COUNCIL MEETING NO. 28-2004

The Regular Meeting of City Council was held on Tuesday, October 26, 2004 at 7:00 pm in the Council Chamber, City Hall. His Worship Mayor Harvey Rosen presided.

There was an "In-Camera" meeting of the Committee of the Whole from 7:05 pm to 7:17 pm in the Councillors’ Lounge.

(Council Chambers)

ROLL CALL

Present: Mayor Rosen, Deputy Mayor Foster, Councillor Beavis, Councillor Downes (arrived at 7:15 pm), Councillor Garrison, Councillor B. George, Councillor K. George, Councillor Meers (arrived at 7:25 pm), 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. T. Fleming, Senior Legal Counsel
Ms. N. Sullivan, Deputy City Clerk
Mr. T. Willing, Acting Commissioner, Planning & Development Services

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

COMMITTEE OF THE WHOLE “IN CAMERA”

(1) Moved by Councillor Beavis
    Seconded by Councillor Pater

   THAT Council resolve itself into the Committee of the Whole “In Camera” to consider the following items:
   (a) Litigation Matter

   CARRIED

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

REPORT OF THE COMMITTEE OF THE WHOLE “IN CAMERA”

(2) Moved by Councillor Meers
    Seconded by Councillor Patterson

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

   CARRIED

************
Administrative Staff Present:
Mr. B. Meunier, Chief Administrative Officer
Mrs. C. Downs, Manager, Council Support/City Clerk
Ms. R. Etherington, Supervisor, Policy & Support Services
Mr. T. Fleming, Senior Legal Counsel, Legal Services
Mr. M. Fluhrer, Manager, Policy & Support Services
Ms. S. Hickey, Director, Strategic Initiatives & Communications
Mr. G. Hunt, Manager, Finance
Mr. E. Leeman, Supervisor, Municipal Marinas
Mr. D. Leger, Commissioner, Corporate Services
Ms. T. Newton, Administrative Assistant, Community Services
Ms. A. Pappert, Manager, Cultural Services Division
Mr. M. Segsworth, Commissioner, Operations
Ms. N. Sullivan, Deputy City Clerk
Mr. L. Thurston, Commissioner, Community Services
Mr. T. Willing, Acting Commissioner, Planning & Development Services

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

DISCLOSURE OF PECUNIARY INTEREST

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

PRESENTATIONS

Council consented to allow Presentation No. (1) 20 minutes.

CARRIED

(A 2/3 Vote of Council was received)

(1) Fred Laflamme and Walter Fenlon spoke to Council concerning a status report on the Grand Theatre Restoration Project.
(File No. CSU-C13-000-2004)

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

DELEGATIONS

(1) Ms. Beverly McCormick spoke to Council concerning tax exemptions for Royal Canadian Branch 631.
(File No. CSU-C13-000-2004)
(Clause (1), Report No. 92)

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

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.

(1) Motion of Condolence

(a) Moved by Councillor Stoparczyk
Seconded by Mayor Rosen

THAT the condolences of Kingston City Council be extended to the family of the late Don Good, former Alderman and Commissioner of the former Public Utilities Commission.

(b) Moved by Deputy Mayor Foster
Seconded by Councillor Patterson

THAT the condolences of Kingston City Council be extended to Ken Keyes, former Member of Provincial Parliament and Solicitor General of Ontario, and family on the death of his mother, the late Elsie Keyes.

(File No. CSU-M11-000-2004)

CARRIED

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

REPORTS

Report No. 91 of the Committee of the Whole “In Camera”

Moved by Councillor K. George
Seconded by Councillor B. George

THAT Report No. 91 of the Committee of the Whole “In Camera” be received and adopted, clause by clause.

Report No. 91

To the Mayor and Members of Council:
The Committee of the Whole “In Camera” reports and recommends as follows:

1. THAT Council authorize the Mayor and Clerk to execute an Agreement of Purchase and Sale, satisfactory to Legal Services, on behalf of the City of Kingston for the acquisition of a small parcel of land owned by Sheila Truedell for the construction of a pedestrian CN Rail crossing, and;

   THAT Council authorize the Mayor and Clerk to execute a Land Exchange Agreement, satisfactory to Legal Services, on behalf of the City of Kingston to exchange a parcel of land owned by James Metcalfe for a parcel of land owned by the City of Kingston for the construction of a pedestrian CN Rail crossing.

CARRIED

(Councillor Garrison OPPOSED)

2. THAT Council endorse the proposed terms of the land leases for tenants occupying City-owned property adjacent to the Ravensview Sewer Treatment Plant, for a term of 10 years, at current rental rates, subject to CPI increases annually, with the stipulation that the tenants will continue to pay property taxes, including local improvement and other rates, associated with the respective lots, and subject to the provisions of a new form of lease as approved by the City Solicitor.

CARRIED

(Councillor Garrison OPPOSED)

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

REPORTS

Report No. 92 of the Chief Administrative Officer (Recommend)
Moved by Councillor Stoparczyk
Seconded by Councillor Sutherland

THAT Report No. 92 of the Chief Administrative Officer be received and adopted, clause by clause.

Report No. 92

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

(1) THAT Council confirm the current policy of not providing municipal tax exemptions for property used by veterans.
(File No. CSU-F22-000-2004)

LOST (5:8)
(See Recorded Vote)

A Recorded Vote was requested by Councillor B. George and commenced with same.

YEAS: Councillor K. George, Councillor Pater, Councillor Patterson, Councillor Smith, Councillor Sutherland (5)
NAYS: Mayor Rosen, Councillor Beavis, Councillor Downes, Deputy Mayor Foster, Councillor Garrison, Councillor B. George, Councillor Meers, Councillor Stoparczyk (8)

(A) Moved by Councillor Stoparczyk
Seconded by Councillor Downes

THAT Council resolve itself into the Committee of the Whole to consider Clause (2) of Report No. 92 and the agenda.

CARRIED

(B) Moved by Councillor Foster
Seconded by Councillor Beavis

THAT Council rise from the Committee of the Whole and the Chairman report.

CARRIED

Mayor Rosen reported the following action taken in the Committee of the Whole:

Councillors Downes and Garrison withdrew from the meeting.

Council consented to the separation of Subclauses (b), (c) and (f).

THE COMMITTEE OF THE WHOLE

(1) THAT, as a result of the Prioritization Workshops, Council confirm and approve:
(a) That a strategic agenda is necessary to provide much needed guidance and direction for the City's management team to enable them to establish their priorities and allocate scarce resources to major initiatives that will make a significant difference to the life of our city;
   --and further--

(b) That, for the period 2005 through 2007, Council wants to see significant progress in the areas of Infrastructure and Recreation and Culture first, followed by tangible progress in the areas of Economic Prosperity, Environment and Affordable Housing;
   --and further--

CARRIED

(Deputy Mayor Foster and Councillors Meers and Pater OPPOSED)

(c) That the top three large initiatives for this Council, as defined in Chart #5 of this report are:
   - The Ravensview Upgrade
   - The Large Venue Entertainment Centre (LVEC)
   - The Arena and Community Centre Upgrades
   --and further--

CARRIED (9:2)

(See Recorded Vote)

A Recorded Vote was requested by Councillor Meers and commenced with same.

YEAS: Mayor Rosen, Councillor Beavis, Councillor Foster, Councillor B. George, Councillor K. George, Councillor Patterson, Councillor Smith, Councillor Stoparczyk, Councillor Sutherland (9)

NAYS: Councillor Meers, Councillor Pater (2)

ABSENT: Councillor Downes, Councillor Garrison (2)

(d) That, in addition to the top three large initiatives, Council approves the following initiatives as priorities, as defined in Chart #5 of this report:
   - The Widening of Counter Street
   - The Refurbishment of the Grand Theatre
   - The Revitalization of Market Square
   - The Acquisition and Opening of the K&P Trail
   --and further--

CARRIED

(e) That Council instructs staff to develop action plans for the approved priorities and establish a monitoring process to ensure progress is happening;
   --and further--

(f) That Council directs staff to develop and conduct a second session, no later than the end of February, 2005, to determine which initiatives will be considered as Priority 2 and which initiatives will be deferred.

(File No. CSU-C08-000-2004)

CARRIED

THE COMMITTEE OF THE WHOLE

Councillor Garrison returned to the meeting.

(2) Multiplex Community Centre Implementation Strategy (04-404)
Moved by Councillor K. George
Seconded by Councillor Beavis

IT IS RESOLVED BY COUNCIL THAT:

(a) A community centre project steering committee be established to develop, recommend and then oversee the implementation of a detailed work plan for the planning, site selection and construction of a community centre that will include up to 4 ice pads, ancillary community space and possibly other complementary uses, either now or in the future, as may be determined by Council and as outlined in general terms in the Arena Capacity Study Report prepared by dmA Consulting and dated January 2004.

(b) The steering committee be composed of three to five members of Council and report to the Committee of the Whole until December 31, 2004 after which it shall report to the Community Services Standing Committee.

(c) The term of the Steering Committee shall end upon start-up and commissioning of the new community centre. It is the expectation that construction will commence mid-2006 and be completed in the last quarter 2007/early 2008.

(d) A 2005 project budget of $25,000.00 be approved within the capital budget of the Office of the Commissioner, Community Services in addition to ensuring adequate clerical support to the committee.

(e) The detailed terms of reference of the steering committee be approved as set out in Appendix "A" to this report (Report No. 04-404).

(f) A Community Advisory Group comprised of members of the public and representatives of current recreational partner groups, be established to provide ongoing, timely advice and opinion to the Steering Committee on all elements of the project implementation strategy. This group will also serve in the same capacity for the LVEC project.

(g) A staff advisory group be established to provide advice to the project manager and the steering committee.

(File No. CSU-R05-000-2004)

CARRIED AS AMENDED
(See Following Motion to AMEND which was CARRIED)
(See Following Motions to AMEND which were LOST)

Moved by Councillor Sutherland
Seconded by Councillor Pater

THAT Subclause (b) be amended to allow for three to five members of Council to sit on the Multiplex Community Centre Steering Committee.

CARRIED

THE COMMITTEE OF THE WHOLE

Moved by Councillor Patterson
Seconded by Councillor Beavis

THAT Subclause (b) be amended to allow for two members of the public to sit on the Multiplex Community Centre Steering Committee.

LOST
Moved by Councillor Garrison
Seconded by Councillor Meers

**THAT** Subclause (1) be amended to allow for a possible community centre that will have twin ice pads.  

LOST (5:7)  
(See Recorded Vote)

A Recorded Vote was requested by Councillor Garrison and commenced with same.

YEAS: Councillor Beavis, Councillor Garrison, Councillor K. George, Councillor Meers, Councillor Pater (5)
NAYS: Mayor Rosen, Councillor Foster, Councillor B. George, Councillor Patterson, Councillor Smith,  
Councillor Stoparzyk, Councillor Sutherland (7)
ABSENT: Councillor Downes (1)

(C) Moved by Councillor Meers
Seconded by Councillor Sutherland

**THAT** the report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

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

Report No. 93 of the Planning Committee

Moved by Councillor K. George
Seconded by Councillor Patterson

**THAT** Report No. 92 of the Planning Committee be received and adopted.

**Report No. 93**

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

1. **WHEREAS** an application was submitted on August 5, 2004 by Jennifer L. Sims, on behalf of Dr. Gay Chamberlain,  
with respect to the lands known as 393 Bath Road, Kingston Central, requesting to amend Zoning By-Law No. 9087A  
from a “C2” Commercial to a Site Specific “C2.340” Arterial Commercial Zone in Zoning By-Law No. 8499 to permit a  
veterinary clinic, and;

**WHEREAS** the statutory Public Hearing was held on September 9, 2004;

REPORTS
Report No. 93 of the Planning Committee

**THEREFORE BE IT RESOLVED THAT** the application for Zoning By-Law Amendment (Our File No. D14-028-2004)  
submitted by Jennifer L. Sims, on behalf of Dr. Gay Chamberlain, for the property located at 393 Bath Road,  
requesting a site specific amendment to the Zoning By-Law to permit a veterinary clinic in the existing commercial  
business, **BE APPROVED**;

--and further--

**BE IT RESOLVED THAT**:
(1) Zoning By-Law No. 9087A (A By-Law covering a 5 acre parcel of land located on the north side of Bath Road west of the extension of the Queen Mary Road) of the former City of Kingston be amended so as to:

(a) Amend Schedule “A” as amended to By-Law No. 9087A by removing the subject property from the “C2” Zone, identified as Concession 2, Part of Lot 16, Reference Plan 13R 12867, and shown as “Zone Change from C2 to C2.340” on Schedule “A” attached hereto.

(2) Zoning By-Law No. 8499 of the former City of Kingston be amended so as to:

(a) Amend Map No. 22 to Schedule “A” of By-Law No. 8499 by changing “C2” of By-Law No. 9087A (A By-Law covering a 5 acre parcel of land located on the north side of Bath Road west of the extension of the Queen Mary Road) the zone symbol of the 0.38 hectare area of land known as 393 Bath Road, and shown as “Zone Change from C2 (By-law 9087A) to C2.340 (By-law 8499)” on Schedule “A” attached hereto.

(b) By adding the following new definition as Subsection 4.71C, immediately after Subsection 4.71B:

“Veterinary Clinic” means a building or part thereof used by a veterinarian(s) and their associated staff and services for the purpose of consultation, diagnosis, grooming, treatment, and necessary boarding of animals.”

(c) By adding the following as a new Part V111, Exceptions to the Various Zone Classifications, Section 340 immediately following Part V111, Section 339:

“On the approximately 0.38 hectare parcel of land located at the northwest corner of Bath Road and Queen Mary Road, known as 393 Bath Road and designated “C2.340” on a copy of Zoning Map 22 attached and forming part of this By-Law, the following regulations shall apply:

(i) Notwithstanding the provisions of Section 22 of this By-Law, the permitted uses shall also include:
   – a veterinary clinic

(ii) There shall be no outdoor animal kennels located on the subject property.

(iii) There shall be no outside animal runs located on the subject property.

(iv) That animals subject to treatment at the veterinary clinic shall be walked at any given time by one staff member with a short leash and will be supervised by an employee of the veterinary clinic. Dogs of questionable disposition will not be walked outside.

(v) That all refuse will be contained inside the clinic prior to disposal.

(vi) That removal of garbage, animal and medical waste will be handled appropriately.

AND FURTHER–

BE IT RESOLVED THAT the amending by-laws be presented for three readings.

(See By-Law No. (1), 2004-327; By-Law No. (2), 2004-328) CARRIED

REPORTS

Report No. 94 of the Kingston Municipal Heritage Committee (LACAC)

moved by Councillor Patterson
Seconded by Councillor Garrison

THAT Report No. 94 of the Kingston Municipal Heritage Committee (LACAC) be received and adopted, clause by clause.

Report No. 94
To the Mayor and Members of Council:
The Kingston Municipal Heritage Committee (LACAC) reports and recommends as follows:

1. **THAT** Application P18-462-25-04 for property located at 3 George Street requesting approval for the construction of a porch, deck and limestone step **BE APPROVED**, subject to the submission of drawings and written details in accordance with the discussion to include the following detailing:
   - Porch beam located directly over the columns will be constructed 2 - 2”x8” with the junction filled to present a smooth joint
   - Porch ceiling will be open rafters exposing the underside of 1”x4” or 1”x6” T&G boarding
   - Posts will be squared members with no corner embellishment such as coves of chamfers. The posts will be proud of the beam at the top and here the top edges will be chamfered. The posts will be made to pass through deck and be imbedded into the earth to the required depth. The portion of the post below grade will be treated with preservative
   - Deck boards will be 5/4 T&G pine set in a direction with joint running from the building out toward street. The facing edge of these boards will be covered with a bull nosed solid piece of pine
   - Raters 6x6 open sitting on 2-2x8 beams
   - Fascia is finished pine capping the ends of the rafters.
   - Shingles to match roof of house
   - Porch roof system will be attached with a ledger plate flashed as required over the top of this plate and under the siding
   - Roof slope is 7/12 pitch to follow the roofline exactly
   - Cross section showing roof joists will be provided
   **CARRIED**

2. **THAT** Application P18-90-04 for property located at 21 Earl Street requesting approval for the installation of a sign to the left of the front door **BE APPROVED** in accordance with a submission dated September 21, 2004, with the understanding that all fasteners and attachments including guy wires for support of the sign be affixed in the mortar joints.
   **CARRIED**

**REPORTS**

Report No. 94 of the Kingston Municipal Heritage Committee (LACAC)

3. **THAT** Application P18-91-04 for property located at 62-66 Brock Street requesting approval for the restoration of the rock street façade to its mid-19th Century appearance and that a sign be installed **BE APPROVED**, in accordance with a submission dated August, 2004, with the understanding that all fasteners and attachments of the sign be affixed in the mortar joints.
   **CARRIED**

4. **THAT** Application P18-92-04 for property located at 23-25 West Street for a gas meter at the south west corner of the building **BE APPROVED**, in accordance with a submission dated October 14, 2004.
5. THAT further to a recommendation from September 13, 2004 that Application P18-401-29-04 for property located at 63 West Street to permit the filling in of a covered balcony with a wall and upper storey window BE DENIED, that in accordance with a discussion that the walls be removed and replaced with glazing and that any non-glazed area above the railing and around or between the glazing not exceed 6" in total, that the application BE APPROVED, with the understanding that the existing walls will be removed and replaced in accordance with the approval.

   --and further--

   "WHERE the Council refuses the application, the owner may, within thirty days after receipt of the notice under Subsection (4) of Section 33 of the Ontario Heritage Act, apply to the Council for a hearing before the Review Board, and;

   THAT applications requesting a hearing before the Conservation Review Board may be filed with the office of the Clerk of the City of Kingston, 216 Ontario Street, Kingston, ON K7L 2Z3 within 30 days of the receipt of this notice."

CARRIED

6. That Application P18-421-27-04 for property located at 217/219 Main Street, Barriefield, requesting approval for replacement of windows in the west and south façade BE APPROVED in accordance with the submission dated August 25, 2004;

   --and further--

   THAT replacement of windows on the north and east (street face) façade BE DENIED, with a recommendation that these windows be refurbished to include the existing sash and storm sash on the exterior;

   --and further--

   "WHERE the Council refuses the application, the owner may, within thirty days after receipt of the notice under Subsection (4) of Section 33 of the Ontario Heritage Act, apply to the Council for a hearing before the Review Board, and;

   THAT applications requesting a hearing before the Conservation Review Board may be filed with the office of the Clerk of the City of Kingston, 216 Ontario Street, Kingston, ON K7L 2Z3 within 30 days of the receipt of this notice."

CARRIED

7. THAT, for the 2004 Heritage Community Recognition Program, Ms. Margaret Angus be nominated for the "Lifetime Heritage Achievement" category and Ms. Lily Inglis be nominated for the "Built Heritage" category.

CARRIED

REPORTS

Report No. 95 of the Large Venue Entertainment Centre Steering Committee

Moved by Councillor Smith
Seconded by Councillor Stoparczyk

THAT Report No. 95 of the Large Venue Entertainment Centre Steering Committee be received and adopted.

Report No. 95

To the Mayor and Members of Council:

The Large Venue Entertainment Centre Steering Committee reports and recommends as follows:
Don Gedge, Director of the Large Venue Entertainment Centre Project, provided a brief presentation

Moved by Deputy Mayor Foster
Seconded by Councillor Beavis

THAT Mr. Gedge be allowed to finish the presentation.

CARRIED

1. THA T the Long-Term and Short-Term Work Plans, as outlined in the Report of the Large Venue Entertainment Centre Steering Committee (LV04-001), dated October 19, 2004, for the Project Manager and the Large Venue Entertainment Centre Steering Committee BE APPROVED.

CARRIED

2. THA T the appointment of the firm of CastleGlenn Consultants Inc. for a Traffic and Parking Study, in the amount of $50,000.00, BE APPROVED, it being understood that $25,000.00 is included in the 2004 budget and the balance proposed in the Chief Administrative Officer’s 2005 budget.

CARRIED

REPORTS

Report No. 96 of the Committee to Review By-Law No. 98-1

Moved by Councillor K. George
Seconded by Councillor Foster

THAT Report No. 96 of the Committee to Review By-Law No. 98-1 be received and adopted.

Report No. 96

To the Mayor and Members of Council:
The Committee to Review By-Law No. 98-1 reports and recommends as follows:
1. THAT the appointments due to expire on November 30, 2004 of Members of Council and members of the public on all Committees of Council be extended to the end of December, 2004, on the understanding that the new Standing Committee governance model will begin in January, 2005.

   CARRIED

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

INFORMATION REPORTS

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

MISCELLANEOUS BUSINESS

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

(1) Moved by Councillor Sutherland
    Seconded by Councillor Beavis

    THAT Deputy Mayor Foster and Councillors K. George, Meers, Patterson and Stoparczyk be appointed to sit on the Multiplex Community Centre Arena Capacity Steering Committee.

    (File No. CSU-C12-000-2004)
    (See Clause (a), The Committee of the Whole)

   CARRIED

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

MOTIONS

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

(1) Moved by Councillor Garrison
    Seconded by Councillor B. George

    WHEREAS the Third Avenue water reservoir hill has been used by people as a tobogganing hill for the last several decades;

    THEREFORE BE IT RESOLVED THAT Council direct Utilities Kingston to remove the posts that were recently erected along the perimeter of the Third Avenue water reservoir in order to allow tobogganing to continue uninterrupted this winter.

    (File No. CSU-E08-000-2004)

    (See Following Motion to WITHDRAW which was CARRIED)

WITHDRAWN

MOTIONS

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

Moved by Councillor Garrison
Seconded by Councillor Sutherland

THAT the Motion of Councillor Garrison and B. George regarding removal of posts along Third Avenue be withdrawn.

   CARRIED

(2) Moved by Councillor Patterson
    Seconded by Councillor Pater

    THAT Council extend its thanks and appreciation to Sandra Hewton for her time spent on the Kingston Municipal Heritage Committee (LACAC) and accept her resignation with regret.

    (File No. CSU-M11-000-2004)

   CARRIED
NOTICES OF MOTION

(1) Moved by Councillor Stoparczyk
    Seconded by Councillor K. George

THAT Council amend the By-Law to Regulate Smoking in Public Places and Workplaces in the City of Kingston to exclude all Veterans Associations establishments (including, but not limited, to Legions, Air, Navy and Artillery Associations) from the By-Law, only when such establishments comply fully with the conditions that now allow exemptions for Bingo Halls.

(2) Moved by Councillor Garrison
    Seconded by Councillor Meers

WHEREAS the Kingston Community Memorial Health and Recreation Centre, as it was originally named, was intended as a living, working memorial to commemorate and honour the sons and daughters of Kingston who died in the two World Wars and the Korean War, for the health and enjoyment of the entire community, inclusive of all ages and income levels, for generations to come, and;

WHEREAS the 23.6 acre site includes a public, multi-purpose recreational facility including arena, swimming pool, the only public track, fairground and recreational parkland that has benefited all members of the public for over fifty years, and;

WHEREAS the entire site is used extensively as a recreational centre by a diverse population from across the entire City of Kingston;

THEREFORE BE IT RESOLVED THAT the Council of the City of Kingston confirms its support of the Memorial Centre Site as a living memorial to its sons and daughters who lost their lives in the two World Wars and the Korean War and endorses its continuing use as public community facilities.

NOTICES OF MOTION

(3) Moved by Councillor B. George
    Seconded by Councillor Garrison

THAT staff report back to Council with possible scenarios that could be implemented to provide some form of property tax relief for properties used by veteran organizations in the City of Kingston.

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

MINUTES

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

TABLING OF DOCUMENTS

2004-92   The Downtown Kingston BIA!
2004-93 The Kingston Frontenac Lennox & Addington Health Unit
Agenda – Board Meeting – October 27, 2004
(File No. CSU-C05-000-2004)

2004-94 The Cataraqui Region Conservation Authority
Agenda – Full Authority General Meeting – October 27, 2004
(File No. CSU-C05-000-2004)

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

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

Filed
28-499 From Keith Wilbur, the City of Windsor, providing his opinion on the use of funds from gambling organizations, as well as abortion practices in Canada.
(File No. CSU-M04-000-2004)

Referred to All Members of Council
28-490 From the Committee of Adjustment, a Notice of Decision concerning the following applications:
CONSENT – DERRICK FOOTE & NORA PETERSON – in respect of an application for a consent to sever an approximately 3.38 hectare parcel of land on Accommodation Road BE PROVISIONALLY APPROVED, subject to conditions. The final date of appeal is November 8, 2004.
CONSENT – GREENLEES BROS. LIMITED – in respect of an application for a consent to sever an approximately 1.0 hectare parcel of land on Woodburn Road BE PROVISIONALLY APPROVED, subject to conditions. The final date of appeal is November 8, 2004.

COMMUNICATIONS
CONSENT – GREENLEES BROS. LIMITED - in respect of an application for a consent to sever an approximately 1.04 hectare parcel of land on Woodburn Road BE PROVISIONALLY APPROVED, subject to conditions. The final date of appeal is November 8, 2004.
MINOR VARIANCE – JAMES & HELGA ELLIOTT – in respect of an application for a minor variance to Zoning By-Law No. 76-26 to construct a new shed at 2150 Cordukes Road BE APPROVED, subject to a condition. The final date of appeal is November 2, 2004.
MINOR VARIANCE – GREENLEES BROS. LIMITED – in respect of an application for minor variances to Zoning By-Law No. 32-74 in order to recognize the location of the existing dwelling BE APPROVED, subject to a condition. The final date of appeal is November 2, 2004.
(File No. CSU-D19-000-2004)

28-491 From the Reverend Dr. William Kurschinski, of the South East Regional Multifaith Committee, requesting that Council proclaim the week of October 24 – 31, 2004 as Spiritual & Religious Care Awareness Week, the theme of which is “Diversity in Practise”.
(File No. CSU-M10-000-2004)
28-492 From Judith Mackenzie, President of the Community Foundation of Greater Kingston, offering assistance in developing policy regarding cost-recovery reductions for not-for-profit organizations that stage community fund-raising events.
(File No. CSU-M04-000-2004)

28-493 From John Gerretsen, Minister of Municipal Affairs & Housing and Minister Responsible for Seniors, an open letter to Ontario municipal governments concerning accomplishments during 2004.
(File No. CSU-A16-000-2004)

28-494 From the Ministry of Public Infrastructure Renewal, acknowledging receipt of the City of Kingston’s Urban Growth Strategy and informing Council that it will be passed on to the staff of the Smart Growth Secretariat, as well as providing a discussion paper entitled Places to Grow: A Growth Plan for the Greater Golden Horseshoe.
(File No. CSU-A16-000-2004)
(Copied to all Members of Council on October 22, 2004)

28-495 From Double Double Pizza, requesting an application for a liquor license from the Alcohol and Gaming Commissioner of Ontario.
(File No. CSU-P09-00-2002)

28-496 From Wayne Keeler, Solicitor for Sapporo Kingston Japanese Restaurant, requesting an application for a liquor license from the Alcohol and Gaming Commissioner of Ontario.
(File No. CSU-P09-00-2002)

28-498 From the City of Sarnia, requesting Council’s support of a resolution to petition the federal and provincial governments to advocate that diversion of the Great Lakes’ waters should not be allowed under the Agreement for Annex 2001.
(File No. CSU-C10-000-2004)

COMMUNICATIONS
Referred to the Commissioner of Planning & Development Services
28-497 From Alicia Gordon and Stephen Vanner, a letter to the Ontario Municipal Board objecting to By-Law No. 2004-308 concerning the rezoning of 273 Main Street in Barriefield.
(File No. CSU-L01-001-2004)

***********

BY-LAWS

(A) Moved by Councillor Beavis
   Seconded by Councillor Smith
   THAT By-Laws (1) through (3) be given their first and second reading.
   CARRIED

(B) Moved by Councillor K. George
   Seconded by Councillor B. George
THAT By-Laws (1) through (6) be given their third reading.

CARRIED

(1) A By-Law To Amend By-Law No. 9087a Of Former City Of Kingston (A By-Law Covering A 5 Acre Parcel Of Land Located On The North Side Of Bath Road West Of The Extension Of The Queen Mary Road) Zone Change From “C2” Commercial Zone In By-Law No. 9087a To A Site Specific “C2.340” Arterial Commercial Zone In By-Law 8499 – 393 Bath Road.
THREE READINGS
(Clauses (1), Report No. 94)
PROPOSED NO. 2004-327

(2) A By-Law To Amend By-Law No. 8499 Of Former City Of Kingston - Zone Change From “C2” Commercial Zone In By-Law No. 9087a To A Site Specific “C2.340” Arterial Commercial Zone In By-Law 8499 – 393 Bath Road.
THREE READINGS
(Clauses (1), Report No. 94)
PROPOSED NO. 2004-328

THREE READINGS
(City Council Meeting No. 28-2004)
PROPOSED NO. 2004-329

(4) A By-Law To Amend By-Law No. 2003-209 “A By-Law To Regulate Traffic” (Establish All-Way Stop Control At Various Intersections).
THIRD READING
(Clauses (a), Report No. 89)
PROPOSED NO. 2004-323

BY-LAWS

(5) A By-Law To Provide For The Temporary Closure Of King Street West From Barrie Street To Lower University Avenue On Thursday, November 11, 2004 From 9:30 AM To 11:30 AM (Community Purposes – The Remembrance Day Ceremonies At The Cross Of Sacrifice Monument).
THIRD READING
(Clauses (b), Report No. 89)
PROPOSED NO. 2004-324

THIRD READING
(Clauses (c), Report No. 89)
PROPOSED NO. 2004-325

ADJOURNMENT

Moved by Councillor B. George
Seconded by Councillor K. George

THAT Council do now adjourn.
Council adjourned at 10:40 pm.

(Signed) Carolyn Downs
City Clerk

(Signed) Harvey Rosen
Mayor