess Street between King Street and Wellington Street and to convert the relevant distance measurements to metric:

<table>
<thead>
<tr>
<th>By-Law No. 24, Section 27(a) (Hours for the Loading or Unloading of Trucks):</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Delete:</strong></td>
</tr>
<tr>
<td>Princess Street – north side</td>
</tr>
<tr>
<td>Between Wellington Street and King Street from</td>
</tr>
<tr>
<td>103 feet east of Wellington Street, easterly 71 feet</td>
</tr>
<tr>
<td>Hours: 8:00 am to 4:00 pm, Monday to Friday inclusive</td>
</tr>
<tr>
<td>(By-Law No. 94-36 – 1994)</td>
</tr>
<tr>
<td><strong>Add:</strong></td>
</tr>
<tr>
<td>Princess Street – south side</td>
</tr>
<tr>
<td>Between Wellington Street and King Street from</td>
</tr>
<tr>
<td>31.4 metres east of Wellington Street, easterly 21.6 metres</td>
</tr>
<tr>
<td>Hours: 8:00 am to 4:00 pm, Monday to Friday inclusive</td>
</tr>
</tbody>
</table>

(File No. CSU-T02-000-2004)
(See By-Law No. (7), 2004-15)

(g) **WHEREAS** an application has been submitted by Dennis Gerald Perrault, with respect to 402 Bagot Street in Kingston Central, requesting that the provisions of the existing “A” Residential Zone (one-family & two-family dwellings) be amended to permit an increase in the amount of floor area on the third floor of the three-storey, four-unit residential dwelling, and;

**WHEREAS** a Public Meeting was held with respect to this matter on May 8, 2003, and;

**WHEREAS** a Council Meeting was held with respect to this matter on September 9, 2003, and;

**WHEREAS** Council directed Legal Services to provide a legal opinion as to the action that the City could take in order to render the new living space non-habitable;

**THEREFORE BE IT RESOLVED THAT** the Application for Zoning By-Law Amendment (Our File No. D14-193-03), submitted by Dennis Gerald Perrault for the property located as 402 Bagot Street in Kingston Central, **BE APPROVED**;

– and further –

**BE IT RESOLVED THAT** Zoning By-Law No. 8499 of the former City of Kingston be amended as follows:

- That Zoning Map No.18 of By-Law No. 8499, as amended, is hereby further amended by changing to “A.334” the Zone symbol of the lands shown as “Zone Change from A to A.334” on Schedule “A” attached to Zoning By-Law No. 8499;
- Add the following as Section 334 of Zoning By-Law No. 8499:
  “334. On the approximately 0.12 acre parcel of land located on the west side of Bagot Street, known municipally as 402 Bagot Street, and designated “A.334” on a copy of Zoning Map No. 18 attached hereto and forming part of this By-Law, the following regulations shall apply:

**REPORTS**
Report No. 03 of the Chief Administrative Officer (Consent)

(i) Notwithstanding the provisions of Section 6.3(j) of this By-Law, a structural alteration having the effect of adding new floor area to the principal building on the subject property shall be permitted, provided that:
• The gross floor area of the principal building shall not exceed 390.2 square metres (4200 square feet).
• The additional new floor area permitted by the passing of this by-law shall not exceed 79.2 square metres (852 square feet) and shall be wholly contained within the third storey, and, the remaining 48 square metres (516 square feet) of “non-permitted” space on the third storey will be rendered inaccessible for use.
• The four (4) units shall be contained within the walls of the building in existence as of the date of the passing of this By-Law.
• Any extension, expansion or structural alteration which has the effect of adding new floor area or dwelling units to the said multiple family dwelling, including dormer construction, shall be prohibited.

–and further–

BE IT RESOLVED THAT the amending by-law be given first and second readings by City Council;

–and further–

BE IT RESOLVED THAT third and final reading of the amending by-law be given by City Council upon verification from City staff that the applicant has provided a scaled drawing(s) with appropriate measurements (in square metres) that illustrate how the additional 79 square metres (852 square feet) of permitted floor area will be configured within the third storey and how the remaining 48 square metres (516 square feet) of “non-permitted” space will be rendered non-accessible for residential use, and;

THAT the drawings were deemed appropriate by City Staff, and;

THAT the applicant has entered into an appropriate agreement with the Municipality to restrict the usable area on the third floor to not more than 79 square metres (852 square feet), as illustrated on the approved plans to be appended to the Agreement.

(File No. CSU-D14-000-2004)
(See By-Law No. (8), 2004-16)

Councillor Pater withdrew from the meeting.

(h) THAT, notwithstanding the provisions of By-Law No. 10 “A By-Law Respecting Streets”, Clause 50, the Faculty of Health Science, Queen’s University, shall be permitted to install six light standard banners, approximately 24 inches x 72 inches in size, which will be suspended from existing light standards on University Avenue between Union Street and Stuart Street from December 15, 2003 to December 31, 2004, said banners to commemorate The Faculty of Health Sciences, which is celebrating its sesquicentennial in 2004;

–and further–

THAT the by-law be presented for three readings.

(See By-Law No. (9), 2004-17)
CARRIED

Councillor Pater returned to the meeting.

REPORTS
Report No. 03 of the Chief Administrative Officer (Consent)

(i) THAT the contract with Brendar Environmental for the provision of operations services for the Household Hazardous Waste facility be extended for 2004, to the satisfaction of the Director of Legal Services, and;

THAT the contract with Buckham Transport for the provision of waste disposal services for the Household Hazardous Waste facility be extended for 2004, to the satisfaction of the Director of Legal Services.
THAT Council authorize staff to enter into an agreement with K. Mulrooney Trucking Ltd. for the operation of the two City Yard waste composting sites, based on their response to Request for Proposal No. OS-SW-2003-2, for a two-year term with the City, reserving the right to extend the agreement by additional one-year terms;  

THAT the Mayor and City Clerk be authorized to sign an agreement on behalf of the City, in a form satisfactory to the Director of Legal Services.

WHEREAS the City of Kingston approved the continuation of the Off the Streets Into Shelter Program for 2003, at a cost to the municipality of $1,178.00, and authorized staff to issue a request for proposals to the community and bring back a recommendation to Council for the allocation of the available funds, this being Clause 1, Report No. 106 of the Committee of the Whole (Council Meeting No. 28, held November 4, 2003), and;  

WHEREAS the Department of Community Services, Housing Division called for a Request for Proposal and one submission was received;  

THEREFORE BE IT RESOLVED THAT Council approve allocating the Off the Streets Into Shelter funding of $5,890.00, in full, to Kingston Home Base Non-Profit Housing;  

THAT the Mayor and City Clerk be authorized to sign the agreement.

REPORTS  
Report No. 03 of the Chief Administrative Officer (Consent)  

THAT Council received the Capital Budget Status Report for the third quarter ending September 30, 2003;  

THAT Council approve the financing of unfinanced capital projects or (return of funds) as outlined in Appendices “A”, “B”, “C”, “D”, and “E” of Report No. 04-005, as follows:
## Source of Financing

<table>
<thead>
<tr>
<th>Source of Financing</th>
<th>Appendix A</th>
<th>Appendix B</th>
<th>Appendix C</th>
<th>Appendix D</th>
<th>Appendix E</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipal Capital Reserve Fund</td>
<td>($49)</td>
<td>($23,477)</td>
<td>($182,385)</td>
<td>$256,031</td>
<td>$27,777</td>
<td>$77,897</td>
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<tr>
<td><strong>Other Reserve Funds</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Storm Projects Reserve Fund</td>
<td>($12,504)</td>
<td></td>
<td></td>
<td></td>
<td>($12,504)</td>
<td></td>
</tr>
<tr>
<td>Library Reserve Fund</td>
<td>1,912</td>
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<td></td>
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<td>$1,912</td>
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<tr>
<td>Parking Reserve Fund</td>
<td></td>
<td></td>
<td>$7,076</td>
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<td>$7,076</td>
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<tr>
<td>Arenas Reserve Fund</td>
<td></td>
<td>$704</td>
<td>$4,813</td>
<td>$1,049</td>
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<td>$6,566</td>
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<td>Environment Reserve Fund</td>
<td></td>
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<td>($167,650)</td>
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<td>($167,650)</td>
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<tr>
<td>Transit Capital Reserve Fund</td>
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<td>$14,593</td>
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<td>$14,593</td>
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<tr>
<td>Rideaucrest Facility Reserve Fund</td>
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<td>$3,580</td>
<td>$580</td>
<td>$4,160</td>
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<tr>
<td>Police Equipment Reserve Fund</td>
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<td></td>
<td>($377)</td>
<td>($40)</td>
<td>($417)</td>
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<tr>
<td>Municipal Equipment Reserve Fund</td>
<td></td>
<td></td>
<td>($1,438)</td>
<td>($1,438)</td>
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<tr>
<td>Grand Theatre Reserve Fund</td>
<td></td>
<td></td>
<td>$6,791</td>
<td></td>
<td>$6,791</td>
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<tr>
<td>Fire Central Reserve Fund</td>
<td></td>
<td></td>
<td>$2,930</td>
<td></td>
<td>$2,930</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>($10,592)</td>
<td>0</td>
<td>7,780</td>
<td>($145,041)</td>
<td>$9,872</td>
<td>($137,981)</td>
</tr>
</tbody>
</table>

--and further--

**THAT** Council approve the reduction of approved debenture financing with reference to specific projects as outlined in Appendices “A”, “B”, “C”, “D”, and “E” of Report No. 04-005, as follows:

<table>
<thead>
<tr>
<th>Source of Financing</th>
<th>Appendix A</th>
<th>Appendix B</th>
<th>Appendix C</th>
<th>Appendix D</th>
<th>Appendix E</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Funding from Municipal Capital Reserve Fund</td>
<td>($8,325)</td>
<td>($3,948)</td>
<td>($817,656)</td>
<td>($3,843)</td>
<td>($0)</td>
<td>($833,772)</td>
</tr>
</tbody>
</table>

(File No. CSU-F05-000-2004)

CARRIED

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## REPORTS

**Report No. 04 of the Chief Administrative Officer (Recommend)**

Moved by Councillor Foster  
Seconded by Councillor Pater

**THAT** Report No. 04 of the Chief Administrative Officer (Recommend) be received and adopted.
To the Mayor and Members of Council:
The Chief Administrative Officer reports and recommends as follows:

1. **THAT** the 2004 Capital and Operating Budgets be developed incorporating the following, subject to final approval:
   
   (i) That the Municipal Capital Reserve Fund financing model include a minimum 1% tax increase in 2004, and that the City continue to develop long-term financial plans on the basis of this model for at least the next 9 years.
   
   (ii) That the capital works in progress (unspent amounts for 2003 and prior-year approvals) be reviewed from a capacity perspective and that staff report on potential funds reallocations as part of the 2004 budget process.
   
   (iii) That, in anticipation of the 2004 budget not being approved until the latter part of the first quarter of 2004, for the year 2004, capital projects allocations, other than project allocations for road overlay and road reconstruction projects, be on a pro-rated basis of nine months, recognizing financing availability and capacity to complete the work.
   
   (iv) That staff provide recommendations to achieve a defined number of Council-set priority capital projects.
   
   (v) That staff provide options for achieving sustainable revenues, expenditure reductions and capital financing sources that are intended to address shortfalls and financing gaps within a three- to five-year time frame.
   
   (vi) That staff prepare the budget information with an integrated approach for capital and operating.
   
   (vii) That staff be instructed to develop a multi-year approach to operating budgets, which will include the budget for 2004, with forecast information for 2005 to 2008.
   
   (viii) That Municipal Utility budgets be developed on the basis of legislative and environmental priorities and identified needs, funded from a proper combination of rates and debt.
   
   (ix) That the 2004 budgets and future projections provide information on an integrated basis to include the impact of potential increases in property taxation and municipal utility rates for water and sewer, relative to household disposable income.

   CARRIED
   
   (Councillor Beavis Opposed)

   (x) That, at a minimum, property taxation rates be indexed to the rate of inflation on an annual basis, in addition to the capital-related increases.

   CARRIED

   (xi) That staff provide Council with a detailed plan to initiate a service review in 2004, and that the 2004 budget reflects project costs related to this exercise.

   (File No. CSU-F05-000-2004)

   CARRIED AS AMENDED
   
   (Councillors Garrison and Pater Opposed)

   (See Following Motion to AMEND Which Was CARRIED)

REPORTS
Report No. 04 of the Chief Administrative Officer (Recommend)

Moved by Councillor Sutherland
Seconded by Councillor Beavis

**THAT** paragraph (iii) of Clause 1 be amended to read: “That, in anticipation of the 2004 budget not being approved until the latter part of the first quarter of 2004, for the year 2004, capital projects allocations, other than project allocations for road overlay and road reconstruction projects, be on a pro-rated basis of nine months, recognizing financing availability and capacity to complete the work”.

CARRIED

(Councillor Stopareczyk OPPOSED)
**Report No. 05 of the Planning Committee**

Moved by
Seconded by

**THAT** Report No. 05 of the Planning Committee be received and adopted, clause by clause.

**Report No. 05**

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

1. **WHEREAS** the Council of the Former Township of Pittsburgh adopted Official Plan Amendment No. 59 on July 14, 1997, and;

   **WHEREAS** the Planning Committee has been presented with issue reports regarding Official Plan Amendment No. 59 over the last several years, and;

   **WHEREAS** the Ministry of Municipal Affairs has provided City staff with a Draft Decision regarding Official Plan Amendment No. 59, except for the last outstanding issue – Mineral Resources;

   **THEREFORE BE IT RESOLVED THAT** staff of the Planning Division be directed to conduct an open house information session in mid-January 2004 on a separate night from the regular Planning Committee meeting, and;

   **THAT** staff prepare a comprehensive report on all the changes to Official Plan Amendment No. 59 presented in the Draft Decision for the February 2004 meeting of Planning Committee.

   CARRIED

**REPORTS**

**Report No. 05 of the Planning Committee**

2. **WHEREAS** the *Community Strategic Plan* identified seven priority areas for immediate action, one of which was the Official Plan Initiative, and;

   **WHEREAS** detailed land use planning studies are being conducted by the Planning Division, which will provide input into and form the basis of the Official Plan, and;

   **WHEREAS** further land-use planning studies are scheduled for completion in the future in order to satisfy the requirements of the Planning Act and the Provincial Policy Statement, and;

   **WHEREAS** the drafting of the Official Plan document will be prepared in accordance with a carefully planned program;
THEREFORE BE IT RESOLVED THAT Council support in principle a multi-year program to commence in 2004, designed to result in the completion of a new Official Plan for the City of Kingston.

CARRIED

3. WHEREAS an application has been submitted by CaraCo Development Corporation with respect to the property located in Part Lot 14, Concession 2, in the former Township of Kingston, requesting that the existing Special Residential “R2-25” Zone be modified to delete subsection 13(3)(y)(iii) Lot Frontage minimum and Subsection 13(3)(y)(iv) Lot Area minimum from the existing zone regulations;

THEREFORE BE IT RESOLVED THAT the application for Zoning By-Law Amendment (Our File No. D14-224-03), submitted by CaraCo Development Corporation for the property located in Part of Lot 14, Concession 2, Registered Plan 13M-26 (“Cobblestone Ridge” Subdivision), BE APPROVED; --and further--

BE IT RESOLVED THAT the former Township of Kingston Zoning By-Law No. 76-26 be amended so as to enact the following:

- Delete Section 13(3)(y) in its entirety and replace it with the following new Section 13(3)(y):

  “(y) **Special Requirements R2-25:** Notwithstanding the provision of Section 13(3)(i) hereof to the contrary, the lands designated “R2-25” on Schedule “A”, shall be used in accordance with the uses and provisions of the “R2-9” zone except:

  * Rear Yard Depth:*
    Minimum 6 metres

  * Lot Coverage:*
    Notwithstanding the other provisions of this by-law to the contrary, the maximum lot coverage shall not exceed 47%.

--and further--

BE IT RESOLVED THAT the amending by-law receive all three readings.

(See By-Law No. (10), 2004-18)

CARRIED

REPORTS

Report No. 05 of the Planning Committee

4. WHEREAS an application has been submitted by Denise Burridge with respect to a portion of the property located at 4414 Highway #2 in Lot 38, Concession 3, in Kingston East, requesting to amend the zoning of the subject lands from “A1” Restricted Rural Zone to a Special “A1-14” Zone, which is the same zoning as the property to which the subject lands are being added (2931 Boundary Road), thereby effectively limiting the use of the lands Zoned “A1-14” to a single family dwelling house, and;

WHEREAS the application for zone amendment is a condition of a consent application (File No. R217-03) for a lot addition that has been approved by the Committee of Adjustment, and;

WHEREAS a Public Meeting was held with respect to this matter on November 13, 2003;
THEREFORE BE IT RESOLVED THAT the Application for Zoning By-Law Amendment (Our File No. D14-220-03), submitted by Denise Burridge for a portion of the property located at 4414 Highway 2 in Lot 38, Concession 3, in Kingston East, BE APPROVED;

—and further–

BE IT RESOLVED THAT Township of Pittsburgh Zoning By-Law No. 32-74 be amended as follows:

a) That Map 2 of Schedule “A” to Zoning By-Law 32-74 of the former Township of Pittsburgh be amended so as to rezone the area of the subject land (approximately 0.5 acres) identified as Lot 38, Concession 3, and known municipally as 4414 Highway #2, from the existing "A1" Restricted Rural Zone to a Special "A1-14" Zone.

—and further–

BE IT RESOLVED THAT the amending by-law receive all three readings.

(See By-Law No. (11), 2004-19)

CARRIED

5. WHEREAS an application has been submitted by Virgil Marques, with respect to the property located on the east side of Sydenham Road south of Latimer Road in part of Lot 17, Concession 6, in Kingston West, requesting to amend the zoning on a portion of the subject lands from “EPA” Environmental Protection Zone and “A2” General Agricultural Zone to “A1” Restricted Agricultural Zone and “EPA” Environmental Protection Zone, in order to permit a single-family dwelling residential use, and;

WHEREAS the application for Zone Change is a condition of an approved consent application (File No. R196-03) to create a new severed lot and retained lot, and;

WHEREAS the applicant has retained a qualified professional engineer to complete a floodline analysis study and recommend the extent of the Environmental Protection Area designation and zone, in the Official Plan and Zoning By-Law, respectively, and;

WHEREAS a Public Meeting was held with respect to this matter on June 12, 2003;

THEREFORE BE IT RESOLVED THAT the Application for Zoning By-Law Amendment (Our File No. D14-199-03) submitted by Virgil Marques for the property located on the east side of Sydenham Road south of Latimer Road in part of Lot 17, Concession 6, in Kingston West, BE APPROVED;

—and further–

BE IT RESOLVED THAT Township of Kingston Zoning By-Law No. 76-26 be amended as follows:

REPORTS

Report No. 05 of the Planning Committee

(a) That Map 1 of Schedule “A” to Zoning By-Law No. 76-26 of the former Township of Kingston, as amended, is hereby further amended by changing to ‘A1’ the Zone symbol of the lands shown as “Zone Change from EPA to A1” and “Zone Change from A2 to A1”.

—and further–

BE IT RESOLVED THAT the amending by-law receive all three readings.

(See By-Law No. (12), 2004-20)

CARRIED

6. WHEREAS an application has been submitted by Joanne and Caterina Salamone, with respect to the property located at 130 Wilson Street in Kingston Central, requesting a Zone Change from the existing ‘A5’ (One- and Two-
Family Dwelling) Zone to a Modified ‘A5.339’ (One- and Two- Family Dwelling) Zone in order to recognize the existing three (3) unit building on the property; and

WHEREAS a Public Meeting was held with respect to this matter on November 13, 2003:

THEREFORE BE IT RESOLVED that the Application for Zoning By-Law Amendment (Our File No. D14-223-03) submitted by Joanne and Caterina Salamone for the property located at 130 Wilson Street in Kingston Central, BE APPROVED.

–and further–

BE IT RESOLVED that Zoning By-Law No. 8499 of the former City of Kingston be amended as follows:

• That Zoning Map No.7 of By-Law No. 8499, as amended, is hereby further amended by changing to “A5.339” the Zone symbol of the lands shown as “Zone Change from A5 to A5.339”.

• By adding the following as a new Section 339 of Zoning By-Law No. 8499, immediately following Section 338:

“339. On the approximately 0.08 hectare (0.20 acre) parcel of land located on the west side of Wilson Street known as 130 Wilson Street, and designated “A5.339” on a copy of Zoning Map No. 7 attached hereto and forming part of this By-Law, the following regulations shall apply:

(i) In addition to the uses permitted in the “A5” Zone, as set out in Section 11.2 of this By-Law, a triplex dwelling shall also be a permitted use, provided that the three units are contained within the walls of the building in existence as of the date of the passing of this By-Law.”

–and further–

BE IT RESOLVED THAT the amending by-law receive all three readings.

(See By-Law No. (13), 2004-21)

CARRIED

(Councillor Stoparczyk OPPOSED)

REPORTS

Report No. 05 of the Planning Committee

7. WHEREAS Section 50(4) of the Planning Act RSO 1990, Chapter 13, as amended, provides that the Council of a Municipality may by-law designate any plan of subdivision, or part thereof, that has been registered for eight years or more as deemed not to be a Registered Plan of Subdivision for the subdivision control provisions of Section 50(3) of the Act; and;

WHEREAS Registered Plan 1791 was registered in the Land Registry Office for the Registry Division of Frontenac on June 3, 1980, and an application has been submitted by Peter Lafontaine with respect to this plan, requesting a part of the plan of Subdivision 1791 be deemed not be to a registered plan of subdivision, and;

WHEREAS the Council of the Corporation of the City of Kingston deems it to be in the best interests of the Corporation and its residents and the proper development of the lands in Registered Plan 1791 described below to be so designated;

THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the City of Kingston hereby enacts as follows:
- That a By-Law be passed to deem Lots 22, 23, 24 and 25 and Mount Royal Place of Registered Plan of Subdivision 1791, more particularly described in Schedule "A" to the by-law, not to be a Registered Plan of Subdivision for the purposes of Subsection 3 of Section 50 of the Planning Act, RSO 1990 c.P. 13, as amended.

- That the Clerk of the Municipality shall lodge a certified copy of the Deeming By-Law in the office of the Minister of Municipal Affairs and Housing.

- That the Clerk of the Municipality shall register a certified copy of the Deeming By-Law against the title to the lands described in Schedule "A", and this by-law shall not take effect until this requirement has been complied with.

- That notice of the passing of the Deeming By-Law shall be given within thirty days (30) of the date of passing to each person appearing on the last revised assessment roll to be the owner of any of the land described in Schedule "A", which Notice shall be sent to the last known address of each such person.

--and further--

BE IT RESOLVED THAT the by-law receive all three readings.
(See By-Law No. (14), 2004-22)

CARRIED

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REPORTS

Report No. 06 of The Local Architectural Conservation Advisory Committee (LACAC)

Moved by Councillor Beavis
Seconded by Councillor Garrison

THAT Report No. 06 of The Local Architectural Conservation Advisory Committee be received and adopted, clause by clause.

Report No. 06

To the Mayor and Members of Council:
The Local Architectural Conservation Advisory Committee reports and recommends as follows:

1. THAT the Proposed Guidelines for the Conservation of Historic Masonry be accepted as a guideline to be provided as required to Heritage property owners who are contemplating restoration and renovation.

CARRIED
2. **THAT** Application P18-43-03 for a designated property located at 3 Emily Street, owned by John and Diana Weatherall, requesting approval for the removal of an existing porch and construction of a new sunroom, **BE APPROVED** in accordance with drawings dated October 24, 2003 presented at the meeting.

   CARRIED

3. **THAT** Application P18-44-03 for a designated property located at 112 Rideau Street, owned by Claude Tardif, requesting approval for the replacement of shutters and a door, **BE APPROVED**, with the understanding that the construction of new shutters would match existing shutters, as well as the installation previously approved for 110 Rideau Street, and the choice of manufactured wooden door as presented at the meeting, or fabricated wooden door to match the existing door at 112 Rideau Street and the door previously approved for 110 Rideau Street.

   CARRIED

4. **THAT** Application P18-44-03 for a designated property located at 112 Rideau Street, owned by Claude Tardif, requesting approval for repointing the stone at the rear of the building, **BE APPROVED**, in accordance with the Guidelines for the Conservation of Historic Masonry, dated October, 2003.

   CARRIED

5. **THAT** Application P18-123-29-03 for a designated property located at 53 Earl Street, owned by Kevin Parker and Barb Parker, requesting approval for the improvement of six windows on the front façade, **BE APPROVED**, in accordance with one of two options provided within the application, with a preference noted for Option #1 and the understanding that, if Option #2 is followed, the width of the muntin bars would not exceed the width of the existing muntin bars.

   CARRIED

REPORTS

Report No. 06 of The Local Architectural Conservation Advisory Committee (LACAC)

6. **THAT** Application P18-45-03 for a designated property located at 14 Vandalay Street, owned by Jim Colden, requesting approval for the construction of a new dwelling, **BE APPROVED** in accordance with the presentation and sketches dated October 23, 2003, with the understanding that the guidelines provided for new construction on Vandalay Street be adhered to as verified by the Heritage Planner.

   CARRIED

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Report No. 07 of The 2001-2003 Council

Moved by Councillor K. George
Seconded by Councillor Foster

**THAT** Report No. 07 of The 2001-2003 Council be received and adopted.

Report No. 07
To the Mayor and Members of Council:

The 2001-2003 Council reports and recommends as follows:

1. **WHEREAS** the former Council established an Ad Hoc Committee to review By-Law No. 98-1, “Council Procedural By-Law”, and;

   **WHEREAS** the Ad Hoc Committee reviewed the Procedural By-Law and presented a draft by-law to the former City Council at the November 4, 2003 meeting, and;

   **WHEREAS** the former Council of the City of Kingston recommended that the current draft by-law to amend By-Law No. 98-1 be referred in its entirety to the new 2004 Council for their review and approval, together with the proposed draft by-law, “A By-Law To Establish Committees for the City of Kingston”, and that this matter be dealt with as a priority;

   **THEREFORE BE IT RESOLVED THAT** the Ad Hoc Committee to Review By-Law 98-1 be re-established with its present composition of Councillors Foster, K. George and Sutherland in order to complete its specified previously-approved mandate to include a Code of Conduct for the City of Kingston;

   –and further–

   **THAT** Councillors Beavis, B. George and Pater be appointed to the Ad-Hoc Committee to Review By-Law No. 98-1 to replace the outgoing Members of Council;

   –and further–

   **THAT**, prior to Council reviewing both draft by-laws, the “Procedural By-Law” and “A By-Law To Establish Committees for the City of Kingston”, the Ad Hoc Committee meet with the Director of Legal Services to discuss any issues or concerns identified;

   –and further–


   CARRIED AS AMENDED

(See Following Motion to AMEND Which Was CARRIED)

**REPORTS**

Report No. 07 of The 2001-2003 Council

Moved by Councillor Stoparczyk
Seconded by Councillor Sutherland

**THAT** Councillors Beavis, B. George and Pater be appointed to the Ad-Hoc Committee to Review By-Law No. 98-1 to replace the outgoing Members of Council.

CARRIED

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**INFORMATION REPORTS**

   The purpose of this report is to update Council on the status of taxes receivable and the collection of tax arrears in accordance with governing legislation, up to September 30, 2003.
   (File No. CSU-F22-000-2004)

2. **Tender/Contract Awards – October 2003 (04-018)**
The purpose of this report is to advise Council of tenders approved and contracts awarded that meet the established criteria of delegated authority for the month of October 2003.

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

3. City of Kingston/County of Frontenac Restructuring Order – Arterial Road Compensation (04-011)
   The purpose of this report is to provide Council with an accounting of where the City’s annual contribution for arterial road maintenance has been allocated since amalgamation on January 1, 1998.
   (File No. CSU-T05-000-2004)

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MISCELLANEOUS BUSINESS

1. Moved by Councillor K. George
   Seconded by Councillor Pater
   **THAT** Councillors Beavis and Garrison be appointed to the City of Kingston Ad-Hoc Awards Committee.
   (File No. CSU-C12-000-2004)
   **CARRIED**

2. Moved by Councillor Foster
   Seconded by Councillor B. George
   **THAT** Councillors Garrison and Smith, Alice Gazeley, Evelyn King and Robert Trentadue be appointed to the Kingston Non-Profit Housing Committee for a term ending November 30, 2004.
   (File No. CSU-C12-000-2004)
   **CARRIED**

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MOTIONS

(1) Moved by Councillor Foster
    Seconded by Councillor K. George
    **WHEREAS** the Mayor has formed a Large Venue Entertainment Centre (LVEC) Task Force, chaired by Councillor Foster and comprised of Councillor Foster and Joe de Mora, Mike Gillis, Ken Wong, and Martin Skolnick, with the following mandate:
    - To identify and recommend the types of events and activities needed by the Community and supported by a Large Venue Entertainment Centre (LVEC), and;
    - To determine and recommend, having particular regard to the bullet above, the appropriate location for such a Large Venue Entertainment Centre, and;
    - To determine and recommend a financing vehicle and implementation strategy to achieve a construction start within 30 month of the report, and;
    **WHEREAS** the Task Force is to report back within 100 days of its inception;
    **THEREFORE BE IT RESOLVED** that Council support the Mayor's initiative and authorize the use of existing staff resources to support the Task Force as if it was a committee of Council.
    (File No. CSU-C12-000-2004)
   **CARRIED (13:0)**
   (See Recorded Vote)

A Recorded Vote was requested by Councillor Stoparczyk and commenced with same.
YEAS: Mayor Rosen, Councillor Beavis, Councillor Downes, Councillor Foster, Councillor Garrison, Councillor B. George, Councillor K. George, Councillor Meers, Councillor Pater, Councillor Patterson, Councillor Smith, Councillor Stoparczyk, Councillor Sutherland (13)

NAYS: (0)

(2) Moved by Councillor Pater
Seconded by Councillor Garrison

THAT the condolences of Kingston City Council be extended to the family of the late Arnold Maizen, former Chief Librarian of the Kingston Frontenac Public Library.
(File No. CSU-M11-000-2004)

CARRIED

(3) Moved by Councillor Patterson
Seconded by Councillor Stoparczyk

THAT the congratulations of Kingston City Council be extended to Marcelle and Arden Merkley on the occasion of their 60th wedding anniversary on December 23, 2003.

CARRIED

MOTIONS

(4) Moved by Councillor Patterson
Seconded by Councillor Pater

THAT the Council of The Corporation of the City of Kingston support the application of the Grade 8 class of Our Lady of Lourdes Catholic School to the Young Heritage Leaders 2003, in recognition of their contribution to local heritage preservation.

CARRIED

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NOTICES OF MOTION

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TABLING OF DOCUMENTS

2004-01 Pricewaterhouse Coopers LLP
Canadian Niagara Power Inc. – Financial Statements – December 31, 2000
(File No. CSU-M04-000-2004; CSU-F00-000-2004)

2004-02 Pricewaterhouse Coopers LLP
Canadian Niagara Power Inc. – Financial Statements – December 31, 2001
(File No. CSU-M04-000-2004; CSU-F00-000-2004)
TABLING OF DOCUMENTS

2004-09 The Kingston, Frontenac, Lennox & Addington Health Unit
Agenda – Board of Health Meeting – November 26, 2003
(File No. CSU-C05-000-2004)

2004-10 The Kingston Economic Development Corporation
Minutes – Board of Directors Meeting – October 27, 2003
(File No. CSU-C06-000-2004)

2004-11 The Kingston Economic Development Corporation
Project Updates to November 7, 2003
(File No. CSU-C15-000-2004)

2004-12 The Downtown Kingston! Board of Management
Agenda – Board of Management Meeting – November 12, 2003
(File No. CSU-C05-000-2004)

2004-13 The Downtown Kingston! Board of Management
Agenda – Board of Management Meeting – December 10, 2003
(File No. CSU-C05-000-2004)

2004-14 The Downtown Kingston! Board of Management
Contact – November 2003
(File No. CSU-C15-000-2004)
COMMUNICATIONS

Council consented to the disposition of Communications in the following manner:

Filed

03-018 From the Honourable John Gerretsen, Minister of Municipal Affairs, offering his congratulations to Mayor Rosen and all members of Council who were elected or re-elected on November 10, 2003 and wishing them success in the upcoming term.
(File No. CSU-M04-000-2004)

03-019 From VIA Rail Canada, offering their congratulations to Mayor Rosen on his recent election victory.
(File No. CSU-M04-000-2004)

03-020 From the Cataraqui Region Conservation Authority, informing Council that water levels in the Cataraqui Region Conservation Authority watershed have increased to above-normal conditions and there is a chance of localized flooding in low-lying areas.
(File No. CSU-C15-000-2004)

03-021 From Premier Dalton McGuinty, acknowledging receipt of Council’s resolution concerning the deregulation and privatization of Ontario’s electricity market.
(File No. CSU-A16-000-2004; CSU-E05-000-2004)

COMMUNICATIONS

03-022 From the Association of Municipalities of Ontario, informing Council that amendments to Bill 18, the Audit Statute Law Amendment Act, would give the Provincial Auditor the expanded power to conduct full-scope value-for-money audits of the Schools, Universities, Colleges & Hospitals sector.
(File No. CSU-A01-004-2004)

Referred to All Members of Council

03-023 From FORTISOntario, a copy of the application by Canadian Niagara Power Inc and Eastern Ontario Power Inc. to the Ontario Energy Board to amalgamate the two companies.
(File No. CSU-E05-000-2004)

03-024 From the Federation of Canadian Municipalities, informing Council of vacancies on the Federation of Canadian Municipalities National Board of Directors and inviting applications to these positions.
(File No. CSU-A01-002-2004)
(Copies distributed to all Members of Council on December 12, 2003)

03-025 From Crime Stoppers Kingston/1000 Islands Inc., requesting that Council proclaim January 2004 as “Crime Stoppers Month”.
(File No. CSU-M10-000-2004)

03-026 From Edward Walker of the Rose & Crown, requesting an application for a liquor license from the Alcohol & Gaming Commission of Ontario.
(File No. CSU-P09-000-2004)
03-027 From Mauro Monteverde of the Ristroante Luisina, requesting an application for a liquor license from the Alcohol & Gaming Commission of Ontario. (File No. CSU-P09-000-2004)

03-028 From Michele Casey, Mary Steer and Craig Jeffrey, encouraging Council to move forward on the Grand Theatre Strategic Plan and to confirm the City’s commitment to the Grand Theatre’s restoration and revitalization. (File No. CSU-M04-000-2004) (Copies distributed to all Members of Council on December 12, 2003)

03-029 From Colin Cherry, informing Council that he will not be seeking re-appointment to the Committee of Adjustment – Rural Panel. (File No. CSU-C12-000-2004)

03-030 From the Committee of Adjustment, an Amended Notice of Decision for the following application:
MINOR VARIANCE – SIOBHAN KELLY – in respect of an application for minor variances from Zoning By-Law No. 8499 for the property at 5 Alamein Drive in order to permit an approximately 241m², two-storey addition BE APPROVED, subject to conditions. The final date of appeal is November 17, 2003. (File No. CSU-D19-00-2003)

COMMUNICATIONS

03-031 From the Committee of Adjustment, a Notice of Decision for the following applications:
CONSENT – ESTATE OF GRACE KING – in respect of an application for a consent to sever at 2025m² parcel of land from an approximately 43.7 hectare parcel of land at 4414 Highway #2 to eliminate the need for access through a right-of-way BE PROVISIONALLY APPROVED, subject to conditions. The final date of appeal is December 4, 2003.

CONSENT – WILD APPLE PROPERTIES LTD. – in respect of an application for a consent to sever a 1.26 hectare parcel of land from a 24.28 hectare parcel of land for the purpose of residential development BE PROVISIONALLY APPROVED, subject to conditions. The final date of appeal is December 4, 2003.

CONSENT – WILD APPLE PROPERTIES LTD. – in respect of an application for a consent to sever a 1.23 hectare parcel of land from a 24.28 hectare parcel of land for the purpose of residential development BE PROVISIONALLY APPROVED, subject to conditions. The final date of appeal is December 4, 2003. (File No. CSU-D19-00-2003)

03-032 From the Committee of Adjustment, a Notice of Decision for the following applications:
CONSENT – NORDX/CDT INC. – in respect of an application for a consent to sever an 8.85 hectare parcel of land from a 50 hectare parcel of land at 700 Gardiners Road for the purpose of future commercial use BE PROVISIONALLY APPROVED, subject to conditions. The final date of appeal is December 18, 2003.

CONSENT – SIX KIDS PROPERTY INC. – in respect of an application for a consent to sever a 16,343.99m² parcel of land from a 20,107.14m² parcel of land at 393 Bath Road for the currently proposed purpose of a car lot BE PROVISIONALLY APPROVED, subject to conditions. The final date of appeal is December 18, 2003.

CONSENT – ANDREW & DAVID GRIER – in respect of an application for a consent to sever a 373m² parcel of land from a 781.6m² parcel of land at 27 Charles Street for the purpose of constructing a new
150m², two-storey dwelling **BE PROVISIONALLY APPROVED**, subject to conditions. The final date of appeal is December 18, 2003.

MINOR VARIANCE – ANDREW & DAVID GRIER – in respect of an application for a minor variance from Zoning By-Law No. 8499 for the property at 27 Charles Street in order to allow the severance **BE APPROVED**. The final date of appeal is December 15, 2003.

CONSENT – ROBERT B. MARTIN – in respect of an application for a consent to sever an irregular parcel of land at 12 Elliott Avenue, the severed parcel to remain in its present use, **BE PROVISIONALLY APPROVED**, subject to conditions. The final date of appeal is December 18, 2003.

CONSENT – BROWNS-GROVE FINANCE & INVESTMENTS INC. – in respect of an application for a consent to sever an approximately 749m² parcel of land at 41 Joseph Street **BE PROVISIONALLY APPROVED**, subject to conditions. The final date of appeal is December 18, 2003.

MINOR VARIANCE – M. JACK SPRINGER – in respect of an application for minor variances from Zoning By-Law No. 8499 for the property at 31 Chatham Street in order to recognize the location of the existing structures on the property **BE APPROVED**, subject to a condition. The final date of appeal is December 15, 2003.

MINOR VARIANCE – DAVID GAY – in respect of an application for a minor variance from Zoning By-Law No. 76-26 for the property at 1425 Lower Drive in order to permit the construction of a new one-storey dwelling **BE APPROVED**, subject to conditions. The final date of appeal is December 15, 2003.

COMMUNICATIONS

CONSENT – ROBIN M. FIELD – in respect of an application for a consent to sever a 261.17m² parcel of land from an approximately 824m² parcel of land at 557 Union Street for the purpose of constructing a two-storey dwelling **BE PROVISIONALLY APPROVED**, subject to conditions. The final date of appeal is December 18, 2003.

MINOR VARIANCE – ROBIN M. FIELD – in respect of an application for minor variances from Zoning By-Law No. 8499 for the property at 557 Union Street in order to permit the severance **BE APPROVED**. The final date of appeal is December 15, 2003.

CONSENT – BOB MARTIN CONSTRUCTION – in respect of an application for a consent to sever an approximately 343m² parcel of land at 128-140 Elliott Avenue to be added as a lot addition to the property at the intersection of Elliott Avenue and Montreal Street **BE PROVISIONALLY APPROVED**, subject to conditions. The final date of appeal is December 18, 2003.

MINOR VARIANCE – BOB MARTIN CONSTRUCTION – in respect of an application for minor variances from Zoning By-Law No. 8499 for the property at 128-140 Elliott Avenue in order to permit the severance **BE APPROVED**. The final date of appeal is December 15, 2003.

(File No. CSU-D19-00-2003)

**Referred to all Members of Council and Executives**

(Copies distributed to all Members of Council on December 12, 2003)

**Referred to the Chief Administrative Officer**

03-034 From the Ministry of Municipal Affairs, providing Council with the requirements for reporting under the 2003 Municipal Performance Measurement Program (MPMP).
OTHER BUSINESS

Councillor Garrison requested that By-Law No. 3, “A By-Law To Amend By-Law No. 24 “A By-Law For Regulating Traffic In The Highways Of The City Of Kingston, Subject To The Provisions Of The Highway Traffic Act” (Add Bus-Loading Zone On McMahon Avenue; Remove Bus-Loading Zone On Seaforth Road)” receive three readings this evening.

Councillor Pater advised Council of the “Rockin' At The Clock” New Years Celebrations from 6:00 pm to 8:30 pm, which includes fireworks, music. She also thanked Empire Life for sponsoring the event, as well as congratulated Mrs. Leslie Kimble for her hard work and dedication.

BY-LAWS

(A) Moved by Councillor Foster
Seconded by Councillor K. George
THAT By-Laws (1) through (15) be given their first and second reading.
CARRIED

(B) Moved by Councillor Garrison
Seconded by Councillor Smith
THAT Clause 7.6 of By-Law No. 98-1 be suspended for the purpose of giving By-Laws (1), (3) and (9) three readings.
CARRIED

(C) Moved by Councillor Downes
Seconded by Councillor Stoparczyk
THAT By-Laws (1), (3), (9) and (10) through (15) be given their third reading.
CARRIED

(1) A By-Law To Provide For The Temporary Closure Of Ontario Street From Brock Street To Market Street On Wednesday, December 31, 2003 From 2:00 PM To 10:30 PM (Community Purposes – New Year's Eve Celebrations).
THREE READINGS
(Clauses (a), Report No. 03)
PROPOSED NO. 2004-9

FIRST AND SECOND READING
(Clauses (b), Report No. 03)
PROPOSED NO. 2004-10
(3) A By-Law To Amend By-Law No. 24 “A By-Law For Regulating Traffic In The Highways Of The City Of Kingston, Subject To The Provisions Of The Highway Traffic Act” (Add Bus-Loading Zone On McMahon Avenue; Remove Bus-Loading Zone On Seaforth Road).
THREE READINGS
(Clause (c), Report No. 03) PROPOSED NO. 2004-11

(4) A By-Law To Amend By-Law No. 2003-209 “A By-Law To Regulate Traffic” (Reduce Speed Limit On McMahon Avenue From 50 KPH To 40 KPH).
FIRST AND SECOND READING
(Clause (c), Report No. 03) PROPOSED NO. 2004-12

FIRST AND SECOND READING
(Clause (d), Report No. 03) PROPOSED NO. 2004-13

BY-LAWS

FIRST AND SECOND READING
(Clause (e), Report No. 03) PROPOSED NO. 2004-14

(7) A By-Law To Amend By-Law No. 24 “A By-Law For Regulating Traffic In The Highways Of The City Of Kingston, Subject To The Provisions Of The Highway Traffic Act” (Correct Reference Of Location Of Truck-Loading Zone – South Side Of Princess Street Between King Street And Wellington Street).
FIRST AND SECOND READING
(Clause (f), Report No. 03) PROPOSED NO. 2004-15

(8) A By-Law To Amend By-Law No. 8499 “Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston” (Site Specific – 402 Bagot Street Rezoning From “A” To “Special A.334” Residential Zone).
FIRST AND SECOND READING
(Clause (g), Report No. 03) PROPOSED NO. 2004-16

(9) A By-Law To Amend By-Law No. 10 “A By-Law Respecting Streets”, Clause 50 (Installation Of Vertical Banners On Light Standards In University Avenue Between Union Street And Stuart Street).
THREE READINGS
(Clause (h), Report No. 03) PROPOSED NO. 2004-17

(Councillor Pater ABSTAINED)

(10) A By-Law To Amend By-Law No. 76-26 Of Former Township Of Kingston (Site Specific Zoning – Modifications To The Special Residential Zone “R2-25”, Part Lot 14, Concession 2, Registered Plan No. 13M-26/1955).
THREE READINGS
(Clause (3), Report No. 04) PROPOSED NO. 2004-18
(11) A By-Law To Amend By-Law No. 32-74 Of The Former Township Of Pittsburgh (Site Specific – 4414 Highway 2, Lot 38, Concession 3, Kingston East, Rezoning From “A” Rural To Special “A1-14” Rural Zone).

THREE READINGS

PROPOSED NO. 2004-19

(Clause (4), Report No. 04)

(12) A By-Law To Amend By-Law No. 76-26 Of The Former Township Of Kingston (East Side Of Sydenham Road, South Of Latimer Road In Part Lot 17, Concession 6 – Rezoning From “EPA” Environmental Protection Zone And “A2” General Agricultural Zone To “A1” Restricted Agricultural Zone).

THREE READINGS

PROPOSED NO. 2004-20

(Clause (5), Report No. 04)

BY-LAWS

(13) A By-Law To Amend By-Law No. 8499, Zoning By-Law For The Former City Of Kingston (Site Specific – 130 Wilson Street – Rezoning From “A5” To “Special A5.339”).

THREE READINGS

PROPOSED NO. 2004-21

(Clause (6), Report No. 04)

(Councillor Stoparczyk ABSTAINED)

(14) A By-Law To Deem A Part Of A Subdivision Not To Be Registered – Lots 22 To 25 Inclusive And Mount Royal Place, Registered Plan No. 1791.

THREE READINGS

PROPOSED NO. 2004-22

(Clause (7), Report No. 04)


THREE READINGS

PROPOSED NO. 2004-23

(City Council Meeting No. 03-2004)

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ADJOURNMENT

Moved by Councillor Beavis
Seconded by Councillor Downes

THAT Council do now adjourn.

CARRIED

Council adjourned at 9:33 pm.

(Signed) Carolyn Downs Harvey Rosen
City Clerk Mayor