The Regular Meeting of City Council was held on Tuesday, October 3, 2006 at 7:40 pm in the Council Chamber, City Hall. His Worship Mayor Harvey Rosen presided.

There was an Annual General Meeting of the Shareholders of the Kingston & Frontenac Housing Corporation from 7:00 pm to 7:35 pm.

(Council Chambers)
ROLL CALL
Present: Mayor Rosen, Councillor Beavis, Councillor Downes, Councillor Foster, Councillor Garrison, Deputy Mayor George, Councillor George, Councillor Meers, Councillor Pater, Councillor Patterson, Councillor Stoparczyk, Councillor Sutherland (12)
Absent: Councillor Smith (1)

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(Council Chambers)
Administrative Staff Present:
Mr. G. Laubenstein, Chief Administrative Officer
Ms. C. Beach, Commissioner of Sustainability and Growth
Mrs. C. Downs, City Clerk
Ms. R. Etherington, Manager, Culture and Heritage
Mr. M. Fluhrer, Director, Culture and Recreation
Mr. G. Grange, Director, Community and Family Services
Mr. G. Hunt, Commissioner of Finance and Corporate Performance
Mr. D. Leger, Commissioner of Corporate Services
Mr. A. McLeod, Senior Legal Counsel, Legal Services
Ms. S. Powley, Council Committee Supervisor
Mr. L. Thurston, Commissioner of Community Development Services

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DISCLOSURE OF PECUNIARY INTEREST

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PRESENTATIONS

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DELEGATIONS

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BRIEFINGS
(1) Ms. Mikaela Hughes and Mr. Bruce Downey of Hughes Downey Architects were present and spoke to Council regarding the revitalization of the Memorial Centre.

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PETITIONS

(1) A petition bearing approximately 240 signatures was presented by Councillor Beavis and referred to the Commissioner of Public Works and Emergency Services and reads as follows:

“We the undersigned oppose plans to build a fire training centre at the Norman Rogers Airport site.”

REFERRED TO THE COMMISSIONER OF PUBLIC WORKS AND EMERGENCY SERVICES

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MOTIONS OF CONGRATULATIONS/CONDOLENCES/SPEEDY RECOVERY

Council consented to the addition of Motion of Congratulations (b) and (c).

Motions of Congratulations

(a) Moved by Councillor Sutherland
Seconded by Mayor Rosen

THAT the gratitude of Kingston City Council be extended to the Rotary Club of Kingston for their visioning, executing and commissioning of the Conacher Drive Playground Facility.

(b) Moved by Councillor Foster
Seconded by Councillor Sutherland

THAT the congratulations of Kingston City Council be extended to Babs Flower, long-time resident of the former Pittsburgh Township, on the occasion of her 90th birthday.

(c) Moved by Councillor Foster
Seconded by Councillor Pater

THAT the thanks of Kingston City Council be extended to all the volunteers, organizations and staff involved in the Communities in Bloom program and on winning a 5 Blooms Award for Kingston in the national competition.

Motions of Condolence

(a) Moved by Councillor Meers
Seconded by Councillor Garrison

THAT the sincere condolences of Kingston City Council be extended to the family of Bill Lappan, long-standing resident of Kingston.

Motions of Speedy Recovery

(a) Moved by Councillor Beavis
Seconded by Mayor Rosen

THAT the best wishes of Kingston City Council be extended to Joanne George, wife of Councillor Kevin George, for a speedy recovery.

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REPORTS
Report No. 110 of the Chief Administrative Officer (Recommend)

Lance Thurston, Commissioner of Community Development Services, was present and spoke to Council regarding the Belle Island Burial Remains Protection Strategy.

Moved by Deputy Mayor George
Seconded by Councillor Foster

THAT Report No. 110 of the Chief Administrative Officer (Recommend) be received and adopted.

Report No. 110

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

1. Belle Island Burial Remains and Protection of Site – Protection Strategy
   
   THAT Council endorses Report No. 06-232 and authorizes the Mayor and Clerk to execute an agreement with the Mohawk Nation Council of Chiefs as appointee of the local First Nation communities, the form and content of which is satisfactory to the Director of Legal Services, for the long-term joint stewardship of Belle Island, including the following elements: joint ownership of the island, physical stabilization of the island; protection of known burial areas; measures to enhance the island’s natural grace and dignity; and, ongoing maintenance.
   
   (File No. CSU-R01-000-2006)
   
   (The Report of the Commissioner of Community Development Services (06-232) was attached as Schedule Pages 1-13)

   CARRIED

REPORTS
Report No. 111 of the Planning Committee

Moved by Councillor Stoparczyk
Seconded by Councillor Sutherland

THAT Report No. 111 of the Planning Committee be received and adopted.

Report No. 111

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.
1. **To Provide Support for the Proposed Greenbelt Corridor Project for the Collins Creek Watershed through Endorsing Participation in the Project**

   THAT the City of Kingston support the proposed Greenbelt Corridor project for the Collins Creek Watershed, by permitting staff to participate in the project.

2. **Approval of Zoning By-Law Amendment to a Site Specific Zone to Permit Food Commissary and Catering Activities at 1407 John Counter Blvd.**

   THAT the application for Zoning By-Law Amendment (D14-061-2006) submitted by Cunningham Swan Carty Little Bonham LLP, for the property situated at the northeast corner of the intersection of John Counter Boulevard and Sir John A Macdonald Boulevard, Kingston Central, **BE APPROVED.**

   AND THAT Zoning By-Law No. 8499 of the former City of Kingston be further amended as follows:

   1. That Zone Map No. 9 of Zoning By-Law No. 8499 of the City of Kingston be amended so as to rezone the approximately 9.15 hectare parcel of land, known municipally as 1407 John Counter Boulevard from the existing ‘M’ and to a Site Specific ‘M.362’, as shown on Schedule ‘A’ forming part of By-Law No. 2006-230.

   2. By Adding Part VIII, Section 362- Exceptions to Various Zone Classifications:

      “362. On the approximately 9.15 hectare parcel of land located at the north-east corner of the John Counter and Sir John A Macdonald Boulevards and designated ‘M.362’ on Schedule ‘A’ to By-Law No. 2006-230, the following provisions shall apply in addition to Section 31A:

      i) The following use shall also be permitted:
         - restaurant with food commissary and catering activities

      ii) The use listed in i) above shall not occupy in total more than 158 m² of floor space.”

   **AND FURTHER THAT** the Amending By-Law be presented for three readings.

   (See By-Law No. (1), 2006-230)

   (Reports were distributed with the Planning Committee Agenda on September 15, 2006)

   **CARRIED**

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INFORMATION REPORTS

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MISCELLANEOUS BUSINESS

Council consented to the addition of Item No. 3.
(1) Moved by Councillor Beavis
Seconded by Deputy Mayor George

THAT, as requested by Ms. Allyson Hewitt, Executive Director of Safe Kids Canada, Council proclaim the week of October 23rd-29th, 2006 as “Safe Crossing Week”.

(File No. CSU-M10-000-2006)
(See Communication No. 21-653)
(Distributed to all Members of Council on September 29, 2006)

CARRIED

(2) Moved by Councillor Foster
Seconded by Councillor Garrison

THAT, as requested by Kingston Garrison, Canadian Forces Base Kingston, Council proclaim that “Freedom of the City” be exercised on October 28th, 2006.

(File No. CSU-M10-000-2006)
(See Communication No. 21-663)
(Distributed to all Members of Council on September 29, 2006)

CARRIED

(3) Moved by Councillor Pater
Seconded by Deputy Mayor George

THAT, as requested by the Honourable Monte Solberg, Minister of Citizenship and Immigration, Council proclaim the week of October 16th to 22nd, 2006 as “Canada's Citizenship Week”.

(File No. CSU-M10-000-2006)
(See Communication No. 21-673)
(Distributed to all Members of Council on October 3, 2006)

CARRIED

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MOTIONS

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NOTICES OF MOTION

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MINUTES
Moved by Councillor George
Seconded by Councillor Meers

THAT the Minutes of City Council Meeting No. 19-2006, held Tuesday, September 5, 2006 be confirmed.

CARRIED

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TABLING OF DOCUMENTS
2006-63     Cataraqui Region Conservation Area (CRCA)
2006-64 Kingston, Frontenac, Lennox & Addington (KFL&A) Public Health

2006-64 Kingston, Frontenac, Lennox & Addington (KFL&A) Public Health

COMMUNICATIONS

**COMMUNICATIONS**

**Filing**

21-644 From the City of Hamilton, supporting Council's resolution regarding licensing of multi-tenant housing.

21-645 From the City of Hamilton, supporting Council's resolution regarding Liquor Licence Act regulations.

21-646 From the Ministry of Municipal Affairs and Housing, providing information regarding the presentation of long-standing services to municipally elected officials in eastern Ontario.

21-647 From the Association of Municipalities of Ontario (AMO), advising that the Ministry of Community Safety and Correctional Services has finalized the Notification of Marijuana Grow Operation Protocol between police services and municipalities.

21-666 From the City of Peterborough, acknowledging receipt of Council's resolution regarding Liquor License Act regulations.

21-667 From the City of Peterborough, acknowledging receipt of Council's resolution regarding licensing of multi-tenant housing.

21-668 From the Regional Municipality of Durham, acknowledging receipt of Council's resolution regarding Liquor License Act regulations.

**COMMUNICATIONS**

Referred to All Members of Council
21-648  From Ms. Courtney Gunter, Project Assistant for the United Way serving Kingston, Frontenac, Lennox & Addington, providing information regarding upcoming forums on homelessness and housing.
   (File No. CSU-S16-000-2006)
   (Digitally distributed to all Members of Council on September 18, 2006)

21-649  From the Ontario Waste Management Association (OWMA), providing information regarding the annual Canadian Solid Waste and Recycling Expo to be held at the International Centre in Mississauga on November 29th and 30th, 2006.
   (File No. CSU-A04-000-2006)
   (Digitally distributed to all Members of Council on September 18, 2006)

21-653  From Ms. Allyson Hewitt, Executive Director of Safe Kids Canada, asking that Council proclaim the week of October 23rd-29th, 2006 as “Safe Crossing Week”.
   (File No. CSU-M10-000-2006)
   (See Miscellaneous Business Item No. 1)

21-654  From Ontario Good Roads Association (OGRA), providing highlights from their September board meeting.
   (File No. CSU-A01-000-2006)
   (Digitally distributed to all Members of Council on September 25, 2006)

21-655  From the Ontario Good Roads Association (OGRA), providing information regarding Infrastructure 2006, to be held at the Metro Toronto Convention Centre on November 29th and 30th, 2006.
   (File No. CSU-A04-000-2006)
   (Digitally distributed to all Members of Council on September 25, 2006)

21-656  From Mr. Wayne T. Marshall, President of the Kingston Limestone Chapter of the Canadian Association of Veterans in UN Peacekeeping, thanking Council for proclaiming August 9th, 2006 as “Peacekeepers’ Day”.
   (File No. CSU-M10-000-2006)

21-657  From the Association of Municipalities of Ontario (AMO), providing a copy of a discussion paper entitled “Bill 206 and OMERS: Meeting AMO’s New Responsibilities; Investing in Municipal Interests”.
   (File No. CSU-L11-000-2006, File No. CSU-H02-000-2006)
   (Digitally distributed to all Members of Council on September 25, 2006)

21-658  From the Township of Admaston/Bromley, asking for Council’s support of a resolution advising the Government of Ontario that the present Ontario Disaster Relief Assistance Program formula is ineffective and unworkable, and that the Government of Ontario be requested to review and revise the present Ontario Disaster Relief Assistance Program to make it more economically feasible for use by Ontario municipalities, their rural residents and their respective businesses, farms and properties.
   (File No. CSU-C10-000-2006)

COMMUNICATIONS

21-659  From the Town of Caledon, asking for Council’s support of a resolution requesting that the Province of Ontario increase the Town portion of the aggregate levy from 4 cents per tonne to 8 cents per tonne beginning on January 1, 2007.
21-661 From Robin Butler, Business Support Officer, providing information regarding the Capital Corridor Summit, which will be held in Alexandria Bay, NY on October 3rd to 5th, 2006.  
(File No. CSU-A04-000-2006)  
(Digitally distributed to all Members of Council on September 26, 2006)

21-662 From Jean Gower for the Kingston Faith and Justice Coalition, expressing their support for programs for homeless people and asking that Council give every consideration to funding such programs adequately and on a long-term basis.  
(File No. CSU-S16-000-2006)

21-663 From Kingston Garrison, Canadian Forces Base Kingston, asking that Council proclaim that “Freedom of the City” be exercised on October 28th, 2006.  
(File No. CSU-M10-000-2006)  
(See Miscellaneous Business Item No. 2)  
(Digitally distributed to all Members of Council on September 29, 2006)

21-664 From Ms. Catherine Isaacs, urging Council to support the Church Athletic League’s (CAL) retention of the Harold Harvey as their hockey arena for as long as they are willing to maintain it.  
(File No. CSU-R05-000-2006)  
(Digitally distributed to all Members of Council on September 28, 2006)

21-665 From the Association of Municipalities of Ontario (AMO), providing information regarding their submission to the Standing Committee on Finance in Ottawa.  
(File No. CSU-A01-004-2006)  
(Digitally distributed to all Members of Council on September 28, 2006)

21-669 From Ms. Liane Penny, Teacher and Student Council Staff Advisor at Queen Elizabeth Collegiate and Vocational Institute (QECVI), asking for Council’s support in the school’s attempt at winning the K-Rock 105.7 Food Bank Challenge for the third year in a row.  
(File No. CSU-M03-000-2006)

21-670 From the Honourable John Gerretsen, MPP, providing information regarding recommendations on infrastructure renewal.  
(File No. CSU-D18-000-2006)

COMMUNICATIONS

21-673 From the Honourable Monte Solberg, Minister of Citizenship and Immigration, asking that Council proclaim the week of October 16th to 22nd, 2006 as “Canada’s Citizenship Week”.  
(File No. CSU-M10-000-2006)  
(See Miscellaneous Business Item No. 3)
Referred to the Commissioner of Corporate Services

21-652 From Ms. Deborah Defoe, Chief Librarian/Chief Executive Officer of Kingston Frontenac Public Library, asking that Council proclaim the week of October 16\textsuperscript{th}-22\textsuperscript{nd}, 2006 as “Ontario Public Library Week 2006”. (File No. CSU-M10-000-2006)

Referred to the Commissioner of Community Development Services

21-651 From Mr. Murray MacKenzie, providing his concerns about paint splattered on the sidewalk in front of a new business on Princess Street. (File No. CSU-M04-000-2006)

21-671 From Bob and Paula Ringma, expressing a complaint about noise from a service vehicle parked opposite 185 Ontario Street late on Monday, September 18\textsuperscript{th}, 2006. (File No. CSU-M04-000-2006)

Referred to the Commissioner of Corporate Services and the Commissioner of Community Development Services

21-650 From the Modern Fuel Artist-Run Centre, appealing for inclusion in the City of Kingston's long-term plan for cultural facilities with regards to future development in the North Block, due to their location at 21A Queen Street. (File No. CSU-R09-000-2006) (Digitally distributed to all Members of Council on September 26, 2006)

21-660 From Ms. Louise Poulin, Legal Counsel to Correctional Service Canada, serving a Notice of Objection to the proposed designation of 40 Sir John A. Macdonald Boulevard (former Prison for Women site). (File No. CSU-R01-000-2006)

Referred to the Commissioner of Public Works and Emergency Services

21-672 From Mr. Craig Goldie, expressing his concerns about the completion of the revitalization of Market Square. (File No. CSU-A20-000-2006)

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BY-LAWS

(A) Moved by Councillor Beavis
Seconded by Councillor Downes

\textbf{THAT} By-Laws (1) through (3) be given their first and second reading.

CARRIED

BY-LAWS

(B) Moved by Councillor Garrison
Seconded by Councillor Patterson

\textbf{THAT} By-Laws (1) through (4) be given their third reading.

CARRIED
(1) A By-Law To Amend By-Law No. 8499, “Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston”, (Site Specific Zone to Permit Food Commissary and Catering Activities and to Increase the Spatial Component to a Maximum of 158m² or 2% of the Building for the property situated at the northeast corner of the intersection of John Counter Boulevard and Sir John A. Macdonald Boulevard)
   THREE READINGS
   (See Clause (2), Report No. 111)
   PROPOSED NO. 2006-230

(2) A By-Law To Exempt Certain Lands On Registered Plan 13M-58 From The Provisions Of Section 50 (5) Of The Planning Act, R.S.O. 1990, Chapter P.13, And Amendments Thereto (Lots 48-54 Inclusive, Lyndenwood Phase 3)
   THREE READINGS
   (Delegated Authority)
   PROPOSED NO. 2006-231

(3) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, October 3, 2006
   THREE READINGS
   (City Council Meeting No. 21-2006)
   PROPOSED NO. 2006-232

(4) 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 parking restrictions on Francis Street)
   THIRD READING
   (See Clause (f), Report No. 105)
   PROPOSED NO. 2006-218
   CARRIED

ADJOURNMENT

Moved by Councillor Beavis
Seconded by Councillor George

THAT Council do now adjourn.

CARRIED

Council adjourned at 8:15 pm.

(Signed) Carolyn Downs Harvey Rosen
   City Clerk Mayor

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