



City Council Meeting 2015-23

Tuesday October 6, 2015 at 5:45 pm
in the Council Chamber at City Hall.

Council will resolve into the Committee of the Whole
“Closed Meeting” and will reconvene
as regular Council at 7:30 pm

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(Council Chamber)

Call Meeting to Order

Roll Call

The Committee Of The Whole “Closed Meeting”

1. **That** Council resolve itself into the Committee of the Whole “In Camera” to consider the following items:
 - a) Litigation, including matters before administrative tribunals, affecting the municipality and advice that is subject to solicitor-client privilege, including communications necessary for that purpose OMB Appeal - 4338 Bath Road;
 - b) A proposed or pending acquisition or disposition of land by the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose – North Block District Public Parking Supply;
 - c) A proposed or pending acquisition or disposition of land by the municipality or local board - Employment Lands;
 - d) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Federal Divestitures.

Approval of Addeds

Disclosure of Potential Pecuniary Interest

Presentations

Delegations

1. Doug Haight, General Manager, Taggart Construction will appear before Council to speak to Report Number 91: Received from the Chief Administrative Officer (Recommend), Clause 1 with respect to Award of Contract for Princess Street Reconstruction.
2. Doug Ritchie, Managing Director, Downtown Kingston! BIA will appear before Council to speak to Report Number 91: Received from the Chief Administrative Officer (Recommend), Clause 1 with respect to Award of Contract for Princess Street Reconstruction.
3. Dan Leduc, Kingston Construction Association (KCA) Member and Partner in Norton Rose Fulbright Law Firm, will appear before Council to speak to Report Number 91: Received from the Chief Administrative Officer (Recommend), Clause 1 with respect to Award of Contract for Princess Street Reconstruction.

Briefings

1. Gerard Hunt, Chief Administrative Officer, will provide introductory remarks. Murray Matheson, Executive Director, Kingston Accommodation Partners (KAP) will provide a presentation with respect to Report 91: Received from the Chief Administrative Officer (Recommend), Clause 2 - Integrated Tourism Strategy – Council Strategic Priorities.

Petitions

Motions of Congratulations, Recognition, Sympathy, Condolences and Speedy Recovery

Deferred Motions

Reports

Report Number 90: Received from the Chief Administrative Officer (Consent)

Report Number 90

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

All items listed on the Consent Report shall be the subject of one motion. Any member may ask for any item(s) included in the Consent Report to be separated from That motion, whereupon the Consent Report without the separated item(s) shall be put and the separated item(s) shall be considered immediately thereafter.

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

a) Potential Brownfield Projects for Municipal Ownership, Remediation and Redevelopment

That Council approve the write-off of uncollectible taxes for 1100 Montreal Street, which failed to sell under the tax sale provisions in the *Municipal Act, 2001*, in the amount of \$219,868.56, of which \$184,883.58 is the City's portion and \$34,984.98 will be charged back to the school boards; and

That the City Treasurer be authorized to prepare and register a notice of vesting in the name of The Corporation of the City of Kingston pursuant to subsection 379(5) of the *Municipal Act, 2001* for the property known municipally as 1100 Montreal Street, Roll No. 10.11.040.140.08700.0000; and

That Council authorize staff to make application to the Federation of Canadian Municipalities' Green Municipal Fund for financial assistance toward the remediation and redevelopment of 1100 Montreal Street; and

That Council direct staff to report back to Council with a new project to remediate and redevelop the brownfield property at 1100 Montreal Street in a manner supportive of the Rideau Heights Regeneration Strategy for consideration within the 2016 capital budget submission.

(The Report of the Commissioner of Corporate & Strategic Initiatives (15-384) is attached as Schedule Pages 1-9)

(File Number CSU-E05-001-000-2015)

b) Turtle Fencing along Princess Street from Parkway to John Counter Boulevard

That Council authorize the Mayor and Clerk to enter into a contract (F18-EN-2015-07) in a form satisfactory to the Director of Legal Services with Peninsula Construction Inc., for installation of turtle fencing and the construction of turtle nesting area along Princess Street from Parkway to John Counter Boulevard; and

That budget in the amount of \$55,000 be allocated from the existing approved Engineering capital budget to the Turtle Fencing project, to provide sufficient funds to complete the project.

(The Report of the President and CEO of Utilities Kingston (15-390) is attached as Schedule Pages 10-13)

(File Number CSU-P00-000-2015)

c) Product Care Interim Lamps Program, Municipal Services Agreement

That the City of Kingston enter into an Agreement with Product Care Association for the reimbursement of expenses associated with post-collection services of lamps (florescent tubes and CFL's) from June 1, 2015 to May 31, 2016.

That Council authorize the Mayor and Clerk to execute the Agreement in a form satisfactory to the Director of Legal Services.

(The Report of the President and CEO of Utilities Kingston (15-396) is attached as Schedule Pages 14-17)

(File Number CSU-P04-000-2015)

Report Number 91: Received from the Chief Administrative Officer (Recommend)

Report Number 91

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

1. Princess Street Road Reconstruction

That Council authorize the Mayor and Clerk to enter into a contract in a form satisfactory to the Director of Legal Services with Len Corcoran Excavating Ltd, for road and infrastructure reconstruction, as described in RFP Number EN-2015-06, and commonly referred to as Princess Street – Phase 3 project.

That Council approve deferral of the Johnson Street project from the Road Reconstruction Program in the approved 2015-2018 Multi-Year Infrastructure Plan in order to reallocate sufficient funds to complete the Princess Street – Phase 3 project.

That Council approve a budget amendment in the amount of \$15,500,000 in order to advance the planning, design and construction of Princess Street – Phase 4 from 2020 and include within the 2015-2018 Multi-Year Infrastructure Program, with project funding in the amount of \$7,570,000 from the Municipal Capital Reserve Fund to be directed to the Road Reconstruction envelope, \$3,550,000 from the Water Capital Reserve Fund, \$2,880,000 from the Sewer Capital Reserve Fund and \$1,500,000 recoverable from Kingston Hydro and \$1,500,000 recoverable from Kingston Hydro for costs related to the renewal of hydro infrastructure.

(The Report of the President and CEO of Utilities Kingston and Commissioner of Community Services (15-347) is attached as Schedule Pages 18-26)
(File Number CSU-T04-000-2015)

2. Integrated Tourism Strategy

That Council receive an update on the integrated tourism strategy from the Kingston Accommodation Partners; and

That Kingston Accommodation Partners provide a progress report by June 30, 2016.

(The Report of the Chief Administrative Officer (15-400) is attached as Schedule Pages 27-30)
(File Number CSU-D06-000-2015)

Report Number 92: Received from the Planning Committee

Report Number 92

To the Mayor and Members of Council:

The Planning Committee reports and recommends as follows:

All items listed on this 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.

The Planning Committee reports and recommends as follows from the Planning Committee Meeting held on September 17, 2015:

Note: Councillor George declared a pecuniary interest in the matter of Clause (c), as his business partner has been associated with this file, and Clause (d), as he is employed by builders within the City who install secondary suites.

a) Application for Zoning By-Law Amendment - 1329-1383 Gardiners Road (Clermont Investments Inc.)

That the application for zoning by-law amendment (File Number D14-134-2015) submitted by Clermont Investments Inc., for the property municipally known as 1329-1383 Gardiners Road, be approved; and

That the former Township of Kingston Zoning By-Law Number 76-26, as amended, be further amended as follows:

1.1 By **Deleting** the heading wording of Section 30A(3)(d) "**BP-4 – 561 Macrow Street**" and **replacing** with "**BP-4 – 1329-1383 Gardiners Road**"

1.2 By **Adding** a new subsection Section 30A(3)(d)(vii) as follows:

“(vii) **Zoning Interpretation:**

For the purposes of zoning interpretation the lands within the ‘BP-4’ Zone shall be treated as a single parcel”; and

That the amending by-law be presented to City Council for all three readings.

(By-Law (1), 2015-172, is attached as Schedule Pages 31-32)

b) Application for Official Plan and Zoning By-Law Amendment - 2185 and 2215 Perth Road (Cruickshank Properties Corporation)

That the applications for official plan amendment and zoning by-law amendment (File Numbers D09-002-2013 and D14-004-2013) submitted by Cruickshank

Properties Corporation for the property known as 2185 & 2215 Perth Road, be approved; and

That the City of Kingston Official Plan be amended as follows:

1. The Official Plan for the City of Kingston is hereby amended with the following map changes which shall constitute Amendment Number 38 to the Official Plan for the City of Kingston.
 - (a) **Amend** Schedule '3-B, Land Use', of the City of Kingston Official Plan, so as to re-designate the property located at 2185 & 2215 Perth Road, as shown on Schedule 'A' to By-Law Number 2015-173, from 'Rural Area', 'Mineral Resource Area – Q' and 'Rural Industrial' to 'Rural Area' and 'Rural Industrial'.
 - (b) **Amend** Schedule '3-D, Site Specific Policies', of the City of Kingston Official Plan, by modifying the area of Site Specific Policy Area Number 26 on the property located at 2185 & 2215 Perth Road, as shown on Schedule 'B' to By-Law Number 2015-173.
 - (c) **Amend** Schedule '12, Mineral and Aggregate Reserve Areas', of the City of Kingston Official Plan, to identify the Abandoned Aggregate Site on the property located at 2185 & 2215 Perth Road, as shown on Schedule 'C' to By-Law Number 2015-173.
2. That the City of Kingston Official Plan, as amended, be further amended by the following policy change.
 - (a) **Amend** Section 3.18.26.c. by deleting the words "subject property" and replacing with "lands designated Rural Industrial on Schedule 3-B"; and

That the Official Plan amendment by-law be presented to City Council for all three readings; and

That By-Law Number 76-26 of The Corporation of the City of Kingston, entitled "A By-Law to Regulate the Use of Lands and the Character, Location and Use of Buildings and Structures in the Township of Kingston", as amended, be further amended as follows:

1. Map 1 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from 'A1'; 'A2'; 'M5-1'; 'M5-2'; and, 'M5-3' to 'A1-19' and 'M3-4', as shown on Schedule "A" attached to and forming part of By-Law Number 2015-174.
2. By **Deleting** in its entirety Schedule B-1
3. By **Deleting** Section 28(3)(b) McKendry Quarry (M5-2)
4. By **Deleting** Section 28(3)(c) (M5-3)
5. By **Adding** a new subsection 9(3)(s) thereto as follows:

“(s) **A1-19 (2215 Perth Road)**

Notwithstanding the provisions of Section 5 and Section 9 hereof to the contrary, the lands designated ‘A1-19’ on Schedule ‘A’ hereto, the following regulations shall apply:

- (i) Only the following uses are permitted:
 - (a) single-family dwelling house
 - (b) accessory dwelling house
 - (c) conservation use
 - (d) forestry use
 - (e) home occupation
 - (f) riding stable
 - (g) a public use, in accordance with the provisions of Section 5(18) hereof
 - (h) any accessory building or structure or accessory use to a permitted use, in accordance with the provisions of Section 5(1)
- (ii) Setback From Flooded Former Quarry:

A dwelling house shall be setback a minimum of 40 metres from the flooded portion of the former quarry which shall be taken at 96 metres mean sea level.
- (iii) Separation Of Uses:

A dwelling house shall not be located within 83 metres of an M3-4 zone
- (iv) Access:

The driveway to a dwelling house shall not be permitted to access through an M3-4 zone.”

6. By **Adding** a new subsection 26(3)(d) thereto as follows:

“(d) **M3-4 (2185 Perth Road)**

Notwithstanding the provisions of Section 5 and Section 26 hereof to the contrary, the lands designated ‘M3-4’ on Schedule ‘A’ hereto, the following regulations shall apply:

- (i) Permitted Uses:

Only the following uses are permitted:

 - (a) commercial garage

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- (b) contractor's or tradesman's shop
 - (c) contractor's yard
 - (d) equipment maintenance and repairs
 - (e) industrial repair shop
 - (f) warehouse
 - (g) retail sales accessory to a principal use
 - (h) open storage associated with a permitted use
 - (i) an office associated with a permitted use
- (ii) Minimum Required Yards
- For the purposes of the M3-4 zone the zone boundaries shall be considered lot lines.
- (a) Front yard: 24 metres
 - (b) Rear yard: 12 metres
 - (c) Interior side yard: 12 metres
- (iii) Landscaping Strip
- (a) a minimum 5.0 metre wide landscaping strip shall be provided along the lot line adjacent to Perth Road."
 - (b) a landscape strip shall include a mixture of coniferous and deciduous trees which will provide a sight obscuring buffer, and shall include an existing quarry face"; and

That the amending by-law be presented to Council for all three readings.

(By-Law (2), 2015-173, is attached as Schedule Pages 33-37)

(By-Law (3), 2015-174, is attached as Schedule Pages 38-42)

c) Application for Official Plan, Zoning By-Law Amendment and Draft Plan of Subdivision - 1350 Woodfield Crescent (Creekside Valley Development Limited)

That the application for Official Plan amendment (File Number D09-013-2014), submitted by FoTenn Consultants Incorporated, on behalf of Creekside Development Limited, for the property municipally known as 1350 Woodfield Crescent, Be Approved; and

That the City of Kingston Official Plan be amended by the following map and text changes which shall constitute Amendment Number 39 to the Official Plan for the City of Kingston as follows:

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- (a) **Amend** 'Schedule 2, City Structure to remove the lands located at 1350 Woodfield Crescent, as shown on Schedule 'A' to By-Law Number 2015-175 from being an Area of Specific Phasing;
- (b) **Amend** 'Schedule 3-A, Land Use', of the City of Kingston Official Plan, to redesignate the lands located at 1350 Woodfield Crescent, as shown on Schedule 'B' to By-Law Number 2015-175 from 'Residential' and 'Environmental Protection Area' to 'Residential', 'Open Space' and 'Environmental Protection Area';
- (c) **Amend** 'Schedule 13, Detailed Planning Areas' to change the lands located at 1350 Woodfield Crescent, as shown on Schedule 'C' to By-Law Number 2015-175 from a future Secondary Planning Area to a completed Secondary Planning Area;
- (d) **Remove** Section 2.5.6, Westbrook East, in its entirety and renumber the remainder of Section 2.5 in sequence;
- (e) **Amend** 'Schedule 3-D, Detailed Site Specific Policies' to add the lands located at 1350 Woodfield Crescent, as shown on Schedule 'D' to By-Law Number 2015-175 as Site Specific Policy Area Number 52;
- (f) **Add** the following new Site Specific Policy as Section 3.18.52:
- **"1350 Woodfield Crescent**
 - **Schedule 3-D**
 - **SSP Number 52**
 - On the lands located on the north side of Princess Street, between Baxter Avenue to the west and the Collins Creek Wetland Complex to the east and municipally known as 1350 Woodfield Crescent, as shown on Schedule 3-D, the minimum residential density shall be 22 residential units per net hectare"; and

That the amending by-law be presented to City Council for all three readings; and

That the application for zoning by-law amendment (File Number D14-058-2013) submitted by FoTenn Consultants Incorporated, on behalf of Creekside Development Limited, for the property municipally known as 1350 Woodfield Crescent, be approved; and

That Council determines that in accordance with Section 34(17) of the *Planning Act*, no further notice is required prior to the passage of the by-law; and

That By-Law Number 76-26 of The Corporation of the City of Kingston, entitled "A By-Law to Regulate the Use of Lands and the Character, Location and Use of Buildings and Structures in the Township of Kingston", as amended, is hereby further amended as follows:

1.1. Map 2 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from 'R1', 'R1-9', 'D', and 'EPA' to 'R2-44-H', 'OS-3', 'OS-18' and 'EPA-16', as shown on Schedule "A" attached to and forming part of By-Law Number 2015-176.

1.2. By **Adding** a new subsection 13(3)(rr) thereto as follows:

"(3)(rr) R2-44-H Creekside Valley Subdivision (1350 Woodfield Crescent)

Notwithstanding the provisions of Section 13 hereof to the contrary, the lands designated 'R2-44-H' on Schedule 'A' hereto, the following regulations shall apply:

(a) Permitted Uses:

i. Residential Uses:

Single Detached Dwelling House

Semi Detached Dwelling House

ii. Non-Residential Uses:

Home Occupation

A public use in accordance with the provisions of Section 5(18) hereof.

(b) Lot Frontage (minimum)	Corner Lot	Other Lot
Single Detached Dwelling House	12.7 metres	9 metres
Semi Detached Dwelling House	19 metres	15 metres
Semi Detached Dwelling Unit	11.5 metres	7.5 metres

- The Lot Frontage shall be measured along a line which is parallel to the front lot line and distant from the lot line 6.0 metres. In the case of a corner lot with a sight triangle, the exterior side lot line shall be deemed to extend to its hypothetical point of intersection with the extension of the front lot line for the purposes of calculating lot frontage.

(c) Front Yard

- i. Minimum setback from front lot line 4.5 metres
- ii. Notwithstanding subsections (i) and (ii) where a dwelling includes a covered front porch the front wall of the main dwelling may be set back a maximum of 9.2 metres from the front lot line provided the dwelling includes a covered porch with a minimum width of 2.5 metres and a minimum depth of 2.0 metres.

- iii. Notwithstanding subsections (i), (ii) and (iii) where the front wall of an attached private garage containing the opening for vehicular access is located not more than 6.2 metres from the front lot line and where a dwelling includes a covered front porch, the front wall of the main dwelling may be set back 3.0 metres from the front wall of the garage.

(d) Exterior Side Yard (minimum) 3.0 metres

(e) Interior Side Yard (minimum)

- Single Family Dwelling House 1.5 metres
- Semi Detached Dwelling House 1.5 metres for a side that is not attached to another dwelling house

(f) Rear Yard (minimum) 6.0 metres

(g) Garage

- The wall of an attached private garage that contains the opening for vehicular access shall be set back a minimum of 6.0 metres from the lot line that the driveway crosses to access the private attached garage.
- The wall of the attached private garage facing the public street shall not be located more than 3.0 metres closer to the front lot line than either the main entry feature or main front entrance of the dwelling unit, except that a corner lot may have the garage located further than 3.0 metres from the main entry feature or main front entrance of the dwelling unit, provided it is not located closer to the front lot line than any other part of the dwelling unit.
- The main entry feature means a platform, with at least one side open, covered by either a roof, balcony or enclosed space, with or without a foundation and/or basement that provides access to the dwelling unit.
- The main front entrance means the door which is designed as the primary access point into the dwelling unit.

(h) Driveway Width

- Maximum driveway width as measured at the lot line and shall be as follows:
- Single Detached Dwelling House 6.0 metres or 50% of the lot frontage, whichever is lesser

- Semi Detached Dwelling House 3.5 metres

(i) Height (maximum)

- Single Detached Dwelling House 12 metres
- Semi Detached Dwelling House 12 metres

(j) Parking

- Parking is permitted in the front yard, interior side yard and rear yard. Notwithstanding any provisions herein to the contrary, front yard parking is prohibited except where it is a driveway leading to a permitted parking area.

(k) Sight Triangle

- Two sight triangles are required on a corner lot. The location of the first sight triangle shall be located by drawing a line between a point on the exterior side lot line that is 4.5 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 8.5 metres from the intersection of the front lot line and the exterior size lot line.
- The location of the second sight triangle shall be located by drawing a line between a point on the exterior side lot line and a point on the front lot line that is 8.5 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 4.5 metres from the intersection of the front lot line and the exterior side lot line.

(l) Fencing

- Fences crossing the pipeline right-of-way in Lots 46 to 49, 174 to 193 and 310 to 315 must be chain link, no taller than 1.8 metres and equipped with lock gates accessible to Trans-Northern Pipelines Inc.
- Fencing crossing the pipeline right-of-way must be chain link, no taller than 1.8 metres.”

1.3 By **Adding** a new subsection 8(3)(r) thereto as follows:

“(3)(r) **OS-18**

Notwithstanding the provisions of Section 8 hereof to the contrary, the lands designated ‘OS-18’ on Schedule ‘A’ hereto, the following regulations shall apply:

- (i) Existing Conditions

- No person shall alter or remove any of the existing natural cover including shrubbery.

(ii) Uses Permitted

(b) Non-Residential Uses:

- a park;
- a stormwater management facility and associated works;
- a public use in accordance with the provisions of Section 5(18) hereof.”

1.4 By **Adding** a new subsection 7(3)(p) thereto as follows:

“(3)(p) **EPA-16**

Notwithstanding the provisions of Section 7 hereof to the contrary, the lands designated ‘EPA-16’ on Schedule ‘A’ hereto, the following regulations shall apply:

(i) Additional Permitted Uses:

Watercourse channel alignment as approved by the municipality.

(ii) Trails

No trails of any kind are permitted in the EPA-16 zone” and

That the amending by-law be presented to City Council for all three readings; and

That the application for Draft Plan of Subdivision (File Number D12-008-2013) submitted by FoTenn Consultants Incorporated, on behalf of Creekside Development Limited, for the property municipally known as 1350 Woodfield Crescent Be Approved, subject to the following conditions:

1. Approved Draft Plan

That this approval applies to the Draft Plan of Subdivision, prepared by Hopkins, Cormier & Chitty Surveying, dated July, 2015 which shows the following:

- 381 residential lots (Lots 1-381);
- 1 block for infrastructure and servicing (Block 390);
- 3 blocks for natural open space (Blocks 393, 396 and 398);
- 2 blocks for parkland dedication (Blocks 386 and 392);
- 3 blocks for environmental protection (Blocks 385, 397, and 399);
- 1 block for stormwater management facility (Block 395);
- 3 blocks for drainage (Blocks 383, 391 and 400);
- 4 blocks for pedestrian links (Blocks 387, 388, 389 and 401);
- 2 blocks for street reserve purposes (Blocks 382 and 384);

- 1 block for lot addition to abutting lands (Block 394); and
- New/extended roadways (Streets 'A' through 'F').

2. Streets and Civic Addressing

- (a) That the road allowances included in this Plan shall be shown and dedicated as public highways.
- (b) That the road allowances within the Plan shall be designed in accordance with the Municipality's engineering standards and shall be dedicated to the Municipality free of all charge and encumbrances. The streets, lots and blocks shall be designed to coincide with the development pattern on adjacent properties.
- (c) That Prior to Final Approval, the Owner shall submit proposed street names for approval by the department of Planning, Building & Licensing Services and shall be included on the first submission of the engineering drawings. The Streets within this Plan shall be named to the satisfaction of the City, in consultation with the department of Planning, Building & Licensing Services, in accordance with the City's Civic Addressing and Road Naming By-Law.
- (d) That Prior to Final Plan Approval, the Owner shall provide confirmation that civic addresses have been assigned to the proposed lots and blocks by the City's department of Planning, Building & Licensing Services, in accordance with the City's Civic Addressing and Road Naming By-Law. The Owner shall be advised that the civic addresses are tentative until such time that the final plan is registered and the final lot layout has been confirmed.
- (e) For lots with more than one road frontage, the lots will be addressed on the road frontage on which primary vehicular access is situated. Prior to applying for a building permit the Owner shall confirm with the department of Planning, Building & Licensing Services the appropriate road frontage where primary vehicular access is to be provided and shall confirm the approved civic address in order to comply with the City's Civic Addressing and Road Naming By-Law and emergency response requirements.
- (f) Any dead end or open side of a road allowance within the Plan shall be terminated in a 0.3 metre reserve to be conveyed to the Municipality free of all charges and encumbrances.
- (g) That the Owner shall agree that the location and design of any construction access shall be approved by the Municipality and/or the appropriate authority.

3. Sight Triangles

- (a) Sight Triangles are required on lots 7, 17, 23, 39, 40, 46, 50, 81, 87, 113, 123, 124, 138, 153, 154, 173, 174, 193, 194, 198, 206, 232, 248, 249, 259, 270, 306, 309, 310, 333, 334, 355.

4. Reserves and Easements

- (a) That any dead ends and open sides of the road allowances created by this Plan shall be terminated in 0.3 metre reserves to be conveyed to, and held in trust, by the Municipality.
- (b) That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority free of all charges and encumbrances.
- (c) 0.3 metre reserves are required at Street 'B' at Roselawn Place, Street 'F' at Woodfield Crescent, the west limit of Ottawa Street, Block 382, Block 384 and along the Princess Street frontage.

5. Financial Requirements

- (a) That the Owner agrees in writing to satisfy all the requirements, financial and otherwise, of the Municipality concerning all provisions of municipal services but not limited to including fencing, lighting, landscaping, sidewalks, roads, installation of underground services, provisions for drainage and noise mitigation where required.
- (b) **That Prior to Final Plan Approval**, the Owner shall submit for the Municipality's approval a detailed breakdown of the construction costs for the works associated with the development of this Plan, including any cash surcharges or special levies. The construction costs shall be prepared and stamped by a professional engineer. The cost estimate shall be submitted in the Municipality's standard format for incorporation into both the Pre-Servicing and Subdivision Agreements.
- (c) That the Owner shall bear the expense of all off site works resulting from the approved public works design where such works are not subsidized under the Policies and By-Laws of the Municipality.
- (d) That the Owner agrees to reimburse the Municipality for the cost of any Peer Reviews of the Studies / Reports submitted in support of the proposed Plan of Subdivision.

6. Subdivision Agreement

- (a) That the Owner shall enter into the Municipality's standard Subdivision Agreement which shall list all approved plans and municipal conditions as required by the Municipality for the development of this Plan.
- (b) The Subdivision Agreement between the Owner and the Municipality be registered against the lands to which it applies once the Plan of Subdivision has been registered.
- (c) That the Subdivision Agreement between the Owner and the Municipality shall contain all necessary warning clauses and notices to purchasers resulting from, but not necessarily restricted to, the design and provision of

services, including the requirement to provide and maintain private site specific works as necessary.

7. Holding Provisions

That the Municipality shall require the use of '-H' Holding Provisions in accordance with Section 36 of the *Planning Act*. The terms for the removal of the Holding '-H' Holding Symbol shall be in accordance with Section 6(6) of Zoning By-Law Number 76-26 and shall require the following:

- a. Confirmation of sufficient servicing capacity for the development;
- b. That all necessary approvals have been received from all other agencies and government bodies and any required Agreements have been executed by the Owner; and
- c. That a Zone Change Application has been approved by the Municipality to remove the '-H' Holding Symbol.

8. Consent – Lot Addition

- (a) **That Prior to Final Plan Approval**, the Owner shall obtain final approval from the Municipality for a Consent application to convey the approximately 0.06 hectare Block 394 to the abutting parcel known municipally as 1196 Roselawn Place.

9. Engineering Drawings

- (a) **That Prior to Final Plan Approval**, the Owner shall submit for approval, subdivision design drawings, including design plans for all public works and services, prepared and certified by a qualified Professional Engineer and designed pursuant to the Municipality's Subdivision Design Guidelines and to the satisfaction of the Municipality. Such plans are to be incorporated into the Subdivision Agreement between the Owner and the Municipality.
- (b) **That Prior to Final Plan Approval**, the Owner shall submit a digital listing of the approved subdivision design drawings in the Municipality's standard format for incorporation into the Pre-Servicing and Subdivision Agreement.

10. Revisions to Draft Plan

- (a) That any further subdivision of Blocks or additional road patterns on the Plan shall be completed to the satisfaction of the Municipality.
- (b) **That Prior to Final Plan Approval** of any part of the Plan, the Owner shall submit a revised Plan, if required, to reflect any significant alterations caused from this Draft Plan Approval.
- (c) That where final engineering design(s) result in minor variations to the Plan (e.g., in the configuration of road allowances and lotting, number of lots, etc.), these may be reflected in the Final Plan to the satisfaction of the Municipality.

11. Phasing

- (a) That Final Plan Approval for registration may be issued in phases to the satisfaction of the Municipality, subject to all applicable fees.
- (b) That the phasing of the development shall be reflected in the Subdivision Agreement and on the approved subdivision design drawings to the satisfaction of the Municipality, taking into account the temporary termination of underground services, interim grading, interim stormwater management, operations and maintenance vehicle access and access for emergency vehicles. Access to the underground utilities must be accommodated at phase limits if phasing is proposed. Regardless of marketing considerations and what may be considered for phasing at the draft plan stage now may require future changes as part of the detailed design review. Looping of water mains, interim drainage, etc., are all factors to be accommodated in the phasing scheme. Similarly, maintenance and waste collection vehicles must be accommodated for turning at the phase boundaries.
- (c) The Owner acknowledges that the phasing of the development shall be controlled through the use of a holding provision on the approved residential zone for the site. The Owner further acknowledges that from a sanitary servicing perspective, a pumping station upgrade is scheduled to occur in 2016, which will allow 300 residential lots to proceed in accordance with a phasing plan and subject to the removal of the holding provision in accordance with Section 6(6) of Zoning By-Law Number 76-26. The Owner acknowledges that the remaining residential units beyond the initial 300 would be subject to the holding provision until such time as Utilities Kingston confirms sufficient downstream capacity to support the additional development.
- (d) That the phasing of the development shall be proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, schools and other essential services.
- (d) That all agencies agree to registration by phases and provide clearances, as required, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.

12. Zoning By-Law Compliance

- (a) That the lands within this Draft Plan shall be appropriately zoned by a zoning by-law which has come into effect in accordance with the provisions of the *Planning Act*.
- (b) **That Prior to Final Plan Approval**, the Owner shall submit a Surveyor's Certificate which confirms that the lots and blocks within this Plan conform to

the minimum lot frontage and lot area requirements of the applicable zoning by-law.

13. Required Studies

- (a) **That Prior to Final Plan Approval**, the Owner shall submit a Geotechnical Study, certified by a Professional Engineer, to the satisfaction of the Municipality. The recommendations of the Geotechnical Study shall be incorporated into the Subdivision Agreement and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the Municipality.
- (b) **That Prior to Final Plan Approval**, the Owner shall submit an Environmental Site Assessment (Phase 1 ESA) for all areas of the subdivided lands intended for residential occupancy or conveyance as parkland, roadway or storm water infrastructure. In general, the City will require that the proponent provide assurances that the environmental quality of the soils and groundwater within the lands intended for development are compatible with the intended land use as described within the Guideline for Use at Contaminated Sites in Ontario (MOE rev. 1997) or its successor. In general the Phase 1 ESA shall be carried out in accordance with standard CSA Z768-01 and shall be up to date. The recommendations of the Study shall be incorporated into the Subdivision Agreement and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the Municipality.

Should site remediation be required to meet the applicable soil and ground water criteria set out in applicable guidelines, the Owner shall submit to the Municipality **Prior to Final Plan Approval**, a copy of the Record of Site Condition acknowledged by a Provincial Officer of the Ministry of the Environment.

The Owner shall provide a certificate by a qualified professional that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the Municipality, meet the applicable soil and ground water criteria.

- (c) **That Prior to Final Plan Approval** all recommendations of the Servicing Study shall be incorporated into the Subdivision Agreement and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the Municipality.
- (d) **That Prior to Final Plan Approval**, the Owner shall submit a Traffic Impact Report, prepared by a qualified Professional Engineer to the satisfaction of the Municipality. The Subdivision Agreement shall contain provisions for the Owner to design, construct and financially secure the costs of any off site road improvements as are deemed necessary by the Report's

- recommendations to the satisfaction of the Municipality's Director of Engineering.
- (e) **That Prior to Final Plan Approval**, the Owner shall submit a Traffic Calming Plan prepared by a qualified Professional Engineer to the satisfaction of the Municipality (City's Senior Road Designer and City's Traffic Engineer).
 - (f) **The** Owner shall be responsible for the design and construction of the proposed eastbound left-turning lane and westbound right-turning taper on Princess Street and Street 'A'. The design shall be prepared by a qualified Professional Engineer to the satisfaction of the Municipality (City's Senior Road Designer).
 - (g) **That Prior to Final Plan Approval**, a Stormwater Management Report and implementing plans for the development shall be prepared by a qualified Professional Engineer, to the satisfaction of the Municipality and Cataraqui Region Conservation Authority. The Engineer in his/her municipal design shall take into account any recommendations contained within the Storm Water Management Report. Such plans shall be appended to the Subdivision Agreement. The subdivision agreement between the City and the Owner shall include appropriate text to implement the findings of the Final Stormwater Management Report and shall make provision for the Owner to carry out the recommendations of the Final Storm Water Management Report, at his expense, to the satisfaction of the City of Kingston and the Cataraqui Region Conservation Authority.
 - (h) **That Prior to Final Plan Approval**, the Owner shall submit a detailed Noise Impact Study prepared by a qualified Professional Engineer to the satisfaction of the Municipality and any requirements of the Ministry of Environment Guidelines. The recommendations of the Study shall be incorporated into the Subdivision Agreement between the Owner and the Municipality and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the Municipality.

Acoustic fencing may be required based on the findings of the Noise Impact Study. The Noise Impact Study will be reviewed when a grading plan is available.
 - (i) **That Prior to Final Plan Approval**, the Owner shall submit a Landscape Plan prepared by qualified individual(s) to the satisfaction of the Municipality and the Cataraqui Region Conservation Authority and shall be included in the Subdivision Agreement between the Owner and the Municipality.
 - (j) A Landscape Plan shall be prepared for Blocks 383, 384, 385, 393, 395, 396, 398, 400 (relating to the area around the stormwater management facility, watercourse re-alignment, Street 'A', and, if appropriate, for the parkland blocks) and approved to the satisfaction of the City and the Cataraqui Region Conservation Authority, and be included in the Subdivision Agreement

- between the Owner and the City. The plan must include such details as proposed vegetation, substrate/bank materials and mitigation measures (e.g. check dams).
- (k) **That Prior to Final Plan Approval**, a Watercourse Realignment Plan shall be prepared by a qualified Professional Engineer and submitted by the Owner to the satisfaction of the Municipality and the Cataraqui Region Conservation Authority.
 - (l) **That Prior to Final Plan Approval**, the Owner shall provide the Municipality and the Cataraqui Region Conservation Authority with confirmation from Union Gas that Union Gas is satisfied that the proposed watercourse realignment within its easement, as described in the approved final Watercourse Realignment Plan (referenced herein under Section 11[m]), will not put the pipeline at risk.
 - (m) **That Prior to Final Plan Approval**, a Floodplain Compensation Plan related to floodplain management on the affected section of Collins Creek shall be prepared by a qualified Professional Engineer and submitted by the Owner to the satisfaction of the Cataraqui Region Conservation Authority and shall be executed through a permit under Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses prior to the commencement of site alteration on the subject lands.
 - (n) The Owner acknowledges that Butternut, an endangered species, occurs on site and there may be subsequent requirements under the *Endangered Species Act*, 2001. Prior to final approval, a Butternut Health Assessment shall be completed by a designated Butternut Health Assessor, in accordance with MNR's most current Draft Butternut Assessment Guidelines, on all Butternut Trees on site.

14. Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses

- (a) That the Pre-Servicing Agreement (if applicable) and the Subdivision Agreement include text to the satisfaction of the CRCA notifying the Owner that permission from the CRCA will be required under Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses for removal of the watercourse on the western half of the property, for realignment of the watercourse on the eastern half of the property, and for general stockpiling, filling and grading within 120 metres of the Collins Creek Wetland, and within 15 metres of the existing watercourse on the eastern half of the property. The Agreement shall also include text advising subsequent purchasers and/or owners of this requirement.
- (b) That the Subdivision Agreement include text to the satisfaction of the CRCA notifying the Owner that permission from the CRCA will be required under

Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses prior to the commencement of development and site alteration (including but not limited to watercourse realignment, buildings, structures, filling and grading) on Blocks 383 to 385, 390, 392, 393, 395 to 400, and on Lots 1 to 17, 114 to 123 to 129, 154 to 156, 316 to 333, and 367 to 381. The agreement shall also include text advising subsequent purchasers and/or owners of this requirement.

15. Kingston Fire and Rescue

- (a) Construction of homes shall be phased as to permit a firebreak every seventh lot designated by the Owner with the final submission being approved by the Chief Fire Official. No building permits shall be issued for the designated fire break lots until such time in which the exterior finish cladding, roofing and windows are complete on the abutting lots unless approved by the Chief Fire Official.
- (b) Road access shall be developed so as not to create a dead-end portion greater than 150 meters with approved turn around facilities to the satisfaction of the Chief Fire Official.
- (c) Access for firefighting and water supply availability shall be approved by the Kingston Fire and Rescue prior to the issuance of any building permits for the construction of model homes.

16. Built Heritage

- (a) That the Final Plan Submission be prepared in accordance with the recommendation of the Heritage Impact Statement (Golder Associates, Report Number 12-1126-0023, July 10, 2013). The following recommendations from the HIS shall be incorporated into the Subdivision agreement and final design drawings (where applicable):
 - i. The Owner shall establish a secure perimeter, through the installation of temporary snow or construction fencing, around the limestone house to buffer from potential adverse impacts to the cultural heritage resource as a result of construction activities and large equipment;
 - ii. The Owner shall ensure that utility services and signage associated with the new development do not negatively impact the limestone house within the new subdivision;
 - iii. The Owner shall install fencing to create a visual screen behind and beside the limestone house following the completion of construction activities;

- iv. The Owner shall retain existing mature vegetation where possible and the Owner is encouraged to plant new landscape elements to create a visual screen around the limestone house;
- v. Following the completion of construction activities, the Owner shall notify municipal heritage staff and provide an opportunity to inspect the property to ensure no unanticipated adverse impacts have been experienced.

17. Archaeological Assessment

- (a) That the Subdivision Agreement shall contain provisions that in the event that deeply buried or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, all work must immediately cease and the site must be secured. The Cultural Program Branch of the Ministry of Culture & Sport (416-314-7132) and the City of Kingston Heritage Planner (613-546-4291 extension 3180) must be immediately contacted.
- (b) That the Subdivision Agreement shall contain provisions that in the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police (613-549-4660), the Registrar of Cemeteries Regulation Section of the Ontario Ministry of Consumer Business Services (416-326-8404), the Cultural Program Branch of the Ministry of Culture (416-314-7132), and the City of Kingston Heritage Planner (613-546-4291 extension 3180) must be immediately contacted.
- (c) That the Subdivision Agreement shall contain provisions to require additional First Nation consultation with the Mohawks of the Bay of Quinte, and an addendum to the First Nations Consultation Report be completed and prepared to the satisfaction of the Municipality provided to Staff, should any additional archaeological sites or artifacts be discovered.

18. Stormwater Management

- (a) **That Prior to Final Plan Approval**, Blocks 383, 391 and 395 shall be deeded to the Municipality for Stormwater Management and drainage purposes. The design of the pond's open space, including any connecting paths, shall be subject to approval by the Municipality.
- (b) **That Prior to Final Plan Approval**, the Owner shall submit lot grading, drainage, erosion and sediment control plans prepared by a qualified Professional Engineer to the satisfaction of the Municipality and the Cataraqui Region Conservation Authority. The approved plans shall be included in the Subdivision Agreement between the Owner and Municipality.
- (c) **Prior to Final Plan Approval and Prior to any Works Commencing on the Site**, the Owner shall submit for approval by the Municipality and the Cataraqui Region Conservation Authority (CRCA), a detailed engineering

report(s) that describes the storm drainage system for the proposed development, which shall include:

- i) Plans illustrating how this drainage system will be tied into the surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, the design capacity of the receiving system and how external flows will be accommodated;
 - ii) The location and description of all outlets and other facilities;
 - iii) Storm water management techniques which may be required to control minor and major flows;
 - iv) Proposed methods of controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction;
 - v) Overall grading plans for the subject lands; and
 - vi) Storm water management practices to be used to treat storm water, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to fish and their habitat.
- (d) That the Owner shall agree to maintain all storm water management and erosion and sedimentation control structures operating and in good repair during the construction period.

19. Existing Private Water and/or Sanitary Servicing

- (a) That any existing wells or septic systems that may be present on the site be decommissioned as per all applicable regulations pertaining to each.

20. Parkland Conveyance/Open Space/Environmental Protection Areas

- (a) That the Owner conveys Blocks 386 (0.63 ha) and Block 392 (0.79ha), as described in the Draft Plan of Subdivision, to the Municipality for park or other public recreational purposes prior to final approval of the first phase of the subdivision. If future phases of the subdivision are significantly altered which will warrant for additional parkland dedication due to an increase in density, the municipality may require either cash-in-lieu of parkland or land in excess of the amounts already contributed by Blocks 386 or 392.
- (b) That lands to be conveyed to the Municipality for park or other public recreational purposes shall be subject to the following conditions:
- (i) That all lands shall be left in an untouched, natural state unless otherwise required. All existing vegetation is to remain within the limits of the park site, including any significant trees at the property line unless otherwise required. All dead trees are to be removed by the Owner prior to park assumption, and all trees within 5 metres of bordering residential lots or proposed street development to these park spaces are to have imminent liability threats removed (e.g. Large deadwood). Existing grades/elevations are to be maintained within the park unless approval for site alteration is received in writing from the Manager, Parks

- Development or designate. Any filling, rough grading and preparation of park block by the developer will be subject to approval by the City. The developer will be required to prepare the block so that a grade relationship is established between the park and the surrounding street frontages and housing blocks, such that accessibility may be expected to be reasonably achieved by the City during future park development.
- (ii) That prior to Assumption of the park, the Manager, Parks Development shall be in receipt of a clearance memo from the Manager of Environment indicating that the park site is environmentally clean.
- (iii) That the Owner shall allow City staff or an agent of the City to access the park site to complete pre-engineering, survey and design works for the park. The City shall inform the developer when they are accessing the site for such purposes.
- (iv) That Prior to the Commencement of any Clearing, Grubbing or Construction Work within 10 metres of the park blocks defined on the Draft Plan, the Owner shall:
1. Install snow fencing around the periphery of the park site to protect the site.
 2. Post signage to Municipality specifications, on all accessible sides of each park block, which indicates:
 - The future use of the block as a park;
 - That no construction storage shall occur on this parcel of land nor shall any construction debris be dumped on this site; and
 - That all trees and other vegetation must not be disturbed.
- (v) **That Prior to the Transfer of Deeds for the Parkland to the Municipality**, the Manager, Parks Development or designate shall inspect the park site to ensure that the park is in a clean/natural state and any required grading, filling or clearing has been completed. The conditions on the site must be satisfactory to the Manager, Parks Development prior to transfer of title and the removal of the snow fencing. Should the park blocks be in an unsatisfactory state, the Owner shall be held responsible for restoring the site to the Municipality's satisfaction.
- (c) That the Owner shall deed the lands described as Natural Open Space, to the Municipality, said lands being described as Blocks 393, 396, and 398 as natural areas. Text shall be included in the Subdivision Agreement between the Owner and Municipality, to advise all purchasers that these public lands are intended to remain in a naturalized condition and that only risk management practices will be done on the land as required by the

Municipality. No regular or periodic maintenance will be done on the subject parcel.

- (d) That the Owner shall deed the lands described as Environmental Protection Area, without prejudice or compensation, to the Municipality, said lands being described as Blocks 385, 397, 399 and 400. Text shall be included in the Subdivision Agreement between the Owner and Municipality, to advise all purchasers that these public lands are intended to remain in a naturalized condition, for the purpose of providing fish and wildlife habitat and opportunities for passive recreation, and that the lands may be subject to flooding and erosion from time to time. Risk management practices only will only be done on the land. No regular or periodic maintenance will be done on the subject parcel.

21. Tree Inventory/Street Trees

- (a) That prior to any grubbing/clearing or construction on parcels of land not defined as roadways or servicing easements on the draft plan, the Owner shall receive final approval from the Municipality for a Tree Preservation plan prepared for the subject lands. The final approved tree inventory plan shall be prepared by a certified arborist (ISA approved), and shall set out the surveyed locations of all trees on the site. The tree inventory shall list the species, caliper size, condition, crown radius and indicate whether the tree is to be retained or removed. If trees 6 inches (150 millimetres) or more in diameter are to be removed from the subject lands, the developer will abide by the conditions of the tree removal permit under the Tree Conservation By-Law which may, at the Supervisor of Forestry's discretion, include a tree preservation plan, a tree replacement plan or cash compensation for the value of the trees to be removed. If the tree is to be removed a rationale for this action must be noted. If significant trees or groups of trees are identified to be retained in the tree inventory, a tree preservation plan will be required prior to final approval at the discretion of the Municipality. This plan shall be reviewed and approved by the Municipality and be included as a schedule to the Subdivision Agreement. Requirements for the tree preservation plan are noted in the subdivision design guidelines produced by the Municipality. The Owner shall obtain any necessary tree removal permits as required by The City's Tree By-Law (Number 2007-170).
- (b) The Tree Preservation Plan shall be implemented through notices to purchasers placed on title for affected lots (Lots 90 through 97).

The Tree Preservation Plan shall be included in any Final Plan submission, taking into account any trees along the boundaries of the site and those that are outside of the allowable building envelope. During design, any re-grading/rear yard swales should take the existing trees around the boundaries of the site into account and make every effort to preserve these trees. Tree

removals and compensation shall be performed in accordance with the requirements of the Municipality's Tree By-Law, Number 2007-170.

- (c) **That Prior to Final Plan Approval**, the Owner shall submit a Street Tree Planting Plan prepared by a Landscape Architect to the satisfaction of the Municipality.

22. Canada Post - Community Mail Boxes

- (a) That prior to Final Plan Approval, the Owner shall, in consultation with and to the satisfaction of Canada Post, identify the location of community mail boxes within the Plan, and shall identify such locations on drawings for approval by the City.
- (b) That prior to Final Plan Approval, the Owner shall, in consultation with and to the satisfaction of the City, provide detailed design plans for the community mail boxes including a landscape plan showing street furniture and complimentary architectural features.
- (c) That the Owner shall provide a suitable temporary community mailbox location(s) until the curbs, sidewalks and final grading have been completed at the permanent location(s).
- (d) That prior to Final Plan Approval, the Owner shall enter into a Community Mailbox Developer Agreement and pay the Address Activation Fee with Canada Post Corporation for the installation of Community Mail Boxes as required by Canada Post.
- (e) That the Owner shall identify in all offers of purchase and sale, or lease for all lots and blocks within this Plan that mail delivery will be provided via a community mail box, provided that the Owner has paid for the activation and equipment installation of the community mail box, and the locations of all community mail boxes within this Plan. A Notice to Purchasers shall also be included in the Subdivision Agreement to this effect.

23. Bell Canada Requirements

That the Owner shall meet the following conditions of Bell Canada:

- (a) That the Owner shall agree in the Subdivision Agreement, in words satisfactory to Bell Canada, to grant Bell Canada any easements that may be required for telecommunications services; and
- (b) That the Owner shall be requested to enter into an Agreement (Letter of Understanding) with Bell Canada complying with any underground servicing conditions imposed by the Municipality, or if no such conditions are imposed, the Owner shall advise the Municipality of the arrangements for servicing.
- (c) The Developer is hereby advised that prior to commencing any work within the Plan, the Developer must confirm that sufficient wire-line

communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the Developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Developer shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).

24. Trans-Northern Pipelines Inc. Requirements

- (a) That approval from Trans-Northern Pipelines Inc. shall be obtained prior to any work occurring within the easement or if work will cross the pipeline.
- (b) That prior to any excavation within 30 metres of the Trans-Northern Pipeline easement, the owner/contractor shall contact Trans-Northern Pipeline.
- (c) That prior to any work within the pipeline easement the pipeline using heavy equipment, the owner/contractor shall contact Trans-Northern Pipeline a minimum of 3 working days prior to commencement of the activity.
- (d) **Prior to Final Plan Approval**, the Owner shall provide confirmation that Lots 46 to 49, Lots 174 to 193 and Lots 310-315 are the subject of restrictive covenants regarding fencing that crosses the Trans-Northern Pipeline easement.

25. Utilities Requirements

- (a) **Prior to Final Plan Approval**, the Owner shall satisfy all technical, financial and other requirements of Utilities Kingston regarding the design, installation, connection and/or expansion of water distribution services and sanitary sewer distribution services, or any other related matters.
- (b) The Owner shall agree to design, purchase materials and install a street lighting system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with Municipal standards and specifications.

26. Hydro One Networks Incorporated (HONI) Requirements

- (a) The conditions contained under Section 26 should in no way be construed as permission or an endorsement of proposed location(s) for any road crossing(s) contemplated for the proposed development. This permission may be specifically granted by OILC under separate agreement(s). Proposals

for any secondary land use including road crossings on the transmission corridor are proposed through the Provincial Secondary Land Use Program (PSLUP), HONI, as OILC's Service Provider, will review detailed engineering plans for such proposals separately, in order to obtain final approval.

Should approval for a road crossing be granted, the Owner shall then make arrangements satisfactory to OILC/HONI for the dedication and transfer of the proposed road allowance directly to the Municipality.

Access to, and road construction on the OILC/HONI transmission corridor is not to occur until the legal transfer(s) of lands or interests are completed.

- (b) **Prior to Final Plan Approval**, the Owner shall submit copies of the lot grading and drainage plan, showing existing and final grades must be submitted to HONI in triplicate for review and approval. Drainage must be controlled and directed away from OILC/HONI transmission corridor.
- (c) Temporary fencing must be installed along the edge of the transmission corridor prior to the start of construction at the Owner's expense.
- (d) Permanent 1.5 metre fencing must be installed along the mutual property line after construction is completed at the Owner's expense.
- (e) OILC /HONI transmission corridor is not to be used without the express written permission of Hydro One Networks Inc. on behalf of OILC. During construction there will be no storage of materials or mounding of earth, snow or other debris on the transmission corridor. The Owner will be responsible for restoration of any damage to the transmission corridor or HONI facilities thereon resulting from construction of the subdivision.
- (f) The costs of any relocations or revisions to HONI facilities that are necessary to accommodate this subdivision will be borne by the developer.
- (g) If the proposed development is within close proximity to a Transmission or Distribution station the following applies:
 - i. The Owner shall confirm and agree that every agreement of purchase and sale heretofore and hereafter entered into by the Owner with any purchaser(s) of any unit or proposed unit in the Development contains the following notice/warning provisions (or clauses substantially similar thereto in all respects), namely: "Each unit purchaser and/or lessee specifically acknowledges and agrees that the development of the Lands upon which this Development is being (or has been) constructed, will be (or has been) undertaken and completed in accordance with any requirements that may be imposed from time to time by any Governmental Authorities and that the proximity of this Development to facilities, installations and/or equipment owned and/or operated by HONI may result in noise, vibration, electro-magnetic interference and stray current transmissions (hereafter collectively referred to as the

“Interferences”) to this Development, and despite the inclusion of control features within this Development, Interferences from the aforementioned sources may, occasionally interfere with some activities of the occupants in this Development. Notwithstanding the above, each unit purchaser and/or lessee agrees to indemnify and save HONI harmless from and against all claims, losses, judgments or actions arising or resulting from any and all of the Interferences. In addition, it is expressly acknowledged and agreed that HONI does not, and will not accept any responsibility or liability for any of the Interferences in respect of this Development and/or its occupants. Furthermore, there may be alterations and/or expansions by HONI to its facilities and/or transformer station which may temporarily affect the living environment of the residents notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the Development. HONI will not be responsible for any complaints or claims of any kind howsoever arising from use, expansion and/or alterations of such facilities and/or operations on, over or under its transformer station. Furthermore, each unit purchaser and/or lessee acknowledges and agrees that an electro-magnetic, stray current and noise warning/vibration clause similar to the foregoing shall be inserted into any succeeding or subsequent sales agreement, lease or sublease, and that this requirement shall be binding not only on the Purchaser hereunder but also upon the Purchaser’s respective heirs, estate trustees, successors and permitted assigns, and shall not cease or terminate on the closing of this purchase and sale transaction with the Vendor/Declarant.”

- ii. The Developer covenants and agrees that so long as the City does not object thereto, the language set out in Section 26g(i) hereof (or language substantially similar thereto) shall also be included in the Subdivision agreement between the Owner and the Municipality.
- (h) The transmission lines abutting this subdivision operate at 500,000; 230,000; or 115,000 volts. Section 188 – Proximity – of the Regulations for Construction Projects in the Occupational Health and Safety Act, require that no object be brought closer than 6 metres (15 feet) and for 115kV conductors it is 3 metres (10 feet). It is the Owner’s responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the conductors can raise and lower without warning, depending on the electrical demand placed on the line.

27. Warning Clauses

That the Owner shall cause the following warning clauses to be included in a schedule to all offers of purchase and sale, or lease for all lots/blocks within this Plan:

- (a) Within the entire subdivision plan:
- (i) "Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including from construction activities, may be of concern and occasionally interfere with some activities of the dwelling occupants."
 - (ii) "Purchasers and/or tenants are advised that the proposed finished lot and/or block grading may not meet Municipality of Kingston lot grading criteria in certain areas to facilitate preservation of existing vegetation and to maintain existing adjacent topographical conditions".
 - (iii) "Purchasers and/or tenants are advised that traffic calming measures may have been incorporated into the road allowances."
 - (iv) "Purchasers and/or tenants are advised that the planting of trees on Municipality boulevards in front of residential units is a requirement of the Municipality and a conceptual location Plan is included in the Subdivision Agreement. While every attempt will be made to plant trees as shown, the Municipality reserves the right to relocate or delete any boulevard tree without further notice."
 - (v) "Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox, the location of which will be identified by the Owner prior to any home closings."
 - (vi) "Purchasers and/or tenants are advised that any roads ending in a dead end or temporary turning circle may be extended in the future to facilitate development of adjacent lands, without further notice."
- (b) Abutting any open space, woodlot or storm water facility:
- (i) "Purchasers and/or tenants are advised that the adjacent open space, woodlot or storm water management facility may be left in a naturally vegetated condition and receive minimal maintenance."
- (c) Abutting a park block:
- (i) "Purchasers and/or tenants are advised that the lot abuts a "Public Park", and that noise and lighting should be expected from the designed active use of the park."

28. Model Homes

That where the Owner proposes to proceed with the construction of a model home(s) prior to registration of the Plan, the Owner shall enter into an Agreement with the Municipality, setting out the conditions, and shall fulfill all relevant conditions of that Agreement prior to issuance of a building permit.

29. General Conditions

- (a) That prior to Final Plan Approval, the Applicant will submit a detailed account of how each Condition of Draft Plan Approval has been satisfied.
- (b) That the Owner shall pay any and all outstanding application fees to the department of Planning, Building & Licensing Services, in accordance with the Municipality's Tariff of Fees By-Law.
- (c) That when requesting Final Approval from the Municipality, the Owner shall accompany such request with the required number of originals and copies of the Final Plan, together with a surveyor's certificate stating that the lots/blocks thereon conform to the frontage and area to the requirements of the zoning by-law.
- (d) That the Owner agrees to remove any driveways and buildings on site, which are not approved to be maintained as part of the Plan; any modification to off-site driveways required to accommodate this Plan shall be coordinated and completed at the cost of the Owner.
- (e) That the Owner shall agree that all lots or blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing prior to assumption of the works by the municipality.
- (f) **That Prior to Final Plan Approval**, the Owner shall pay the proportionate share of the cost of any external municipal services, temporary and/or permanent, built or proposed, that have been designed and oversized by others to accommodate the subject plan.
- (g) That the Owner shall agree to erect fencing in the locations and of the types as shown on the approved subdivision works drawings and as required by the Municipality.
- (h) The Owner shall agree that no building permits, with the exception of model homes, will be applied for until the Municipality is satisfied that adequate access, municipal water, sanitary and storm services are available.

30. Clearance Letters

- (a) **That Prior to Final Plan Approval**, the approval authority shall advise that all Conditions of Draft Plan Approval have been satisfied; the clearance memorandum shall include a brief statement detailing how each Condition has been met.
- (b) **That Prior to Final Plan Approval**, the Municipality is to be advised in writing by the Cataraqui Region Conservation Authority the method by which Conditions 13(g), (i), (j), (k), (l) have been satisfied.
- (c) **That Prior to Final Plan Approval**, the City is to be advised in writing by Canada Post the method by which Condition 22 has been satisfied.

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- (d) **That Prior to Final Plan Approval**, the Municipality is to be advised in writing by Ontario Hydro the method by which Condition 26 has been satisfied.
 - (e) **That Prior to Final Plan Approval**, the Municipality is to be advised in writing by Trans-Northern Pipelines Inc. the method by which Condition 24 has been satisfied.

31. Lapsing Provisions

- (a) That pursuant to Section 51(32) of the *Planning Act*, this Draft Plan Approval shall lapse at the expiration of **three (3) years from the date of issuance of Draft Plan Approval** if final approval has not been given, unless an extension is requested by the Owner and, subject to review, granted by the approval authority.
- (b) That pursuant to Section 51(33) of the *Planning Act*, the Owner may submit a request to the approval authority for an extension to this Draft Plan Approval. The extension period shall be for a maximum of two (2) years and must be submitted prior to the lapsing of Draft Plan Approval. Further extensions may be considered at the discretion of the approval authority where there are extenuating circumstances.

(By-Law (4), 2015-175, is attached as Schedule Pages 43-48)

(By-Law (5), 2015-176, is attached as Schedule Pages 49-54)

d) Application for Zoning By-Law Amendment - Secondary Suites Pilot Project Area (The Corporation of the City of Kingston)

That the application for zoning by-law amendment (File Number D14-133-2015) submitted by the City of Kingston, be approved; and

That Council determines that in accordance with Section 34(17) of the *Planning Act*, no further notice is required prior to the passage of the by-law; and

That the Council of the Corporation of the City of Kingston hereby enacts as follows:

1. By-Law Number 76-26 of The Corporation of the City of Kingston, entitled "A By-Law to Regulate the Use of Lands and the Character, Location and Use of Buildings and Structures in the Township of Kingston", as amended, is hereby further amended as follows:
 - 1.1. Schedule "D", as amended, is hereby further amended by removing the subject lands from the Pilot Project Area on Schedule "D", as shown on Schedule "A" attached to and forming part of By-Law Number 2015-177.
 - 1.2. Schedule "D", as amended, is hereby further amended by adding a Holding (-H) Symbol to the subject lands, as shown on Schedule "A" attached to and forming part of By-Law Number 2015-177.

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- 1.3. That Section 3 as amended, is hereby further amended by the following immediately after Schedule “B” as follows:

Schedule “C” – Geometric Design Standards for Parking.

Schedule “D” – Overlay Zones comprised of Secondary Suites Pilot Area map.

- 1.4 That Section 4 as amended, is hereby further amended by deleting and replacing Section 4(112B) as follows:

“(112B) “Principal Residential Unit” means the main/core structure intended for human habitation, on a lot”; and

That the amending by-law be presented to Council for all three readings; and

That By-Law Number 97-102 of The Corporation of the City of Kingston, entitled “The Cataraqui North Zoning By-Law”, as amended, is hereby further amended as follows:

- 1.1. That Section 6 as amended, is hereby further amended by deleting and replacing the definition “**Principal Residential Unit**” as follows:

“Principal Residential Unit

Means the main/core *structure* intended for human habitation, on a lot”; and

That the amending by-law be presented to Council for all three readings; and

That By-Law Number 32-74 of The Corporation of the City of Kingston, entitled “A By-Law to Regulate the Use of Lands and the Character, Location and Use of Buildings and Structures in the Township of Pittsburgh”, as amended, is hereby further amended as follows:

- 1.1. Schedule “C”, as amended, is hereby further amended by adding Map 2, as shown on Schedule “A” attached to and forming part of By-Law Number 2015-179.
- 1.2. Schedule “C”, as amended, is hereby further amended by adding Map 3, as shown on Schedule “B” attached to and forming part of By-Law Number 2015-179.
- 1.3. That Section 2 as amended, is hereby further amended by deleting and replacing the sub section “Schedule “C” as follows:
“Schedule “C” - Overlay Zones comprised of Maps 1, 2 and 3 Secondary Suites Pilot Area”
- 1.4. That Section 5 as amended, is hereby further amended by deleting and replacing Section 5(3)(b) as follows:

“(b) (Deleted)”; and

That the amending by-law be presented to Council for all three readings.

(By-Law (6), 2015-177, is attached as Schedule Pages 55-57)

(By-Law (7), 2015-178, is attached as Schedule Pages 58-59)

(By-Law (8), 2015-179, is attached as Schedule Pages 60-62)

e) Application for Official Plan and Zoning By-Law Amendment - Williamsville Main Street (City of Kingston)

That the application for official plan amendment (File Number D09-034-2015), submitted by the City of Kingston, for the Williamsville Main Street, be approved; and

That the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. The Official Plan for the City of Kingston, as amended, is hereby further amended, as part of amendment number 37 to the Official Plan as follows:
 - 1.1 Amend Schedule PS-1, Princess Street Corridor Special Policy Area: Williamsville Main Street, by modifying the boundary identified as the "Area to Which This Schedule Applies", as shown on Schedule "A" attached to, and forming part of By-Law Number 2015-180.
2. The Official Plan for the City of Kingston is hereby amended by the following policy changes, which shall also constitute part of Amendment Number 37 to the Official Plan for the City of Kingston.
 - 2.1 Amend Section 10E.1.17.b. by adding the word "long-term" between the words "primary" and "use", so that the section reads as follows: "Private surface parking facilities will not be permitted as the primary long-term use of the property."
 - 2.2 Amend Section 10E.1.17.b. further by adding the following wording as a second sentence: "Private surface parking facilities may be permitted as a temporary use, subject to a temporary use by-law and a site plan control agreement"; and

That the amending by-law be presented to Council for all three readings; and

That the application for zoning by-law amendment (File Number D14-131-2015), submitted by the City of Kingston, for the Williamsville Main Street, be approved; and

That Council determines that in accordance with Section 34(17) of the Planning Act, no further notice is required prior to the passage of the by-law; and

That By-Law Number 8499 of The Corporation of the City of Kingston, as amended, is hereby further amended as follows:

- 1.1 Amend Section 23C by re-numbering the second Section 23C.2 "Regulations" as Section 23C.3, and re-numbering Section 23C.3 "Definitions" as Section 23C.4.;

- 1.2 Amend Section 5.3B(g), by adding the words “and C4” after the words “In Zone C1”;
- 1.3 Amend Section 5.3B(g)(ii), by adding the words “or C4” after the words “...in Zone C1”; and
- 1.4 Amend Section 23C to permit surface parking facilities as a temporary use in the Williamsville Main Street Commercial (C4) Zone by adding the following as a new Section 23C.5:

23C.5 Temporary Use

(T1) Williamsville Main Street

Expires: [Insert date three years from the date of the passing of By-Law Number 2015-181]

The lands to which By-Law Number 2015-181 applies may be used for the following uses, in addition to those uses permitted in Section 23C.2:

(a) Permitted Uses

- i. Surface parking lot

- 1.5 Amend Maps 19 and 20 of Schedule “A” by re-labeling the “C4-H” Zone as “C4-H (T1)”; and

That the amending by-law be presented to Council for all three readings.

(By-Law (9), 2015-180, is attached as Schedule Pages 63-65)

(By-Law (10), 2015-181, is attached as Schedule Pages 66-67)

Report Number 93: Received from the Municipal Heritage Committee

Report Number 93

To the Mayor and Members of Council:

The Kingston Municipal Heritage Committee reports and recommends as follows:

All items listed on this 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. Application for Heritage Permit under the Ontario Heritage Act
407 Regent Street**

That alterations to a designated property at 407 Regent Street, be approved in accordance with details described in the application (File Number P18-436-075-2015), which was deemed complete on August 13, 2015, with said alterations to include the following:

1. Replace the existing asphalt roofing on the one and a half storey dwelling and also the garage with like for like, or metal roofing, in a black/charcoal colour to blend with the existing colouring of the shingles, while maintaining the existing roof profile;
2. Repair, replacement or addition of metal flashing, where needed; and

That the approval of the alterations be subject to the following three conditions:

1. That the applicant ensure the eaves and downspouts are properly directing water away from the roof;
2. A building permit be obtained should it be discovered that structural repairs are required; and
3. Any required encroachment permits be obtained.

Report Number 94: Received from the Administrative Policies Committee

Report Number 94

To the Mayor and Members of Council:

The Administrative Policies Committee reports and recommends as follows:

All items listed on this 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. Tax Write Offs Pursuant to the Municipal Act, 2001

That Council approve the cancellation, reduction or refund of taxes pursuant to applications made under Sections 357 and 358 of the *Municipal Act, 2001* totaling \$1,469,517.46 of which \$1,303,185.42 is the City's portion and the amounts charged back to the school boards and Downtown Kingston! BIA are \$163,268.31 and \$3,063.73 respectively, as listed in Exhibit A attached to Report AP-15-024.

(Exhibit A is attached as Schedule Pages 68-71)

2. Public Notice Policy Update

That Council approve the amendments to the Public Notice Policy as attached as Exhibit B to Report AP-15-027.

(Exhibit B is attached as Schedule Pages 72-87)

Report Number 95: Received from the Arts, Recreation and Community Policies Committee

Report Number 95

To the Mayor and Members of Council:

The Arts, Recreation and Community Policies Committee reports and recommends as follows:

All items listed on this 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. Visual Arts Strategy Working Group

That the attached 'Visual Arts Strategy Working Group' report of June, 2015, be accepted and endorsed.

(Visual Arts Strategy Report is attached as Schedule Pages 88-109)

2. Dawn House Options

That City staff work with Dawn House Women's Shelter to explore the options outlined in Recommendation 61 of the Municipal 10-Year Housing & Homelessness Plan (the Plan) as options for Dawn House to consider after the expiry of its funding on September 30, 2015; and

That Dawn House seek the advice of a consultant familiar with Kingston's homeless services system and the Plan, with skills in non-profit business planning and management, to provide financial and business options for the agency's role in the housing and homeless system going forward to be paid from the remaining \$77,727 of City funding.

3. Appointment of Civic Collections Working Group

That in accordance with the Terms of Reference of the Civic Collections Working Group, Ms. Kathy Karkut, (member of the public), and Ms. Jennifer Nicoll, (member of the public) be appointed to the Civic Collections Working Group.

Committee of the Whole

Information Report

1. Update, Sir John A. Macdonald Bicentennial Commemorations

The purpose of this report is to provide Council with an update regarding the work that has been completed to date by the City of Kingston to commemorate the Bicentennial of Sir John A. Macdonald in 2015

(The Report of the Commissioner of Corporate & Strategic Initiatives (15-373) is attached as Schedule Pages 110-131)

(File Number CSU-M02-000-2015)

Information Reports from Members of Council

Miscellaneous Business

Motions of Council are required:

1. The following Councillors have indicated that they are willing to serve as Deputy Mayor for two-month increments:

Councillor Stroud
Councillor Neill
Councillor Allen
Councillor Boehme
Councillor Turner

A draw of names will be carried out by the Clerk and as the names are drawn they will be assigned the dates chronologically as listed below:

- November and December 2015 – Councillor X
- January and February 2016 – Councillor X
- March and April 2016 – Councillor X
- May and June 2016 – Councillor X
- July and August 2016 – Councillor X

As per the resolution approved, Council members will have an opportunity to “trade” two-month increment time slots and report back so that the times can be confirmed by Council at the Council meeting on October 20, 2015.

New Motions

1. Moved by Mayor Paterson
Seconded by Councillor Holland

Whereas the Kingston Economic Development Corporation (KEDCO) has been established to work collaboratively with the City of Kingston and local and regional partners to achieve prosperity by developing and promoting economic advantages to sustain and grow the economy of Kingston; and

Whereas Kingston City Council has directed that all external Agencies and Boards align plans with Council's priorities; and

Whereas there has been questions raised about KEDCO in the community in the recent months; and

Whereas KEDCO is a separately incorporated not for profit agency and led by a Board of Directors appointed by due process of which Kingston City Council members comprise four of a twelve member Board; and

Whereas KEDCO's Board of Directors has recently announced the launch of a review of its mandate, operations, structure and reporting methods;

Therefore Be It Resolved that Kingston City Council encourage KEDCO's Board of Directors to move forward with the review in an expeditious fashion; and

That KEDCO continue to focus on economic development initiatives during the review period; and

That the KEDCO Board report back to City Council by the end of Q4 2015; and

That by endorsing this motion Kingston City Council demonstrates its support of the KEDCO Board of Directors and the proposed review process.

2. Moved by Mayor Paterson
Seconded by Councillor Neill

Whereas Citizenship & Immigration Canada put out a call for proposals to seek funding from the Settlement, Resettlement Assistance (RAP) and Inter-action (Multiculturalism) Programs with a due date of August 10, 2015; and

Whereas KEYS Job Centre and Kingston Community Health Centres (KCHC) answered the call for proposals from Citizenship & Immigration Canada to establish a Refugee Resettlement Assistance Program in Kingston that would serve to welcome and support Government Assisted Refugees; and

Whereas the Kingston community is already well positioned to support newcomers with numerous local organizations offering settlement, language and other support services to ensure the successful integration of immigrants and refugees into our community; and

Whereas examples of Refugee Resettlement Assistance Program centres exist in small and medium-sized municipalities across the country to provide Government of Canada funded programs and services;

Therefore Be It Resolved That the City of Kingston support the joint application from KEYS and KCHC to the Federal Government to deliver the Refugee Resettlement Assistance Program in Kingston.

Notices of Motion

Minutes

That the Minutes of City Council Meeting Number 2015-22, held Tuesday, September 15, 2015 be confirmed.

(Distributed to all Members of Council on October 2, 2015)

Tabling of Documents

- 2015-102 Downtown Kingston! BIA
Board Minutes - June 2015
(File Number CSU-A01-001-2015)
- 2015-103 Kingston Police Services Board
Agenda – September 17, 2015
Minutes – July 16, 2015
(File Number CSU-P17-000-2015)
- 2015-104 KFL&A Public Health Board
Meeting Agenda – September 23, 2015
(File Number CSU-S08-001-2015)
- 2015-105 Kingston Frontenac Public Library
Meeting Minutes – June 24, 2015
Special Meeting Agenda – August 25, 2015
(File Number CSU-R02-000-2015)

Communications

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

Filed

- 23-527 From Kelly Stuart, Order of Business Coordinator, Council Services
Department, City of Windsor providing notice of Hydro One resolution.
(File Number CSU-E06-000-2015)
- 23-528 From Heather Woolsey, Administrative Assistant II, Administrative &
Legislative, City Clerk's Office, City of London providing notice of motion
with respect to Hydro One.
(File Number CSU-E06-000-2015)
- 23-529 Committee of Adjustment Notices of Public Hearing regarding 26 Faircrest
Boulevard, 1220 Carfa Crescent & 124 Beverley Street.

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- (File Number CSU-D19-000-2015)
- 23-531 From the Committee of Adjustment, a Notice of Decision for the following applications:
CONSENT – In respect of an application for consent to sever the property at 51-53 Hickson Avenue, the Committee decided that the application **Should be Provisionally Approved**, subject to conditions. The final date for appeal is October 1, 2015.
- (File Number CSU-D19-000-2015)
- 23-535 From the Committee of Adjustment, a Notice of Decision for the following applications:
CONSENT – In respect of an application for consent to sever the property at 37 Ellerbeck Street, the Committee decided that the application **Should be Provisionally Approved**, subject to conditions. The final date for appeal is October 6, 2015.
- (File Number CSU-D19-000-2015)
- 23-539 From the Committee of Adjustment, a Notice of Decision for the following applications:
MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law Number 8499 for the property at 45 Napier Street, the Committee decided that the application **Should be Approved**, subject to conditions. The final date for appeal is October 19, 2015.
MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law Number 8499 for the property at 288 Helen Street, the Committee decided that the application **Should be Approved**, subject to conditions. The final date for appeal is October 19, 2015.
MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law Number 32-74 for the property at 26 Faircrest Boulevard, the Committee decided that the application **Should be Approved**, subject to conditions. The final date for appeal is October 19, 2015.
MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law Number 76-26 for the property at 1220 Carfa Crescent, the Committee decided that the application **Should be Approved**, subject to conditions. The final date for appeal is October 19, 2015.
MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law Number 8499 for the property at 124 Beverly Street, the Committee decided that the application **Should be Approved**, subject to conditions. The final date for appeal is October 19, 2015.
- (File Number CSU-D19-000-2015)
- 23-540 From Vanessa Latimer, Clerk, Township of Leeds & Thousand Islands - Notice of Passing Zoning By-Law Amendment
(File Number CSU-D14-000-2015)

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- 23-541 From Debbie Shields, City Clerk, City of Pickering, acknowledging receipt of Motion regarding Hydro One.
(File Number CSU-E06-000-2015)
- 23-542 From Kathleen Wynne, Premier, acknowledging receipt of resolution regarding Hydro One.
(File Number CSU-E06-000-2015)
- 23-543 From Toast and Jam, an application for a liquor licence from the Alcohol and Gaming Commission of Ontario for an establishment located at 1530 Bath Road.
(File Number CSU-P09-000-2015)
- 23-544 From Fête, an application for a liquor licence from the Alcohol and Gaming Commission of Ontario for an establishment located at 27 Princess Street.
(File Number CSU-P09-000-2015)
- 23-545 From Don Cherry's Sports Grill, an application for a liquor licence from the Alcohol and Gaming Commission of Ontario for an establishment located at 686 Princess Street.
(File Number CSU-P09-000-2015)
- 23-546 From Jeffrey Abrams, City Clerk, City of Vaughan, acknowledging receipt of letter and motion regarding Hydro One.
(File Number CSU-E06-000-2015)
- 23-547 Notice of Public Meeting - Proposed Zoning By-Law Amendment - 84 Centre Street.
(File Number CSU-D14-000-2015)

Referred to All Members of Council

- 23-525 From Association of Municipalities of Ontario (AMO) - AMO Communications - Risk Management – Practical Solutions for Ontario Municipalities.
(Distributed to all Members of Council on September 25, 2015)
(File Number CSU-A01-004-2015)
- 23-526 From Glenn Murray, Minister of the Environment and Climate Change - Announcing 2015 Great Lakes Guardian Community Fund.
(Distributed to all Members of Council on September 25, 2015)
(File Number CSU-F11-000-2015)
- 23-530 From Association of Municipalities of Ontario (AMO) - AMO Communications - AMO Policy Update - MMAH Legislation Review - AMO Makes Initial Submission
(Distributed to all Members of Council on September 25, 2015)
(File Number CSU-L11-000-2015)
- 23-532 From Association of Municipalities of Ontario (AMO) – AMO Communications - AMO POLICY UPDATE - Federal Election 2015.
(Distributed to all Members of Council on October 2, 2015)

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- (File Number CSU-C07-000-2015)
- 23-533 From Donna Campbell, Administrative Assistant, Cataraqui Region Conservation Authority (CRCA) – Conservation Authorities Act Review - Municipal Backgrounder and Session Reminder.
(Distributed to all Members of Council on October 2, 2015)
(File Number CSU-L11-000-2015)
- 23-534 From Association of Municipalities of Ontario (AMO) – AMO Communications - Registration Open for 2015 Ontario West Municipal Conference.
(Distributed to all Members of Council on October 2, 2015)
(File Number CSU-A01-004-2015)
- 23-536 From Frank Dixon, resident, regarding Kingston Transit – Downtown Transfer Point.
(Distributed to all Members of Council on October 2, 2015)
(File Number CSU-A01-004-2015)
- 23-537 From Association of Municipalities of Ontario (AMO) – AMO Communications – AMO Report to Member Municipalities – Highlights of the September 2015 Board Meeting.
(Distributed to all Members of Council on October 2, 2015)
(File Number CSU-A01-004-2015)
- 23-538 From Association of Municipalities of Ontario (AMO) – AMO Communications – Last Chance for Energy Finance Workshops! Register Today.
(Distributed to all Members of Council on October 2, 2015)
(File Number CSU-A04-000-2015)
- 23-548 From TransCanada Public Awareness Team, Important Safety Information - TransCanada Keystone Pipelines.
(Distributed to all Members of Council on October 2, 2015)
(File Number CSU-E06-000-2015)

Other Business

By-Laws

- a) **That** By-Laws (1) through (12) be given their first and second reading.
- b) **That** By-Laws (1) through (16) be given their third reading.
- (1) A By-Law to Amend By-Law Number 76-26, “A By-Law to Regulate the use of lands and the Character, Location and use of Buildings and Structures in The Township of Kingston” (1329-1383 Gardiners Road).
Three Readings Proposed Number 2015-172
(See Clause (a), Report Number (92))

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- (2) A By-Law to Amend the Official Plan for the City of Kingston Planning Area Amendment Number 38, 2185 & 2215 Perth Road).
Three Readings Proposed Number 2015-173
(See Clause (b), Report Number (92))
- (3) A By-Law to Amend By-Law Number 76-26, “A By-Law to Regulate the use of lands and the Character, Location and use of Buildings and Structures in The Township of Kingston” (Zone Change from ‘A1’; ‘A2’ ‘M5-1’; ‘M5-2’; and, ‘M5-3’ to ‘A1-19’ and ‘M3-4’, 2185 & 2215 Perth Road).
Three Readings Proposed Number 2015-174
(See Clause (b), Report Number (92))
- (4) A By-Law to Amend The Official Plan for The City of Kingston Planning Area (Amendment Number 39, 1350 Woodfield Crescent).
Three Readings Proposed Number 2015-175
(See Clause (c), Report Number (92))
- (5) A By-Law to Amend By-Law Number 76-26, “A By-Law to Regulate the use of lands and the Character, Location and use of Buildings and Structures in The Township of Kingston” (Zone Change from Residential Type 1 ‘R1’ Zone, Special Residential Type 1 ‘R1-9’ Zone, Development ‘D’ Zone, and Environmental Protection Area ‘EPA’ Zone to Holding Special Residential Type 2 ‘R2-44-H’ Zone, Special Open Space ‘OS-3’ Zone, Special Open Space ‘OS-18’ Zone, and Special Environmental Protection Area ‘EPA-16’ Zone, 1350 Woodfield Crescent).
Three Readings Proposed Number 2015-176
(See Clause (c), Report Number (92))
- (6) A By-Law to Amend By-Law Number 76-26, “A By-Law to Regulate the use of lands and the Character, Location and use of Buildings and Structures in The Township of Kingston” (Zone Change to amend Secondary Suites Pilot Project Area for Westbrook area and harmonize zoning definitions).
Three Readings Proposed Number 2015-177
(See Clause (d), Report Number (92))
- (7) A By-Law to Amend By-Law Number 97-102, “Cataraqui North Zoning By-Law” (Zone Change to amend the definition of Principal Residential Unit to harmonize the definition with other comprehensive zoning by-laws across the City).
Three Readings Proposed Number 2015-178
(See Clause (d), Report Number (92))

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- (8) A By-Law to Amend By-Law Number 32-74, "A By-Law to Regulate the Use of Lands and the Character, Location and Use of Buildings and Structures in The Township of Pittsburgh" (Zone Change to amend Secondary Suites Pilot Project Area for Kingston East and incorporate zoning schedules for Secondary Suites into the By-law).
Three Readings Proposed Number 2015-179
(See Clause (d), Report Number (92))
- (9) A By-Law to Amend the Official Plan of the City of Kingston (Amendment Number 37, Williamsville Main Street).
Three Readings Proposed Number 2015-180
(See Clause (e), Report Number (92))
- (10) A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law for The Corporation of The City of Kingston", as amended, for administrative amendments to the Williamsville Main Street and to permit surface parking lots in the (C4) Williamsville Main Street Commercial Zone as a temporary use for a period of three years.
Three Readings Proposed Number 2015-181
(See Clause (e), Report Number (92))
- (11) A By-Law To Provide For The Assumption Of The Public Highways In Lyndenwood Subdivision Phase 1, Stage 2, Registered Plan 13m-41, In The City Of Kingston, In Accordance With Section 31(4) Of The Municipal Act, Chapter 25, S.O. 2001; And To Provide For The Acceptance By The City Of Kingston, Of The Associated Public Works Within.
Three Readings Proposed Number 2015-182
(Delegated Authority)
- (12) A By-Law to Amend By-Law Number 32-74, "A By-Law to Regulate the use of Lands and The Character, Location and use of Buildings and Structures in The Township of *Pittsburgh*" (Removal of Holding Symbol, 1138 & 1232 Highway 15 (Riverview Subdivision Phase A)).
Three Readings Proposed Number 2015-183
(Delegated Authority)
- (13) A By-Law to Amend By-Law Number 2003-209 "A By-Law to Regulate Traffic" (Proposed Various All-Way Stop Intersections).
Third Reading Proposed Number 2015-163
(See Clause (f), Report Number (87))
(City Council Meeting Number 2015-22)

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- (14) A By-Law to Amend By-Law Number 2003-209 "A By-Law to Regulate Traffic"
(Various Proposed Speed Limit Reductions).
Third Reading Proposed Number 2015-164
(See Clause (g), Report Number (87))
(City Council Meeting Number 2015-22)
- (15) A By-Law to Amend By-Law Number 2003-209 "A By-Law to Regulate Traffic"
(Proposed All-Way Stop Intersections at Crossfield Avenue and Emerald Street
and Savannah Court, and Hillendale Avenue & Fairview Road).
Third Reading Proposed Number 2015-169
(See New Motion 3)
(City Council Meeting Number 2015-22)
- (16) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On
Tuesday October 6, 2015
Three Readings Proposed Number 2015-184
(City Council Meeting Number 2015-23)

Adjournment