

AGENDA

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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 “Closed Meeting” to consider the following item(s):
 - (a) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose, – Kingston Airport;
 - (b) A proposed or pending acquisition or disposition of land by the municipality or local board – Wright Crescent;
- (2) **THAT** Council rise from the Committee of the Whole “Closed Meeting” without reporting.



APPROVAL OF ADDEDS



DISCLOSURE OF POTENTIAL PECUNIARY INTEREST



PRESENTATIONS



DELEGATIONS

- 1) Ms. Patty Petkovic, Chair, Tett Centre Board, will speak to Council regarding Clause (l), Report No. (83), with respect to an update of the Tett Centre project.
- 2) Mr. Tim Wilkin, Cunningham Swan Lawyers, representing the Westmont Hospitality Group, will speak to Council regarding Clause (r), Report No. (84), with respect to Sign By-law 2009-140 Amendment for Comfort Inn at 55 Warne Crescent.



BRIEFINGS



PETITIONS



MOTIONS OF CONGRATULATIONS, RECOGNITION, SYMPATHY, CONDOLENCES AND SPEEDY RECOVERY

Motions of Congratulations, Recognition, Sympathy, Condolences and Speedy Recovery are presented in order of category as one group and voted on as one motion.

Motions of Congratulations

- 1) Moved by Mayor Gerretsen
Seconded by Councillor Berg

THAT the congratulations of Kingston City Council be extended to Kingston-native Denise Ramsden for being nominated to the Canadian Olympic team. Denise will be representing Canada in road cycling events at the 2012 Summer Games. The City of Kingston will be cheering for Denise as she strives for an Olympic Medal.

Motions of Condolence

- 2) Moved by Mayor Gerretsen
Seconded by Councillor Neill

THAT the sincere condolences of Kingston City Council be extended to the friends and family of W.P. (Pat) Good, who passed away Monday June 25th, 2012. Pat was a long-time employee, elected Commission member, Vice Chair and Chair of Utilities Kingston. Beyond his contributions to our city as an employee, Pat was extremely active in the Kingston community, sitting on numerous community groups. The City of Kingston would like to express sincere appreciation for the many contributions Pat made to improve the lives of Kingstonians.

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- 3) Moved by Councillor Hector
Seconded by Mayor Gerretsen

THAT the sincere condolences of Kingston City Council be extended to the people of the Town of Elliot Lake Ontario as they mourn the loss of those lost in the Mall collapse.



DEFERRED MOTIONS



REPORTS

REPORT NO. 83: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

Report No. 83

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) Community Park Projects - Request for funds- Polson Estate

THAT staff be authorized to apply to the Estate's Advisory Committee to withdraw funds in the estimated amount of \$190,000 to finance improvements to pathways, landscaping and decorative walls at Churchill Park in the amount of \$100,000 and to finance the creation of a community gathering space at Shannon Park in the amount of \$90,000. (The Report of the City Treasurer (12-205) is attached as Schedule Pages 1 - 4) (File No. CSU-R04-000-2012)

b) Next Steps for funding allocations under the Consolidated Homelessness Prevention Program (CHPP)

THAT a Request for Proposals (RFP) not be issued for the Consolidated Homelessness Prevention Program (CHPP) and Municipal Housing & Homelessness Strategic Fund (HHSF) to allocate funding for 2013 as the Provincial allocation has not been announced and insufficient time remains to undertake such an RFP for 2013; and

THAT staff be directed to report back to Council by October 31, 2012 with either recommendations for funding existing programs based upon the announced Provincial funding allotment for 2013 or contingency options for funding existing programs for the first quarter of 2013 if no Provincial funding has yet been announced; and

THAT a full evaluation of the Consolidated Homelessness Prevention Program (CHPP) and Municipal Housing & Homelessness Strategic Fund (HHSF) be included in the Housing and Homelessness Plan to be undertaken in 2012 and 2013 by the Housing Department; it being understood that the plan will be used as the basis for the allocation of funding for both programs.

(The Report of the Commissioner of Community Services (12-242) is attached as Schedule Pages 5 - 10)
(File No. CSU-S16-000-2012)

REPORTS (Continued)

REPORT NO. 83: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

c) Investment in Affordable Housing (IAH) in Ontario

THAT Council approve IAH funding of one million, six hundred and fifty thousand dollars (\$1,650,000) to Frontenac Community Mental Health and Addictions Services (FCMHAS) for the development of eleven (11) affordable rental units; and

THAT Council authorize the Commissioner, Community Services or her delegate to review and approve, for execution by the Mayor and Clerk, all documents and agreements related to the IAH funding provided to FCMHAS as required and as approved by the Legal Services Department; and

THAT Council authorize the Mayor and Clerk to execute all documents and agreements related to the IAH funding provided to FCMHAS as approved by the Commissioner, Community Services or her delegate; and

THAT Council approve funding in an amount up to forty-five thousand dollars (\$45,000) from the Affordable Housing Construction Reserve to Kingston Co-operative Homes Inc. to complete the planning process for their development as set out in their RFP submission; and

THAT Council authorize the Commissioner, Community Services or her delegate to review and approve, for execution by the Mayor and Clerk, all documents and agreements related to the funding provided to Kingston Co-operative Homes Inc. as required and as approved by the Legal Services Department; and

THAT Council authorize the Mayor and Clerk to execute all documents and agreements related to the funding provided to Kingston Co-operative Homes Inc. as approved by the Commissioner, Community Services or her delegate.

(The Report of the Commissioner of Community Services (12-243) is attached as Schedule Pages 11 – 18)
(File No. CSU-S18-000-2012)

d) Potential Partnership with the Limestone District School Board and the Kingston Frontenac Public Library Board for the Redevelopment of Shannon Park and Wally Elmer Sites and the Rideau Heights Public School

THAT Council direct staff to enter into discussions to establish a partnership with the Limestone District School Board and the Kingston Frontenac Library Board for the redevelopment of Shannon Park, Wally Elmer site and the Rideau Heights Public School site; and

REPORTS (Continued)

REPORT NO. 83: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

THAT staff report back to Council with proposed capital development, operational plan and financing options to support this partnership.

(The Report of the Commissioner of Community Services (12-245) is attached as Schedule Pages 19 - 25)
(File No. CSU-D17-000-2012)

e) Interim Relocation of the International Hockey Hall of Fame at the INVISTA Centre

THAT Council direct staff to enter into a license agreement for \$1.00 per year, to the satisfaction of the Director of Legal Services, with the International Hockey Hall of Fame to occupy 1,450 square feet of space (referred to as Room D) at the INVISTA Centre for a period of two years with a renewal clause for another two years; and

THAT staff report back to Council progress related to the International Hockey Hall of Fame's business plan to relocate and operate downtown.

(The Report of the Commissioner of Community Services (12-256) is attached as Schedule Pages 26 - 32)
(File No. CSU-R03-000-2012)

f) Councillor's Expense Allowance – Municipal Act, 2001

THAT the City of Kingston continue to remunerate members of Council and local boards, as defined in the Municipal Affairs Act, and in accordance with Section 283 of the *Municipal Act*, based on one-third of such remuneration deemed to be for expenses incident to the discharge of a members' duties and therefore exempt from income tax, which is consistent with provisions of By-Law No. 99-169 "A By-Law To Provide For The Annual Paying Of An Annual Allowance To The Members Of Council For The Corporation Of The City Of Kingston", as amended by By-Law No. 2010-223.

(The Report of the City Treasurer (12-249) is attached as Schedule Pages 33 - 36)
(File No. CSU-F09-000-2012)

g) Licensing Opportunity to Support Car-Sharing in Kingston

THAT Council approve, in principle, to license a limited number of parking spaces in prime downtown locations to support the implementation of a car-share program in Kingston and in the event a service provider decides to proceed, direct staff to report back with details on a program which would include guidelines, criteria and timelines for its consideration.

REPORTS (Continued)

REPORT NO. 83: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-248) is attached as Schedule Pages 37 - 39)
(File No. CSU-T02-000-2012)

h) Award of RFP – Three (3) Ice-Resurfacing Machines

THAT the RFP F31-TPES-TS-FL-2012-21 for the purchase of three ice-resurfacing machines be awarded to Zamboni Company Limited for the total purchase price of \$233,967 plus applicable taxes for all three units.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-237) is attached as Schedule Pages 40 - 43)
(File No. CSU-V00-000-2012)

i) Belle Park Drive – Approval to Commence Expropriation

THAT the Director of Legal Services be authorized to commence expropriation proceedings against the property described as Part of Lot 19, Plan B-3, and Part of Farm Lots 1, 2, 3 and 4, Concession West of the Great Cataraqui River, in the City of Kingston designated as Part 1 of 13R-13584 and Part 1 of 13R-13627 and to complete or settle the expropriation with funds from the capital budget allocated for the Belle Park Solution in conjunction with attempts to acquire the property through negotiated settlements which may additionally include Part 1 of 13R-13626; and

THAT the Corporation of the City of Kingston make an application to City Council, as approving authority, for approval to expropriate the said lands and that the Mayor and Clerk be authorized to execute the necessary forms of application; and

THAT the “Notice of Application for Approval to Expropriate” be served and published and that any requests for inquiries received, pursuant to the “Notice of Application for Approval to Expropriate” be forwarded to the Chief Inquiry Officer appointed by the Ontario Municipal Board and the Chief Inquiry Officer be requested to report to Council with respect to any such request; and

THAT the Mayor and Clerk be authorized to execute all associated and required documents in a form approved by the Director of Legal Services.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-187) is attached as Schedule Pages 44 - 48)
(File No. CSU-L18-000-2012)

REPORTS (Continued)

REPORT NO. 83: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

j) Award of RFP: Three (3) Track Driven Sidewalk Tractors

THAT RFP F31-TPES-TS-FL-2012-22 for the purchase of three track driven sidewalk tractors be awarded to The Shop Industrial for the total purchase price of \$402,990 plus applicable taxes.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-239) is attached as Schedule Pages 49 - 53)
(File No. CSU-V00-000-2012)

k) John Counter Boulevard – Approval to Commence Expropriation

THAT the Director of Legal Services be authorized to commence expropriation proceedings against the properties identified in the John Counter Boulevard Environmental Assessment between Sir John A. Macdonald Blvd and Princess Street and to complete or settle the expropriations within the previously approved budgeted funds for all of the subject properties in conjunction with attempts to acquire the properties through negotiated settlements; and

THAT the Corporation of the City of Kingston make an application to City Council, as approving authority, for approval to expropriate the said lands and that the Mayor and Clerk be authorized to execute the necessary forms of application; and

THAT the “Notice of Application for Approval to Expropriate” be served and published and that any requests for inquiries received pursuant to the “Notice of Application for Approval to Expropriate” be forwarded to the Chief Inquiry Officer appointed by the Ontario Municipal Board and the Chief Inquiry Officer be requested to report to Council with respect to any such request; and

THAT the Mayor and Clerk be authorized to execute all associated and required documents in a form approved by the Director of Legal Services.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-139) is attached as Schedule Pages 54 - 59)
(File No. CSU-L18-000-2012)

l) The Tett Centre for Creativity and Learning – Approval of a Master Lease & Municipal Capital Facility Agreement

THAT the Mayor and Clerk be authorized to execute a master lease agreement and any other agreements as may be deemed necessary, in accordance with the business plan approved by Council on March 23, 2010, with the not-for-profit organization, the Tett

REPORTS (Continued)

REPORT NO. 83: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

Centre for Creativity and Learning, as the master lease holder and facility operator of the Tett Center for Creativity and Learning located at 370 King Street West for \$1 per year plus operating expenses for a term of 10 years with an option to renew for a second ten years on terms and conditions satisfactory to the Commissioner of Sustainability and Growth and the Director of Legal Services; and

THAT the Director of Culture be authorized to approve subtenant lease agreements and any other agreements as may be required on a net-lease basis to support the business plan as presented by the Tett Centre for Creativity and Learning as the master lease holder, on terms and conditions satisfactory to the Director of Legal Services and the Director of Real Estate and Construction; and

THAT the master lease to be executed between the City and the Tett Centre for Creativity and Learning, include necessary language confirming that the municipally owned property will be entirely operated as a municipal facility for cultural, recreational and tourist purposes in accordance with the requirements of the Municipal Act, 2001 section 110 and Ontario Regulation 603/06; and

THAT Council pass this resolution required by clause 6(1)(b) of Ontario Regulation 603/06 confirming that the Tett Centre for Creativity and Learning is a municipal capital facility to be entirely occupied for cultural, recreational or tourist purposes of the municipality and that it is operated for public use; and

THAT in accordance with Section 110 (6) of the Municipal Act, 2001, a by-law be presented and given all three readings, to provide an exemption to the property to which the municipal capital facility agreement applies, from taxation for municipal and school purposes; and

THAT the Clerk be directed to give written notice of the by-law to the local school boards having jurisdiction in the area in which the property is located and the Municipal Property Assessment Corporation (MPAC) as required by section 110(8).

(The Report of the Commissioner of Sustainability and Growth (12-228) is attached as Schedule Pages 60 - 69)

(File No. CSU-L15-000-2012)

(See By-Law No. (6), 2012-115)

REPORTS (Continued)

REPORT NO. 83: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

m) Road Name Change from Morton Street to Morton Way

WHEREAS Morton Street is located east of Alwington Place and runs south from King Street West to Lake Ontario and is described as Part Farm Lot 21 Concession 1, Kingston more particularly described as Part 13 on Reference Plan 13R-18458; and

WHEREAS Morton Street has been closed as a public street by Council by By-Law No. 2012-108; and

WHEREAS a new road name is required to be consistent with the adopted road naming conventions of Civic Addressing and Road Naming By-law No. 2005-98 and emergency response requirements;

THEREFORE IT BE RESOLVED THAT the By-law to approve the renaming of Morton Street to Morton Way be presented to Council for the first and second reading and that the City Clerk be requested to advertise a notice of intention to pass the By-law between the second and third By-law reading.

(The Report of the Commissioner of Sustainability and Growth (12-255) is attached as Schedule Pages 70 - 78)
(File No. CSU-D20-000-2012)

(See By-Law No. (1), 2012-110)

n) Acceptance of Proposal to Re-Development a Failed Tax Sale Brownfield Property at 176 Railway Street

THAT Council accept the proposal provided by 2229136 Ontario Inc. in response to City of Kingston request for Proposals F31-SG-ESI-2012-1 for ownership and redevelopment of the failed tax sale property at 176 Railway Street; and

THAT Council authorize the Mayor and Clerk to execute an Agreement of Purchase, Sale & Redevelopment with 2229136 Ontario Inc. that is satisfactory to the Director of Legal Services and is based on the terms described within Report No. 12-253; and

THAT Council authorize staff to prepare a recommendation for the municipality to vest title in the subject lands (176 Railway Street) in the name of the Corporation of the City of Kingston for the purpose of cancelling unpaid taxes and transferring ownership to 2229136 Ontario Inc. once an acceptable Agreement of Purchase, Sale & Redevelopment has been completed.

REPORTS (Continued)

REPORT NO. 83: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

(The Report of the Commissioner of Sustainability and Growth (12-253) is attached as Schedule Pages 79 - 85)
(File No. CSU-L19-000-2012)

o) Gateway Signage Contract Award for RFP F31-SG-COM-2012-1

THAT Gorway Sign Print Display be retained for the construction and installation of Municipal Gateway signs, as specified in this report at a cost of \$93,600 plus GST; and

THAT staff continue their evaluation of the photovoltaic lighting system and bring it forward in next year's Capital Budget should it meet the City's requirements; and

THAT the Mayor and City Clerk be authorized to enter into an agreement, to the satisfaction of the Director of Legal Services, for the purpose of engaging Gorway Sign Print Display to undertake the work.

(The Report of the Commissioner of Sustainability and Growth (12-252) is attached as Schedule Pages 86 - 94)
(File No. CSU-F31-000-2012)

p) Source Water Protection – Comments on Cataraqui Source Protection Plan (SPP) & Explanatory Document

THAT Council advise the Cataraqui Source Protection Authority that it strongly supports the creation of the Cataraqui Source Protection Plan and that it both acknowledges and appreciates the considerable work undertaken to date and the intent of the SP Committee and SP Authority in developing a Plan that is appropriate, effective and affordable in managing the identified threats to the City of Kingston's drinking water sources; and

THAT Council advise the Cataraqui Source Protection Authority that it appreciates both the opportunities that have been afforded to Council and staff to provide meaningful input into the process and the responses to date by the SP Committee and SP Authority to address the City's formal and informal comments respecting the SPP policies; and

THAT Council advise the Cataraqui SP Authority that it continues to have concerns respecting the anticipated financial and resourcing requirements related to implementation of the Cataraqui SPP and the enforcement authorities under Part IV of the Clean Water Act and requests that the SP Committee and SP Authority continue to lobby the Province on behalf of the municipalities in the Cataraqui Source Protection Area for sustainable funding to assist with implementation of the Cataraqui SPP and thereby ensure the success of the source water protection initiative; and

REPORTS (Continued)

REPORT NO. 83: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

THAT Council advise the Cataraqui SP Authority that City of Kingston staff has had the opportunity to review the Cataraqui Source Protection Plan and the companion Explanatory Document for the Source Protection Plan, both dated June 2012, and concerns / comments / recommendations have been identified respecting a number of the policies as outlined within Council Report 12-241 and Exhibit D attached thereto; and

THAT Council endorse Report 12-241 and the attached staff concerns / comments / recommendations as contained within the report and Exhibit D attached thereto as the City's formal response to the Cataraqui Source Protection Plan (June 2012) policies related to the Cana Wellhead Protection Area, the Point Pleasant and Kingston Central Intake Protection Zones, the Fairfield Intake Protection Zone, and the Highly Vulnerable Aquifers and Significant Groundwater Recharge Areas and to the companion Explanatory Document for the Source Protection Plan (June 2012), and that Report 12-241 and Council comments be forwarded to the Cataraqui SP Authority for submission to the Minister of the Environment as representing the City's formal response to the Cataraqui SPP and Explanatory Document.

(The Report of the Commissioner of Sustainability and Growth (12-241) is attached as Schedule Pages 95 – 151)

(File No. CSU-D03-000-2012)

q) 2012 Kingston Youth Unlimited Soccer Camp Waiver of Fees and Charges By-Law

THAT Council waives \$243.45 field rental fees for the Max Jackson Park Soccer Field for the 2012 Kingston Youth Unlimited Soccer camp for the week of August 20 - 24, 2012 and that it be funded from the Recreation and Leisure Services 2012 operational budget.

(The Report of the Commissioner of Community Services (12-265) is attached as Schedule Pages 152 - 154)

(File No. CSU-F21-000-2012)

r) Sign By-law 2009-140 Amendment for Comfort Inn at 55 Warne Crescent

THAT a by-law be presented to amend By-Law 2009-140, to permit the owners of 55 Warne Crescent to erect a sign, not to exceed 17.68 metres (58 feet) in height.

(The Report of the Commissioner of Sustainability and Growth (12-250) is attached as Schedule Pages 155 - 169)

(File No. CSU-T07-000-2012)

(See By-Law No. (2), 2012-111)



REPORTS (CONTINUED)

**REPORT NO. 84: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER
(RECOMMEND)**

Report No. 84

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

1) Implementation Plan for Expansion of Kingston Airport

THAT Council receive the “Kingston Airport Expansion Project Implementation Plan” (LPS Aviation Inc.) dated May 18, 2012 and attached hereto as Exhibit “A”; and

THAT Council refer this report to the Corporate Management Team for its review and incorporation as part of the next capital budget submission, for Council’s added consideration in line with previously endorsed priorities and direction on the budget process.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-219) is attached as Schedule Pages 170 - 225)
(File No. CSU-T11-000-2012)

2a) Staff Briefing: Mr. Gerard Hunt, Chief Administrative Officer, City of Kingston, will provide a briefing to Council regarding the Strategic Planning Update.

2b) Strategic Planning Update

THAT Council endorse the following strategies to set conditions to achieve tax rate increases at no greater than 2.5% for 2013 and 2014, while maintaining the incremental investment of 1% annually for infrastructure.

A. Return on Investment Opportunities

- i. Continue to pursue economic and other development opportunities to achieve growth in the taxation and revenue base
- ii. Assess capacity of facilities to optimize revenue opportunities and increase advertising-type revenues
- iii. Explore opportunities for enhanced investment in environmental solutions
- iv. Explore opportunities for return on investment from renewable energy installations

REPORTS (CONTINUED)

**REPORT NO. 84: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER
(RECOMMEND)**

- v. Develop a business case to support the introduction of LED street lighting across the municipality

B. Political Strategies with Upper Level Governments

- i. Continue to pursue heads and beds funding and fairness in the payments-in-lieu-of-taxes revenue source
- ii. Continue to pursue sustainable infrastructure funding including strategic policy input and advocacy through FCM, AMO and others
- iii. Increase political focus on funding for affordable housing and social services programs

C. Services and Service Levels

- i. Explore service delivery alternatives, models and opportunities
- ii. Consider marginally slowing the pace of investment in the cultural plan
- iii. Consider postponing the implementation of phase two of the transit redevelopment plan from Jan 2015 to July 2015
- iv. Consider service level changes
- v. Balance new initiatives against existing priorities of the Plan, recognizing existing resource capacity
- vi. Change the policy to recognize revenue for energy retrofit and solar installations to immediately impact the operating budget and pay debt servicing costs from capital reserve funds
- vii. Align resources for completing capital works in progress and adjust time lines to complement available resources

D. Efficiencies and Inflationary Control

- i. Introduce opportunities for efficiency and inflation absorption that may be determined over the course of budget(s) development.

REPORTS (CONTINUED)

**REPORT NO. 84: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER
(RECOMMEND)**

- ii. Consider options including incentives for capitalizing on attrition to achieve greater service integration, delivery efficiencies and net savings
- iii. Explore opportunities to increase fees to market rates or full cost recovery, where applicable; and

THAT staff inform agencies, boards and the County of Frontenac of Council's direction to limit tax rate increases and that Council solicits their cooperation in pursuit of the goal, and that Council encourages those partners to work with the CAO and City Treasurer to develop longer term capital and operating financial plans to enable an ability for the City to integrate the plan estimates in a manner supportive of the overall goal to reduce tax rate increases.

(The Report of the Chief Administrative Officer (12-222) is attached as Schedule Pages 226 - 293)

(File No. CSU-C08-000-2012)

3) Solid Waste Management By-Law Amendments

THAT Council approve By-Law 2012-112 attached as Exhibit "A" being a by-law to amend By-Law No. 181 of the former City of Kingston, "A By-Law to Provide for the Collection, Removal and Disposal of Garbage, Ashes and Other Refuse"; and By-Law 2012-113 attached as Exhibit "B" being a by-law to amend By-Law 36-95 of the former Township of Pittsburgh, "A By-Law to Regulate and Maintain a System for the Collection, Removal and Disposal of Ashes, Garbage and Other Refuse"; and By-Law 2012-114 attached as Exhibit "C" being a by-law to amend By-Law 95-55 of the former Township of Kingston, "A By-Law to Regulate the Collection, Removal and Disposal of Garbage and to Prohibit the Throwing, Placing or Depositing of Garbage on Property within the Township of Kingston".

(The Report of the President and CEO of Utilities Kingston (12-221) is attached as Schedule Pages 294 - 307)

(File No. CSU-E07-000-2012)

(See By-Law No. (3), 2012-112)

(See By-Law No. (4), 2012-113)

(See By-Law No. (5), 2012-114)

REPORTS (CONTINUED)


**REPORT NO. 84: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER
(RECOMMEND)**

4) Ontario Lottery and Gaming (OLG) – Modernizing Lottery and Gaming in Ontario

1. **THAT** Council receive the staff report 12-254 regarding the information presented by the Ontario Lottery and Gaming Corporation (OLG) as a background report to municipalities on OLG's Strategic Business Review on Modernizing Lottery and Gaming in Ontario as information for the basis for public consultation; and
2. **THAT** Council host a public meeting, on July 31 in Memorial Hall, to provide information to Kingston residents regarding the OLG's Business Plan and to gauge public opinion on whether the City of Kingston would like to be considered as a host municipality for a future gaming facility; and
3. **THAT** Council after receiving the information from the public meeting confirm if the City of Kingston supports the location of a casino gaming facility within the municipal boundaries; and
4. **THAT** if Council confirms it would like to be considered for the hosting of the gaming facility that City staff be authorized to work with KEDCO staff to receive enquiries from gaming facility operators who are considering locating a gaming facility in Kingston and inform them of the City's position.

(The Report of the Commissioner of Sustainability and Growth (12-254) is attached as Schedule Pages 308 - 383)

(File No. CSU-P09-000-2012)



REPORTS (CONTINUED)

REPORT NO. 85: RECEIVED FROM THE PLANNING COMMITTEE

Report No. 85

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.

June 21, 2012

1. Application for Zoning By-Law Amendment, 2939 Creekford Road

THAT the Application for Zoning By-Law Amendment (Our File No. D14-243-2012) submitted by Macaulay Shiomi Howson Ltd., on behalf of Braebury Homes Corporation for the property municipally known as 2939 Creekford Road, **BE APPROVED**.

THAT it be recommended to Council that the former City of Kingston Zoning By-Law No. 76-26, as amended, be further amended as follows:

1. By-Law No. 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 By **Adding** a new subsection 3(cc) thereto as follows:

"(cc) **2939 Creekford Road**

Notwithstanding the provisions of Sections 4 and 14 hereof to the contrary, for the lands designated 'R3-29' on Schedule 'A' hereto, the following regulations shall apply:

Permitted Uses

Single Detached Dwelling House
Semi Detached Dwelling House
Three or Four Unit Row Dwelling House

Lot Area (Minimum)

Single Detached Dwelling House 292 square metres
Semi-Detached Dwelling House 464 square metres
Semi-Detached Dwelling Unit 232 square metres

REPORTS (CONTINUED)

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Row Dwelling Unit 170 square metres

Lot Frontage Defined

That for the purposes of this By-Law lot frontage for semi-detached dwelling lots shall be measured along a line, which is parallel to the front lot line and a distance of 7.2 metres from the front lot line.

Lot Frontage (Minimum)

Single Detached Dwelling House 9.75 metres

Semi-Detached Dwelling House 15 metres

Semi-Detached Dwelling Unit 7.5 metres

Row Dwelling Unit 6.1 metres

Corner Lot Frontage (Minimum)

Single Detached Dwelling House 12.75 metres

Semi-Detached Dwelling House 18.5 metres

Semi-Detached Dwelling Unit 10.5 metres

Row Dwelling Unit 9.2 metres

Front Yard Setback (Minimum)

To House 4.5 metres

To Garage 6.0 metres

Interior Side Yard Setback (Minimum)

Single Detached Dwelling House 1.2 metres

Semi Detached Dwelling House 1.2 metres

Row Dwelling House 1.2 metres

For all lots, dwellings constructed without an attached garage shall have a minimum interior side yard width of 3.0 metres on one side and 1.2 metres on the other.

Exterior Side Yard Setback (Minimum) 3.0 m on local roads and 6.0 metres on all other road classifications

Rear Yard Setback (Minimum)

Single Detached Dwelling House 6.0 metres

Semi-Detached Dwelling House 6.0 metres

Row Dwelling House 6.0 metres

Lots backing onto Cataraqui Wood Drive 8.5 metres

REPORTS (CONTINUED)

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Lot Coverage (Maximum)

Single Detached Dwelling House 50%

Semi-Detached Dwelling House 50%

Semi-Detached Dwelling Unit 50%

Row Dwelling House 50%

Interior Garage Width:

For lots less than 12 metres wide, interior one-car garage dimensions shall be a minimum 3.0 metres wide by 6.0 metres deep. A maximum width of 5.0 metres may be applied to permit a one-car garage with storage.

Driveway Width (Maximum)

Single Detached Dwelling House 6.0 metres or 50% of the lot frontage, whichever is the lesser

Semi Detached Dwelling Unit 6.0 metres or 50% of the lot frontage, whichever is the lesser, but not less than 4.0 metres

Row Dwelling Unit 4 metres

Front Yard Parking is prohibited except on a driveway leading to a garage or parking area in the interior side yard or rear yard. The minimum parking surface provided shall be 4.0 metres wide by 6.0 metres deep.

Landscaped Open Space 30%

Maximum Height 10.5 metres

SIGHT TRIANGLES

Notwithstanding any regulations to the contrary:

i) **USES PROHIBITED:**

Within any area defined as a sight triangle, the following uses shall be prohibited:

- a) a building, structure or use which would obstruct the vision of drivers of motor vehicles;
- b) a fence or tree, hedge, bush or other vegetation, the top of which exceeds 1.0 metre in height above the elevation of the centreline of the adjacent street;
- c) an uncovered surface parking area;
- d) a finished grade which exceeds the elevation of the centreline of the adjacent street by more than 1.0 metre.

REPORTS (CONTINUED)

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- ii) 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 side 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 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.

Where the exterior side lot line and the front lot line do not intersect at a point, the hypothetical point of intersection of the two lot lines shall be deemed to be the intersection of the two lot lines.”

THAT the Amending By-Law be presented to City Council for all three Readings.

(The Report of the Commissioner of Sustainability and Growth (PC-12-048) was attached to the Planning Committee agenda as Schedule Pages 1-22.)

(Note: A copy of the draft by-law is attached as Schedule Pages 384 - 387)

(See By-Law No. (7), 2012-116)

2. Application for Zoning By-Law Amendment, 1373 - 1397 & 1390 - 1400 Waterside Way, 108 Schooner Drive and 200-218 Clipper Court

THAT the application for Zoning By-Law Amendment (Our File No. D14-242-2012) submitted by Greenwood Park Limited Partnership No. 1, for the properties located at 1373 - 1397 & 1390 - 1400 Waterside Way, 108 Schooner Drive and 200 - 218 Clipper Court (Lots 17 - 22, 62 - 74, 101 and 103 - 112, 13M-85), BE APPROVED; and,

THAT the City of Kingston Zoning By-Law No. 32-74, as amended, be further amended as follows:

1. That Zoning Schedule “A”, Map 4 of Zoning By-Law No. 32-74, as amended, is hereby further amended by changing the zone symbol to ‘R11-2’ for the lands shown as “Subject Lands Rezoned from R11-1 to R11-2” on Schedule “A” attached hereto and forming part of amending By-Law No. 2012-117.
2. That the following be added as Section 11H (3)(b) of the By-Law:

REPORTS (CONTINUED)

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“(b) 1373 - 1397 & 1390 - 1400 Waterside Way, 108 Schooner Drive and 200 - 218 Clipper Court (Lots 17 - 22, 62 - 74, 101 and 103 - 112, 13M-85)
Notwithstanding any provisions of Section 11H hereof to the contrary, on the lands zoned ‘R11-2’ on Schedule “A” attached hereto, the following provisions shall apply:

- a) There shall be no lot area or lot coverage requirement.
- b) MINIMUM REAR YARD DEPTH: 6.75 metres.”; and

THAT the Amending By-Law be presented to City Council for all three readings.

(The Report of the Commissioner of Sustainability and Growth (PC-12-049) was attached to the Planning Committee agenda as Schedule Pages 23-36.)
(Note: A copy of the draft by-law is attached as Schedule Pages 388 - 389)

(See By-Law No. (8), 2012-117)

3. Applications for Draft Plan of Subdivision and Zoning By-Law Amendment for 2803 Creekford Road

THAT the application for Zoning By-Law Amendment (Our File No. D14-202-2011) submitted by Greene Homes (1517849 Ontario Ltd.), for the property located at 2803 Creekford Road, **BE APPROVED**; and

THAT the Township of Kingston Zoning By-Law No. 76-26, as amended, be further amended as follows:

1. That Zoning Schedule “A”, Map 3 of Zoning By-Law No. 76-26, as amended, is hereby further amended by changing the zone symbol to ‘R2-36’, ‘OS’ and ‘D’ for the lands shown as “Subject Lands Rezoned from ‘A1’, ‘D’ and ‘M3’ to ‘R2-36’, ‘OS’ and ‘D’” on Schedule “A” attached hereto and forming part of amending By-Law No. 2012-118.
2. That the following be **added** as Section 13 (3)(jj) of the By-Law:

“(jj) 2803 Creekford Road

Notwithstanding any provisions of Section 13 hereof to the contrary, on the lands zoned ‘R2-36’ on Schedule “A” attached hereto, the following provisions shall apply:

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- (a) PERMITTED USES:
 - (i) RESIDENTIAL USES:
 - Single Detached Dwelling House;
 - Semi Detached Dwelling House;
 - Three and Four Unit Row Dwelling House.
 - (ii) NON-RESIDENTIAL USES:
 - Home Occupation
 - A public use in accordance with the provisions of Section 5(18) hereof

(b) MINIMUM LOT FRONTAGE:

	Corner Lot	Other Lot
Single Detached Dwelling House	12.7 m	10.0 m
Semi Detached Dwelling House	19.0 m	15.0 m
Semi-detached dwelling unit	11.5 m	7.5 m
Row Dwelling House	11.5 m	6.1 m

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.

- (c) GARAGE LOCATION:

The front wall of a private garage, whether attached or detached from the main dwelling, containing the opening for vehicular access shall be setback a minimum of 6m from the lot line abutting the public street that the driveway crosses to access the private garage.

- (d) FRONT YARD:
 - (i) Minimum setback from front lot line 4.5 metres
 - (ii) Maximum setback from front lot line 7.0 metres
 - (iii) 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.
 - (iv) 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.

REPORTS (CONTINUED)

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- (e) MINIMUM EXTERIOR SIDE YARD:
 - (i) 4.5 metres on arterial and collector roads
 - (ii) 3.0 on local roads

- (f) MINIMUM INTERIOR SIDE YARD:
 - (i) Single Family Dwelling House: 1.2 metres, except where there is a dwelling unit without an attached garage, then one of the side yards must be 3.0 metres
 - (ii) Semi Detached Dwelling House: 1.2 metres, for a side that is not attached to another dwelling house except where there is a dwelling unit without an attached garage, then one of the side yards must be 3.0 metres
 - (iii) Row Dwelling House: 1.2 metres, for a side that is not attached to another dwelling house except where there is a dwelling unit without an attached garage, then the side yards must be 3.0 metres

- (g) MINIMUM REAR YARD: 6.75 metres

- (h) MINIMUM LOT AREA: Not applicable

- (i) MINIMUM LOT COVERAGE: Not applicable

- (j) MAXIMUM BUILDING HEIGHT FOR LOTS 30 to 47 inclusive: 5 metres

- (k) DRIVEWAYS:
Maximum driveway width as measured at the lot line shall be 6.0 metres or 50% of lot frontage, whichever is less.

- (l) 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.

- (m) SIGHT TRIANGLES:
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

REPORTS (CONTINUED)

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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.

The location of the second sight triangle shall be located by drawing a line between a point on the exterior side 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.

Where the exterior side lot line and the front lot line do not intersect at a point, the hypothetical point of intersection of the two lot lines shall be deemed to be the intersection of the two lot lines.”; and

THAT the Amending By-Law be presented to City Council for all three readings; and

THAT the application for Draft Plan of Subdivision (Our File No. D12-058-2011) submitted by the Greene Homes (1517849 Ontario Ltd.), for the property located at 2803 Creekford Road, **BE APPROVED**, subject to the following conditions:

1. Approved Draft Plan

- (a) That this approval applies to the Draft Plan of Subdivision, prepared by Hopkins, Cormier & Chitty dated April 26, 2012 which shows the following:
- 104 residential lots (Lots 1-104);
 - 6 blocks for future development blocks (Blocks 105, 106, 108, 109, 111 and 112);
 - 1 block for a future road (Block 107);
 - 1 block for a park (Block 110);
 - 2 blocks for walkways (Blocks 113 and 114);
 - 1 block for stormwater (Block 115);
 - 6 blocks for 0.3 m reserves (Blocks 116 - 121);
 - 4 new roadways (Pearl Road, Albany Drive, Street ‘A’ and Street ‘B’).

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 City’s engineering standards and shall be dedicated to the City free of all charge and encumbrances. The streets, lots and blocks shall be designed to coincide with the development pattern on adjacent properties.

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- (c) That prior to Final Plan Approval, the Owner shall submit proposed street names for approval by the Planning and Development Department which names 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 Planning and Development Department, 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 Planning and Development Department, 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) That 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 Planning and Development Department 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) That the Owner shall agree that the location and design of any construction access shall be approved by the City and/or the appropriate authority.

3. Reserves, Easements and Conveyances

- (a) That any dead end or open side of a road allowance within the Plan shall be terminated in a 0.3 m reserve to be conveyed to the City free of all charges and encumbrances.
- (b) That prior to Final Plan Approval, the daylighting triangles shall be conveyed to the City free of all charges and encumbrances.
- (c) 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.
- (d) That Block 110 shall be conveyed to the City of Kingston for park purposes, in a condition satisfactory to the City of Kingston and at no cost to the City of Kingston, and shall be fenced to the satisfaction of the City of Kingston.

REPORTS (CONTINUED)

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- (e) That Blocks 113 and 114 shall be conveyed to the City of Kingston for a walkway, in a condition satisfactory to the City of Kingston and at no cost to the City of Kingston, and shall be fenced to the satisfaction of the City of Kingston. Prior to Final Plan Approval, the City of Kingston will assess the appropriateness of Block 114 as a walkway pending review of the grading plan.
- (f) That Block 115 shall be conveyed to the City of Kingston for stormwater purposes, in a condition satisfactory to the City of Kingston and at no cost to the City of Kingston.
- (g) That Part 1 and Part 2 of Plan 13R-19067 be conveyed to the City of Kingston for road widening purposes, in a condition satisfactory to the City of Kingston and at no cost to the City of Kingston.

4. Financial Requirements

- (a) That the Owner agrees in writing to satisfy all the requirements, financial and otherwise, of the City concerning all provisions of municipal services but not limited to including fencing, lighting, landscaping, sidewalks, roads, installation of underground services, provisions of drainage and noise mitigation where required.
- (b) That prior to Final Plan Approval, the Owner shall submit for the City'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 City'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 City.
- (d) That the Owner agrees to reimburse the City for the cost of any Peer Reviews of the Studies / Reports submitted in support of the proposed Plan of Subdivision.

REPORTS (CONTINUED)

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5. Subdivision Agreement

- (a) That the Owner shall enter into the City's standard Subdivision Agreement which shall list all approved plans and municipal conditions as required by the City for the development of this Plan.
- (b) That the Subdivision Agreement between the Owner and the City be registered against the lands to which it applies once the Plan of Subdivision has been registered.
- (c) That the Subdivision Agreement 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.

6. 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 Professional Engineer and designed pursuant to the City's Subdivision Design Guidelines and to the satisfaction of the City. Such plans are to form part of the Subdivision Agreement.
- (b) That prior to Final Plan Approval, the Owner shall submit a digital listing of the approved subdivision design drawings in the City's standard format for incorporation into the Pre-Servicing and/or Subdivision Agreement.

7. 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 City.
- (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 City.

8. Phasing

- (a) That Final Plan Approval for registration may be issued in phases to the satisfaction of the City, subject to all applicable fees.

REPORTS (CONTINUED)

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- (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 City, taking into account the temporary termination of underground services, interim grading, interim stormwater management, operations and maintenance vehicle access and access for emergency vehicles.
- (c) 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.

9. 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 requirement of the applicable Zoning By-Law.

10. 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 (416-314-7123) and the City of Kingston Heritage Planner (613-546-4291 ext 1386) 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 (416-326-8494), the Cultural Program Branch of the Ministry of Culture (416-314-7123), and the City of Kingston Heritage Planner (613-546-4291 ext 1386) must be immediately contacted.

REPORTS (CONTINUED)

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11. Stormwater Management

- (a) That prior to Final Plan Approval, the Owner shall submit lot grading and drainage plans, and erosion and sediment control plans prepared by a qualified Professional Engineer for the Owner, to the satisfaction of the City and the Cataraqui Region Conservation Authority. The approved plans shall be included in the Subdivision Agreement.
- (b) That prior to Final Plan Approval, the Owner shall agree to incorporate the recommendations relating to stormwater management of the Servicing Report prepared by Josselyn Engineering Incorporated, dated April 16, 2012, for the subject property into the approved plans and Subdivision Agreement.
- (c) The Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the recommendations relating to stormwater management of the Servicing Report, to the satisfaction of the City and Cataraqui Region Conservation Authority.
- (d) That prior to Final Plan Approval and prior to any works commencing on the site, the Owner shall submit for approval by the City and the Cataraqui Region Conservation Authority, 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) stormwater 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) stormwater 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.
- (e) That the Owner shall agree to maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period.

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12. Noise Impact Study

- (a) That prior to Final Plan Approval, the Owner shall submit a Detailed Noise Impact Study which demonstrates that the appropriate noise criteria can be achieved, in accordance with Ministry of the Environment guidelines. The Noise Impact Study must be prepared by a qualified Professional Engineer.
- (b) That the required Detailed Noise Impact Study assess the potential noise impact, including the adjacent dog kennel, on the proposed residential development and recommend necessary noise attenuation measures to ensure compliance with the applicable noise criteria.
- (c) That the recommendations of the Noise Impact 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 the Owner shall show on the engineering drawings the extension of the 7.5 metre high acoustical barrier, 80 metres to the north of the terminus of the existing acoustic barrier. The acoustical barrier shall be constructed with no openings or gaps, and be with the same material, to the same standards, and having the same colour and appearance of the original.

13. Environmental Impact Study

That prior to Final Plan Approval, the Owner shall agree to incorporate the recommendations of the Environmental Impact Assessment prepared by Ecological Services, dated September 2010, for the subject property into the approved plans and Subdivision Agreement.

14. Geotechnical Study

- (a) That prior to Final Plan Approval, the Owner shall submit a Geotechnical Study which evaluates the soils and subsurface conditions of the site, including fill previously placed on the site. The Geotechnical Study must be prepared by a qualified Professional Engineer, to the satisfaction of the City.
- (b) That 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.

REPORTS (CONTINUED)

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15. Servicing Study

That prior to Final Plan Approval, the Owner shall agree to incorporate the recommendations of the Servicing Study prepared by Josselyn Engineering Incorporated, dated April 16, 2012, for the subject property into the approved plans and Subdivision Agreement.

16. Environmental Site Assessment

(a) That prior to Final Plan Approval, the Owner shall submit an Environmental Site Assessment to demonstrate that the soil and groundwater quality of the property is compatible with a residential land use as defined by the generic criteria listed within the Guideline for Use at Contaminated Sites in Ontario (MOE, as amended), performed in accordance with CSA standard Z768-01, and any required follow up investigations or remediation.. The report must be prepared by a qualified Professional Engineer, to the satisfaction of the City.

(b) That the recommendations of the Environmental Site Assessment 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.

(c) That the Subdivision Agreement shall contain provisions that should site remediation be required to meet the applicable soil and ground water criteria set out in the Guideline for Use at Contaminated Sites in Ontario (MOE, as amended), the Owner shall submit to the City, prior to Final Plan Approval, a copy of the Record of Site Condition acknowledged by a Provincial Officer of the Ministry of the Environment and to the satisfaction of the City.

(d) That the Subdivision Agreement shall contain provisions that 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 City, meet the applicable soil and ground water criteria set out in the Guideline for Use at Contaminated Sites in Ontario (MOE, as amended).

17. Parkland Conveyance

(a) That the Owner conveys Block 110 to the City for park or other public recreational purposes prior to final approval of the first phase of the subdivision.

(b) That the Subdivision Agreement shall contain provisions that the Owner shall provide street frontage on two sides of Block 110.

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- (c) That the Subdivision Agreement shall contain provisions that acknowledge that Block 110 has been sized to provide the required parkland dedication based on the residential lots and future development blocks shown on the April 26, 2012 draft plan. The Owner shall provide additional parkland dedication should the future phase(s) of the subdivision be significantly altered resulting in an increase in density. The City may require either cash-in-lieu of parkland or conveyance of land in excess of Block 110.

- (d) That lands to be conveyed to the City for park or other public recreational purposes shall be subject to the following conditions:
 - (i) That all lands shall be clear of all debris, fill, encumbrance; in a clean state and contains adequate drainage. The vegetation should be left in an untouched, natural state with the exception of trees identified for removal in the tree preservation plan. All existing vegetation is to remain within the limits of the park site, including any significant trees at the property line. The tree preservation plan shall include the removal of all dead, damaged or diseased vegetation.
 - (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 enter into a Site Access Agreement with the Municipality to permit City staff to access the park site to complete pre-engineering, survey and design works for the park. This Agreement shall terminate once the Municipality is deeded the land as part of Final Plan Approval.
 - (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. The Municipality will be responsible for the maintenance of the fence and its removal.
 - 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 City, the Manager, Parks Development or designate shall inspect the park site to ensure that the park is in a clean/natural state. 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

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blocks be in an unsatisfactory state, the Owner shall be held responsible for restoring the site to the City's satisfaction.

- (vi) No above ground public utilities such as Bell pedestals or transformers shall be situated within the parkland to be conveyed to the City of Kingston.

18. Tree Preservation Plan and Street Trees

- (a) That the Subdivision Agreement shall contain provisions that the Owner shall maintain Blocks 106 to 109, 111 and 112 in their natural state. A permit is required prior to any tree removal, in accordance with the City's Tree By-law.
- (b) That prior to Final Plan Approval, the Owner shall submit a Tree Preservation Plan prepared by an ISA Certified Arborist, Registered Professional Forester, or Treemarker and to the satisfaction of the City of Kingston and the Cataraqui Region Conservation Authority.
- (c) That the recommendations of the Tree Preservation Plan shall be incorporated into the drawings for approval by the City and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the Plan recommendations to the satisfaction of the City of Kingston.
- (d) 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 City 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 mm) 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 City. This plan shall be reviewed and approved by the City 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 City.

REPORTS (CONTINUED)

REPORT NO. 85: RECEIVED FROM THE PLANNING COMMITTEE

- (e) 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 City.

19. Landowner Information Package

- (a) That prior to Final Plan Approval, the Owner shall prepare a Landowner Information Package, to the satisfaction of the City and the Cataraqui Region Conservation Authority, which shall be registered on title of the subject property and distributed to all prospective purchasers and shall be appended to their Agreements of Purchase and Sale or Lease. Provisions shall be included in the Subdivision Agreement to require a Notice to Purchasers that the Landowner Information Package has been prepared to help make them aware of environmental best practices on their property and with respect to the proximity of the property to a contributory woodland. The Package must also include information regarding maximum driveway width and warnings regarding snow removal on bulbed corners and cul-de-sacs.

20. Community Mailboxes

- (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 mailboxes within the Plan, and shall identify such locations on drawings for approval by the City. The locations of these community mailboxes shall be identified in the notice to future purchasers of the lots within the Subdivision.
- (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 mailboxes 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).

21. Fencing

- (a) That the Owner shall construct a chain link fencing along lots adjacent to Blocks 113 and 114.
- (b) That the Owner shall construct, as a minimum, a 1.83 metre high wood privacy fence along the rear of Lots 12 to 15 and 19 to 24.
- (c) That the Owner shall construct a noise attenuation barrier, based on the findings of the Noise Impact Study.

REPORTS (CONTINUED)

REPORT NO. 85: RECEIVED FROM THE PLANNING COMMITTEE

22. Builder's Plan

That prior to Final Approval, the Owner shall prepare a Builder's Plan to the satisfaction of the City of Kingston that includes the location and width of all driveways, all above ground infrastructure including street tree planting, and on street parking and snow storage throughout the plan of subdivision.

23. Future Development Blocks

- (a) That the Subdivision Agreement shall contain provisions indicating that Blocks 105 to 109, 111 and 112 are located within a buffer area that restricts residential and/or other sensitive land uses due to operations on the adjacent Pat Rogers Towing Service and Wrecking Yard and that the Owner shall undertake a Detailed Noise Impact Study prior to any development approvals on Blocks 105 to 109, 111 and 112.
- (b) That the Subdivision Agreement shall contain provisions that the Owner shall undertake an Environmental Impact Statement and Tree Inventory Report for Blocks 105 to 109, 111 and 112 prior to any development approvals for these blocks.
- (c) That the Subdivision Agreement shall contain provisions that the Owner shall convey to the City of Kingston, in a condition satisfactory to the City of Kingston and at no cost to the City of Kingston, Block 107 for a public road.

24. 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) That 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

REPORTS (CONTINUED)

REPORT NO. 85: RECEIVED FROM THE PLANNING COMMITTEE

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 (ie., 911 Emergency Services).

25. Hydro One

- (a) That prior to Final Plan Approval, the Owner shall satisfy all technical, financial and other requirements of Hydro One regarding the design, installation, connection and/or expansion of electric distribution services.

26. Utilities Kingston

- (a) That 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) That the Owner shall agree to design, purchase materials, and install a buried hydro distribution system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with the latest standards and specifications of Utilities Kingston and the City.
- (c) That 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.

27. Construction Traffic Route

That prior to approval of any engineering drawings, arrangements shall be made to the satisfaction of the City of Kingston for a suitable construction traffic route.

28. Bus Stop Pads

That the Owner shall show on the engineering drawings, bus stop pads in locations and of designs satisfactory to the City of Kingston, including a location mid block on Pearl Road.

29. Warning Clauses:

That the Owner shall include the following warning clauses in a schedule to all offers of purchase and sale, or lease for all lots and blocks within this Plan. Additional warning clauses may be required as a result of the review of the Final Plan of Subdivision and will be identified in the Subdivision Agreement.

REPORTS (CONTINUED)

REPORT NO. 85: RECEIVED FROM THE PLANNING COMMITTEE

- a. within the entire subdivision plan:
- “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 and the adjacent dog kennel, may be of concern and occasionally interfere with some activities of the dwelling occupants.”
 - “Purchasers and/or tenants are advised that the proposed finished lot and/or block grading may not meet City of Kingston lot grading criteria in certain areas to facilitate preservation of existing vegetation and to maintain existing adjacent topographical conditions.”
 - “Purchasers and/or tenants are advised that the planting of trees on City boulevards in front of residential units is a requirement of the City and a conceptual location Plan is included in the Subdivision Agreement. While every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete any boulevard tree without further notice.”
 - “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.”
 - “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.”
 - “Purchasers are advised that, where a fence has been installed by the Developer, the fence is to be maintained by the homeowner.”
 - “Purchasers and/or tenants of lots on cul-de-sacs and bulbed corners (lots with extended road widths to increase frontages) within this Subdivision are advised that the design of cul-de-sacs and bulbed corners presents challenges to the Municipalities clearing or removal operations. The Municipality will make every effort to keep the street clear of snow and to plow to the curb line. However, some property owners may experience higher volumes of snow at the end of their driveways or may have to remove snow from a portion of the roadway where it is not possible for the snow plow to reach the curb. Purchasers are further advised that it may be necessary for the Municipality to pile snow in the middle of the cul-de-sac or bulbed corners during or after

REPORTS (CONTINUED)

REPORT NO. 85: RECEIVED FROM THE PLANNING COMMITTEE

significant storm events. The Municipality will only remove the snow piled in the middle of the cul-de-sac when ongoing snow clearing operations or normal vehicular access may be compromised.”

- “Purchasers and/or tenants are advised that driveways should not be widened beyond that provided by the home builder without the approval of the City of Kingston. Maximum driveway widths are controlled through the Zoning By-Law.”

- b. abutting a park block:
 - “Purchasers and/or tenants are advised that Lots 36, 37 and Blocks 108 and 111 abuts a future park, and periodically active and passive use of the park may interfere with the quiet enjoyment of their home or yard. Changes to the park may occur over time based on neighbourhood needs or operational requirements of the City.”

 - “Purchasers and/or tenants are advised that neither dumping of debris, vegetative cuttings, emptying of pool water, or other forms of encroachment shall be permitted on the park land(s).”

- c. abutting a potential transit route:
 - “Purchasers and/or tenants are advised that the following streets may be used as transit routes in the future: Pearl Road and Creekford Road.

- d. abutting Pat Rogers Towing Service and Wrecking Yard:
 - “Purchasers and/or tenants are advised that due to the proximity of the adjacent vehicle towing service and wrecking yard, sound levels from the towing service and wrecking yard operations may at times be audible.”

 - “Purchasers and/or tenants are advised that Pat Rogers Towing Service or its assigns or successors in interest operates a vehicle towing service and wrecking yard on lands located within 300 metres from the lands subject thereof. The towing service operates 24 hours per day. The wrecking yard operates during regular business hours. The sound levels from truck traffic or equipment associated with towing services and wreckage yard operations, including the dismantling, crushing or shearing of wrecked vehicles stored on the property, may occasionally affect some activities of the dwelling occupants.”

REPORTS (CONTINUED)

REPORT NO. 85: RECEIVED FROM THE PLANNING COMMITTEE

30. 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 City, setting out the conditions, and shall fulfill all relevant conditions of that Agreement prior to issuance of a building permit.

31. General Conditions:

- (a) That the Owner shall pay any and all outstanding application fees to the Planning and Development Department, in accordance with the City's Tariff of Fees By-Law.
- (b) That when requesting Final Approval from the City, 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 requirements of the Zoning By-Law.
- (c) 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.
- (d) 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 City.
- (e) 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.
- (f) 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 City.
- (g) That the Owner shall agree that no building permits, with the exception of model homes, will be applied for until the City is satisfied that adequate access, municipal water, sanitary and storm services are available.

REPORTS (CONTINUED)

REPORT NO. 85: RECEIVED FROM THE PLANNING COMMITTEE

32. 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 City is to be advised in writing by the Cataraqui Region Conservation Authority the method by which Conditions 11, 18 and 19 have been satisfied.

33. 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.

(The Report of the Commissioner of Sustainability and Growth (PC-12-052) was attached to the Planning Committee agenda as Schedule Pages 84-123, and a revised recommendation was placed on the addendum as Schedule Pages 231-245.)

(Note: A copy of the draft by-law is attached as Schedule Pages 390 - 392)

(See By-Law No. (9), 2012-118)

4. Applications for Official Plan Amendment & Zoning By-Law Amendment for 351 Select Drive

THAT the application for Official Plan Amendment, and Zoning By-Law Amendment (Our Files No. D09-066-2012 and D14-237-2012) submitted by Braebury Homes Corp., for the property municipally known as 351 Select Drive, **BE APPROVED**; and

REPORTS (CONTINUED)

REPORT NO. 85: RECEIVED FROM THE PLANNING COMMITTEE

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

NOW THEREFORE the Council of The Corporation of the City of Kingston, in accordance with the provisions of Section 17 of the *Planning Act*, R.S.O. 1990, c.P13, hereby enacts as follows:

1. The Official Plan for the City of Kingston is hereby amended by the following map change which shall constitute Amendment No. 14 to the Official Plan for the City of Kingston.

(a) **AMEND** Schedule '3-D, Site Specific Policies' of the Official Plan for the City of Kingston, so as to designate 351 Select Drive, as shown on Schedule 'A' to By-Law No. 2012-119, as 'Site Specific Policy No. 47'.

1.2 That the Official Plan for the City of Kingston is hereby amended by adding the following new Site Specific Policy as 3.18.47:

**"351
Select
Drive
SSP No.
47**

3.18.47. In addition to the uses permitted in Section 3.4.E, an indoor self-service storage facility will also be permitted on 351 Select Drive as shown on Schedule 3-D. Self-service storage facilities will be limited to a single storey in height. The development will be oriented to the existing commercial context to the north and the buildings will be buffered from the residential uses to the south."

2.0 By-Law No. 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:

2.1. Map 5 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from C2-1 to C2-68, as shown on Schedule "A" attached to and forming part of By-Law No. 2012-119.

2.2. By **Adding** a new subsection 19(bp) thereto as follows:

"(bp) C2-68 (351 Select Drive)

REPORTS (CONTINUED)

REPORT NO. 85: RECEIVED FROM THE PLANNING COMMITTEE

Notwithstanding the provisions of Section 5 and 19 hereof to the contrary, the lands designated 'C2-68' on Schedule 'A' hereto, the following regulations shall apply:

- a) Permitted Use: In addition to the permitted uses of the C2 Zone a Self-Storage use is a permitted use;
- b) Prohibited Uses: Open Storage associated with a self-storage use is prohibited; and
- c) Maximum Height: the Maximum height of a self-storage use shall be 9.2 metres.

3.0 **THAT** the Zoning By-Law Amendment and Official Plan Amendment By-Laws be presented to City Council for all three readings.

(The Report of the Commissioner of Sustainability and Growth (PC-12-053) was attached to the Planning Committee agenda as Schedule Pages 124-167.)

(Note: A copy of the draft by-law is attached as Schedule Pages 393 - 394)

(See By-Law No. (10), 2012-119)

5. Application for Zoning By-Law Amendment for 522-524 Johnson Street

THAT it be recommended to Council that the application for Zoning By-Law Amendment (Our File No. D14-214-2011) submitted by Kevin Kaufman, for the property located at 522-524 Johnson Street, BE APPROVED; and,

THAT it be recommended to Council that the former City of Kingston Zoning By-Law No. 8499, as amended, be further amended as follows:

1. That Zone Map No. 30 of Zoning By-Law No. 8499, as amended, is hereby further amended by changing the zone symbol of the subject site from 'A' to 'B.416' as shown on Schedule 'A' attached hereto and forming part of By-Law No. 2012-120.
2. That the By-Law be amended by the addition of the following section to Part VIII - **EXCEPTIONS TO VARIOUS ZONE CLASSIFICATIONS:**
"416. Notwithstanding the provisions of Section 13 hereof to the contrary, on the approximately 0.06 ha parcel of land known municipally as 522-524 Johnson Street, and zoned 'B.416' on Schedule 'A' attached to and forming part of amending By-Law No. 2012-120, the following provisions shall also apply:
 - a) Maximum permitted number of residential units: 6
 - b) Minimum setback

REPORTS (CONTINUED)

REPORT NO. 85: RECEIVED FROM THE PLANNING COMMITTEE

- i. front yard: 2.7 metres
- ii. side yard: 1.2 metres
- iii. aggregate side yard: 2.4 metres
- iv. from front lot line for unenclosed porches: 0.0 metres
- c) Required number of accessible parking spaces: 0
- d) Maximum lot coverage: 37%
- e) Maximum density: 100 dwelling units per net hectare
- f) Minimum required amenity area: 230.0 square metres
- g) Minimum required play space: 0.0 square metres"; and

THAT the By-Law be presented to City Council for all three readings

(The Report of the Commissioner of Sustainability and Growth (PC-12-055) was attached to the Planning Committee agenda as Schedule Pages 168-214 and a revised recommendation was placed on the addendum as Schedule Pages 221-230.)
(Note: A copy of the draft by-law is attached as Schedule Pages 395 - 396)

(See By-Law No. (11), 2012-120)

July 5, 2012

**1a. Comprehensive Report Zoning By-Law Amendment 247 Portsmouth Avenue
Applicant: Justin Connidis and Julia McArthur File No.: D14-231-2011**

THAT the application for Zoning By-Law Amendment (Our File No. D14-231-2011) submitted by Justin Connidis and Julia McArthur, for the property located at 247 Portsmouth Avenue, **BE APPROVED**; and

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

1. **THAT** Zone Map No. 25 of Zoning By-Law No. 8499, as amended, is hereby further amended by changing the zone symbol of the subject site from 'A1' to 'A1.415' as shown on Schedule 'A' attached hereto and forming part of By-Law No. 2012-121.
2. By the addition of the following section to Part VIII – EXCEPTIONS TO VARIOUS ZONE CLASSIFICATIONS:

REPORTS (CONTINUED)

REPORT NO. 85: RECEIVED FROM THE PLANNING COMMITTEE

“415. Notwithstanding the provisions of Section 7 hereof to the contrary, on the approximately 0.2 ha parcel of land known municipally as 247 Portsmouth Avenue, and zoned ‘A1.415’ on Schedule ‘A’ attached to and forming part of amending By-Law No. 2012-121, the following provisions shall also apply:

- a) A Supportive Living Residence shall be permitted.
- b) For the purpose of the ‘A1.415 zone’, the following definition shall apply:
Supportive Living Residence means a residence providing accommodation primarily for retired persons or couples where each Supportive Living Residence Suite has a private bathroom, a separate entrance from a common hall, and a kitchenette which may include convenience facilities such as a bar fridge and a microwave oven but without full cooking facilities. Common facilities for the preparation and consumption of food are provided. Common lounges, recreation rooms, and guest/clinic rooms may also be provided for use by residents and support staff. The manager’s residence is a dwelling unit and is permitted to have full kitchen facilities.
- c) Supportive Living Residence provisions:
 - i. Maximum number of Supportive Living Residence Suites: 16
 - ii. Maximum number of manager’s residence: 1
 - iii. Minimum front yard setback: 6.0 metres
 - iv. Minimum side yard setback: 4.0 metres
 - v. Minimum aggregate side yard Setback: 11.0 metres
 - vi. Minimum rear yard setback: 19.0 metres
 - vii. Maximum height: 12.5 metres
 - viii. Minimum required number of parking spaces per Suite: 0.7”

THAT the By-Law be presented to City Council for all three reading
(Note: A copy of the draft by-law is attached as Schedule Pages 397 - 399)
(See By-Law No. (12), 2012-121)



REPORTS (CONTINUED)

REPORT NO. 86: RECEIVED FROM THE KINGSTON MUNICIPAL HERITAGE COMMITTEE

Report No. 86

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.

Note: There are no clauses (below) which must be dealt with this evening in order to meet the requirements of the Ontario Heritage Act.

- 1) Approval of alterations at 90-94 Brock Street for the repair and restoration of the installation of two vents for a portable air conditioning unit. The vent covers will be flush with the front wall and white to blend in with the wall panels.**

THAT alterations to the designated property located at 90-94 Brock Street be approved in accordance with the details described in Application P18-083-044-2012 and the submission dated June 12th, 2012 that was deemed complete by the Planning and Development Department on June 18th, 2012, said alterations requesting approval for the installation of one vent for a portable air conditioning unit. The vent cover will be flush with the front wall and white to blend in with the wall panels subject to the following conditions:

- 1) **THAT** should any of the repair activities i.e. scaffolding, dumpsters etc., require use of the City Right Of Way, an encroachment permit will be required. The encroachment permit can be obtained from Brad Morton of the City's Engineering Department. He can be reached at bmorton@cityofkingston.ca or telephone at 613-546-4291 ext. 3147. The encroachment permit application can be found on the City website at http://cityofkingston.ca/pdf/engineering/app_encroachment.pdf.

- 2) Approval of alterations at 34 Barrie Street for the installation of a non-illuminated ground sign.**

THAT alterations to the designated property located at 34 Barrie Street be approved in accordance with the details described in Application P18-058-048-2012 and the submission dated June 20th, 2012 that was deemed complete by the Planning and Development Department on June 21st, 2012, said alterations requesting approval for the installation of a non-illuminated ground sign, subject to the following conditions:

REPORTS (CONTINUED)

REPORT NO. 86: RECEIVED FROM THE KINGSTON MUNICIPAL HERITAGE COMMITTEE

- 1) A sign permit application must be obtained and must comply with Sign By-law 2009-140.
- 2) The footings of the proposed sign should be no less than the designed 120 inches to sidewalk.
- 3) We wish to advise the applicant that should any of the repair activities i.e. scaffolding, dumpsters etc., require use of the City Right Of Way, an encroachment permit will be required. The encroachment permit can be obtained from Brad Morton of the City's Engineering Department. He can be reached at bmorton@cityofkingston.ca or telephone at 613-546-4291 ext. 3147. The encroachment permit application can be found on the City website at http://cityofkingston.ca/pdf/engineering/app_encroachment.pdf.
- 4) 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 Tourism, Culture and Sport (416-314-7123) and the City of Kingston Heritage Planner (613-546-4291 ext 3180) must be immediately contacted.
- 5) In the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police (613-549-4660), the Registrar of Cemeteries Regulation Section of the Ontario Ministry of Consumer Business Services (416-326-8494), the Cultural Program Branch of the Ministry of Tourism, Culture and Sport (416-314-7123), and the City of Kingston Heritage Planner (613-546-4291 ext 3180) must be immediately contacted.



REPORTS (CONTINUED)

REPORT NO. 87: RECEIVED FROM THE ADMINISTRATIVE POLICIES COMMITTEE

Report No. 87

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) Signage Policy for Municipal Rights-of-Way and Replacing of Current Municipal Gateways Signs

THAT the Signage Guidelines for Municipal Rights-of-Way, attached as Exhibit "A" to this report be approved, and

THAT the proposed design for Municipal Gateway signage and the tiered approach to sign replacement be approved.

(Note: A copy of the Signage Guidelines is attached as Schedule Pages 400 - 407)

2) Appointment of Auditors

1. **THAT** Council, in accordance with Section 296 (1) and (3) of the *Municipal Act*, 2001, as amended, authorize the appointment of KPMG LLP Chartered Accountants as auditors for the Corporation of the City of Kingston and its local boards for the fiscal years ending December 31, 2012 and December 31, 2013; and

2. **THAT** Council authorize the City Treasurer, subject to satisfaction of the City Solicitor, to enter into contract(s) with KPMG LLP Chartered Accountants to conduct audits on behalf of the City of Kingston and its local boards for the fiscal years ending December 31, 2012 and December 31, 2013; and

3. **THAT** a by-law be presented, being "A By-Law To Appoint KPMG LLP Chartered Accountants As Auditors For The City Of Kingston And Its Local Boards For The Fiscal Years Ending December 31, 2012 and December 31, 2013."

(See By-Law No. (13), 2012-122)

(Note: A copy of the draft by-law is attached as Schedule Pages 408)



REPORTS (CONTINUED)

REPORT NO. 88: RECEIVED FROM THE ARTS, RECREATION AND COMMUNITY POLICIES COMMITTEE

Report No. 88

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.

a) 2011 – 2014 Childcare Management Strategies for Kingston Frontenac – Updates and Recommended Revisions.

THAT the following childcare management strategy changes be approved:

1. Revisions to the Childcare Management Strategies 2011-2014 as per Exhibit A of this report;
2. Revisions to the Fee Subsidy Wait List Policy as per Exhibit B attached to this report;
3. Adjustment to the Dedicated Referral Care Strategy to dedicate a minimum 10 subsidized referrals for part time childcare starting in September 2012 for families seeking referral childcare in a centre of their choice;
4. Conclusion of the one-time dedicated Transition/stabilization Funding Strategy for Helen Tufts Nursery School and The Child Centre (Sharbot Lake) as per Exhibits C and D of this report.

(Note: Exhibit A, B, C and D are attached as Schedule Pages 409 - 417)

b) Motion pertaining to a rubberized pathway within the Memorial Centre, to allow for 2-way traffic

THAT staff work with the concerns of Kingston Memorial Centre Committee members with respect to the costs of a rubberized pathway within the Memorial Centre, and the logistics of implementing the pathway with a goal to allow for 2-way traffic for those specific areas of the Memorial Centre where rubber flooring currently exists for 1-way traffic.



REPORTS (CONTINUED)

REPORT NO. 89: RECEIVED FROM THE ENVIRONMENT, INFRASTRUCTURE AND TRANSPORTATION POLICIES COMMITTEE

Report No. 89

To the Mayor and Members of Council:

The Environment, Infrastructure and Transportation 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) Sustainable Events Policy Considerations

THAT the existing policies, procedures and guidelines governing special events management on City of Kingston municipal property be amended so:

1. **THAT** existing event policies be consolidated and revised and accompanied by an Event Planner's Guide, and
2. **THAT** the goal or purpose of a consolidated event management policy reference the importance of the four-pillar model of community sustainability and indicate preference for support to events that adopt best practices in sustainability and thus reduce unwanted environmental impacts while maximizing social, cultural and economic benefit to the community, and
3. **THAT** a consolidated policy includes a "Sustainable Event Practice" section which describes requirements for sustainable event practices related to waste management, food service, single use bottled water, reducing automobile use, and estimating carbon footprint, and encourages applicants to consider integrating other sustainability best practices into their events, and
4. **THAT** submission of an Event Management Plan is required by applicants requesting access to City assets for larger events or events deemed by staff to have significant potential for local environmental impacts; and

THAT the Event Planning Guide include a section on Sustainable Event Planning that provides, among other things, best management practices for sustainable event planning, a template for preparation of Carbon Footprint estimates and a checklist for event sustainability features, and

REPORTS (CONTINUED)

**REPORT NO. 89: RECEIVED FROM THE ENVIRONMENT, INFRASTRUCTURE AND
TRANSPORTATION POLICIES COMMITTEE**

THAT staff bring forward a report to the Arts, Recreation and Community Policies Committee (ARCP) by the end of first quarter of 2013 that provides details of how municipal services to special events can be enhanced, with options for cost recovery, to provide waste diversion services, bulk potable water, and local carbon emissions offsetting as described within Report No. EITP-12-014.



COMMITTEE OF THE WHOLE

INFORMATION REPORTS

1) 2012 Priority Matrix – Q2 update

It is the practice of staff to provide an update to Council on the projects and initiatives that are included on the Priority Status Matrix. This report provides an update as of June 30, 2012. Initiatives that are complete have been marked thus by highlighting in blue and indicating the word “complete” in the comments box. Initiatives for which the completion date needs to be revised have the rationale for the revision included in the “comments” column.

(The Report of the Chief Administrative Officer (12-240) is attached as Schedule Pages 418 - 435)
(File No. CSU-C08-000-2012)

2) Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of May 2012

This information report is to:

1. Advise Council of tenders/RFPs approved and contracts awarded greater than \$50,000 that meet the established criteria of delegated authority for the month of May 2012.
2. Report additional information on contracts awarded by senior staff between the \$20,000 and \$50,000 level for the month of May 2012.

(The Report of the City Treasurer (12-218) is attached as Schedule Pages 436 - 441)
(File No. CSU-F18-000-2012)

3a) Ms. Lanie Hurdle, Commission, Community Services, will provide a briefing to Council regarding Information Report (3b), Information on the Limestone District School Board Program and Accommodation Review Committees (PARC) and Partnership Discussion with the City of Kingston.

3b) Information on the Limestone District School Board Program and Accommodation Review Committees (PARC) and Partnership Discussion with the City of Kingston

The Limestone District School Board (LDSB) recently received final reports from its North Kingston Area PARC and its Central Kingston Intermediate and Secondary Schools PARC. This information report is to provide Council with an update on the process and discussions that have taken place with the LDSB in the past months.

(The Report of the Commissioner of Community Services (12-264) is attached as Schedule Pages 442 - 448)
 (File No. CSU-D17-000-2012)



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 Hector
- Councillor Paterson
- Councillor Berg
- Councillor Glover
- Councillor George
- Councillor Neill

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:

- ✓ September and October 2011 – Councillor X
- ✓ November and December 2011 – Councillor X
- ✓ January and February 2012 – 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 August 14, 2012.

- (2) **THAT** the following board and committee appointments be confirmed without comment:

- a) St. Lawrence College

Board / Committee	Length of Term	Names
Kingston Environmental Advisory Forum	November 30, 2014	<p>Confirmation only required</p> <p>David Seaton</p>

b) St. Lawrence College Student Association

Board / Committee	Length of Term	Names
Near Campus Neighbourhoods Advisory Committee	November 30, 2012	<u>Confirmation only required</u> John Carpenter

c) Queen's University Alma Mater Society

Board / Committee	Length of Term	Names
Near Campus Neighbourhoods Advisory Committee	November 30, 2012	<u>Confirmation only required</u> Troy Sherman (Primary) Mira Dineen (Alternate)

(See Communication No. 12-329)**(See Communication No. 12-330)****(See Communication No. 12-331)**

(3) K-Rock Centre – Allocation of Corporate Suite Use

Note: On July 3, 2012, Denis Leger distributed a memo to Council asking Councillors to identify dates when the Corporate Suite was to be booked for community recognition. As of July 10, 2012 no submissions for the use of the Corporate Suite for specific community recognitions and/or achievements were received.

(See Communication No. 18-328)**NEW MOTIONS**

- 1) Moved by Councillor Schell
Seconded by Councillor George

WHEREAS the City of Kingston has many proposed infrastructure projects planned over the next several years; and

WHEREAS important purchasing principles that guide City procurements include fair, transparent and accountable processes that provide for the stewardship of resources and high quality workmanship that meets the City's project objectives;

THEREFORE BE IT RESOLVED THAT staff review public sector best practice purchasing policies and procedures for infrastructure projects, including those of comparable cities, referencing differences between, and usage of, request for proposals and tenders and report back to the Administrative Policies Committee in October 2012 with a summary of findings.



NOTICES OF MOTION



MINUTES

THAT the Minutes of City Council Meeting No. 2012-17, held Tuesday, June 19, 2012 be confirmed.

(Distributed to all Members of Council on Friday, July 13, 2012)



TABLING OF DOCUMENTS

- 2012-55 Kingston & Frontenac Housing Corporation
Agenda – June 25, 2012
(File No. CSU-S13-000-2012)
- 2012-56 Kingston & Frontenac Housing Corporation
Minutes – April 30, 2012
(File No. CSU-S13-000-2012)
- 2012-57 Kingston & Frontenac Housing Corporation
Minutes – April 24, 2012
(File No. CSU-S13-000-2012)
- 2012-58 KFL&A Public Health
Agenda – June 27, 2012
(File No. CSU-S08-001-2012)
- 2012-59 Cataraqui Region Conservation Authority
Agenda – June 27, 2012
(File No. CSU-S08-001-2012)

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- 2012-60 Cataraqui Region Source Protection Authority
Agenda – June 27, 2012
(File No. CSU-S08-001-2012)
- 2012-61 Cataraqui Region Conservation Authority
Minutes – May 30, 2012
(File No. CSU-S08-001-2012)
- 2012-62 Cataraqui Region Source Protection Authority
Minutes – June 27, 2012
(File No. CSU-S08-001-2012)
- 2012-63 Kingston Frontenac Public Library Board
Minutes – May 23, 2012
(File No. CSU-R02-000-2012)



COMMUNICATIONS

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

Filed

- 18-312 From the Town of Renfrew, acknowledging receipt of Kingston's City Council's resolution regarding Provincial Payments-in-Lieu of Taxes, and advising that the Town's Council passed a resolution in support of this resolution.
(File No. CSU-F22-000-2012)
- 18-313 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 No. 32-74 for the property at 12 Drummond Street, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is July 16, 2012.
- MINOR VARIANCE – In respect of an application to request permission under Section 45 (2)(a)(ii) of the *Planning Act* for the property at 407 Division Street, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is July 16, 2012.
- CONSENT – In respect of an application for consent to sever the property at 250 Gore Road, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is July 17, 2012.
- MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 32-74 for the property at 250 Gore Road, the Committee decided that the

application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is July 16, 2012.

(File No. CSU-D19-000-2012)

- 18-316 From Serenity Cafe, an application for a liquor licence from the Alcohol and Gaming Commission of Ontario for an establishment located at 295 Brock Street.
(File No. CSU-P09-000-2012)

Referred to All Members of Council

- 18-301 From Terry Willing, Chief Building Official, Director of Building & Licensing, City of Kingston, providing additional information regarding Report No. 12-161, City Pound Services.

(File No. CSU-P14-000-2012)

(Distributed to all Members of Council on June 19, 2012)

- 18-302 From the Honourable Kathleen Wynne, Minister of Municipal Affairs and Housing, providing an update on changes to the *Strong Action for Ontario Act (Budget Measures)*, 2012.

(File No. CSU-L11-000-2012)

(Distributed to all Members of Council on June 22, 2012)

- 18-303 From Pamela Musgrave, Senior Regional Manager, Muscular Dystrophy Canada, thanking the members of the Kingston Professional Fire Fights Association for their fundraising efforts for Muscular Dystrophy Canada.

(File No. CSU-M03-000-2012)

(Distributed to all Members of Council on June 22, 2012)

- 18-304 From the Town of Milton, providing a resolution that the Council of the Town of Minto approved regarding a Source Water Protection Program.

(File No. CSU-C10-000-2012)

(Distributed to all Members of Council on June 22, 2012)

- 18-305 From Ontario Heritage Trust, informing that they will be accepting nominations for the 2012 Recognition Programs through the Heritage Community Recognition, Young Heritage Leaders and Community Leadership Programs.

(File No. CSU-R01-000-2012)

(Distributed to all Members of Council on June 22, 2012)

(Information booklets are available for viewing at the Clerk's Office)

- 18-306 From SolPowered Energy Corp., requesting municipal support regarding the Ontario Power Authority's Feed-in Tariff (FIT) program, and providing information regarding a rooftop solar power generation project planned in the City of Kingston.

(File No. CSU-E11-000-2012)

(Distributed to all Members of Council on June 22, 2012)

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- 18-307 From Richard St. Amour, asking the City of Kingston to join the challenge in promoting the "BeAdonor.ca" registry.
(File No. CSU-S00-000-2012)
(Distributed to all Members of Council on June 22, 2012)
- 18-308 From Cataraqui Source Protection Area Committee, regarding a request for comments on proposed Source Protection Plan, Cataraqui Source Protection Area.
(File No. CSU-D03-000-2012)
(Distributed to all Members of Council on June 22, 2012)
- 18-309 From Association of Municipalities of Ontario (AMO), advising of the 2012 AMO Annual Conference, August 19-22, 2012.
(File No. CSU-A01-004-2012)
(Distributed to all Members of Council on June 22, 2012)
- 18-310 From Association of Municipalities of Ontario (AMO), providing the AMO Breaking News update regarding Policing Issues.
(File No. CSU-A01-004-2012)
(Distributed to all Members of Council on June 22, 2012)
- 18-311 From Association of Municipalities of Ontario (AMO), providing an MEPCO board update regarding Pension Sustainability, Bill 206 (OMERS Devolution) Mandatory Review, and Specified Change Proposals 2012.
(File No. CSU-A01-004-2012)
(Distributed to all Members of Council on June 22, 2012)
- 18-314 From Association of Municipalities of Ontario (AMO), regarding the AMO survey on Municipal Infrastructure Priorities and Asset Management.
(File No. CSU-A01-004-2012)
(Distributed to all Members of Council on June 28, 2012)
- 18-315 From Association of Municipalities of Ontario (AMO), providing the 2012 Fall LAS Energy Workshop Session flyer and registration form.
(File No. CSU-A01-004-2012)
(Distributed to all Members of Council on June 28, 2012)
- 18-316 From parent representatives from Module Vanier and KCVI, providing the Central Program and Accommodation Review Committee (PARC) Minority Report.
(File No. CSU-R07-000-2012)
(Distributed to all Members of Council on July 6, 2012)
- 18-317 From the Child Development Centre, providing their concern regarding subsidy dollars for childcare.
(File No. CSU-S01-000-2012)
(Distributed to all Members of Council on July 6, 2012)

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- 18-318 From Michael and Gloria Stephenson, regarding funding cutbacks for people on Ontario Works and ODSP.
(File No. CSU-S04-000-2012)
(Distributed to all Members of Council on July 6, 2012)
- 18-319 From Allan McPhail, Chair, Cataraqui Source Protection Authority, inviting the municipality to comment on a proposed source protection plan for the Cataraqui area.
(Note: The proposed plan and companion explanatory document are available at the Clerk's department for viewing.)
(File No. CSU-D03-000-2012)
(Distributed to all Members of Council on July 10, 2012)
- 18-320 From Rob McRae, Project Manager, Source Water Protection, regarding a follow-up to Risk Management Office(s) Forum – Cataraqui Source Protection Area.
(File No. CSU-D03-000-2012)
(Distributed to all Members of Council on July 10, 2012)
- 18-321 From Mr. Tim Wilkin, Professional Corporation, Cunningham Swan, regarding their client, Westmont Hospitality Group, with respect to the Application for Exemption from the Requirements of Sign By-law No. 2009-140 Comfort Inn, 55 Warne Crescent, Kingston.
(File No. CSU-T07-000-2012)
(Distributed to all Members of Council on July 10, 2012)
- 18-322 From Norfolk County, asking for Council's support on a resolution that Norfolk County's Council passed with respect to Bill 11 – Establish the South Western Ontario Development Fund.
(File No. CSU-C10-000-2012) (File No. CSU-L11-000-2012)
(Distributed to all Members of Council on July 10, 2012)
- 18-323 From Norfolk County, asking for Council's support on a resolution that Norfolk County's Council passed with respect to policing costs and service levels and delivery methods.
(File No. CSU-C10-000-2012) (File No. CSU-P17-000-2012)
(Distributed to all Members of Council on July 10, 2012)
- 18-324 From the Town of Caledon, asking for Council's support on a resolution that the Town's Council passed with respect to working with the Province during the Aggregate Resources Act.
(File No. CSU-C10-000-2012) (File No. CSU-C10-L11-2012)
(Distributed to all Members of Council on July 10, 2012)
- 18-325 From the Municipality of Lambton Shores, asking for Council's support on a resolution that the Municipality's Council passed with respect to recommending changes to Federal guidelines for Telecommunication (cellular) Towers.

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(File No. CSU-C10-000-2012) (File No. CSU-A12-000-2012)
(Distributed to all Members of Council on July 10, 2012)

- 18-326 From the Municipality of Grey Highlands, asking for Council's support on a resolution that the Municipality's Council passed with respect to requesting the Province of Ontario for a reimbursement for funds paid to the Courts over the control of road allowances.
(File No. CSU-T08-000-2012)
(Distributed to all Members of Council on July 10, 2012)
- 18-327 From the Town of Tillsonburg, asking for Council's support on a resolution that the Town's Council passed with respect to a Business Tax Capping Reform.
(File No. CSU-C10-000-2012) (File No. CSU-F22-000-2012)
(Distributed to all Members of Council on July 10, 2012)
- 18-328 From Denis Leger, Commission, Transportation, Properties, and Emergency Services, regarding Council use of the Corporate Suite for the 2012-2013 season at the K-Rock Centre.
(File No. CSU-R05-001-2004/03)
(Distributed to all Members of Council on July 11, 2012)
(See Miscellaneous Motion Item (3))
- 18-329 From Troy Sherman, Municipal Affairs Commissioner, Alma Mater Society of Queen's University, advising that the Alma Mater Society wishes to nominate Troy Sherman to the Near Campus Neighbourhoods Advisory Committee.
(File No. CSU-C12-000-2012)
(Distributed to all Members of Council on July 11, 2012)
(See Miscellaneous Motion Item (2))
- 18-330 From John-Paul Chusroskie, President, Student Association of St. Lawrence College, advising of Spencer Dossett's resignation from the Near Campus Neighbourhoods Advisory Committee, and advising that John Carpenter will be replacing Mr. Dossett on the committee.
(File No. CSU-C12-000-2012)
(Distributed to all Members of Council on July 11, 2012)
(See Miscellaneous Motion Item (2))
- 18-331 From Maggie Stevens, Executive Assistant, Office of the President and Board of Governors, St. Lawrence College, confirming that David Seaton will be representing St. Lawrence College on the Kingston Environmental Advisory Forum Committee.
(File No. CSU-C12-000-2012)
(Distributed to all Members of Council on July 11, 2012)
(See Miscellaneous Motion Item (2))



OTHER BUSINESS



BY-LAWS

- (A) **THAT** By-Laws (1) through (14) and (18) be given their first and second reading.
- (B) **THAT** Clause 11.34 of By-Law No. 2010-1 be suspended for the purpose of giving By-Law (6) three readings.
- (C) **THAT** By-Laws (6) through (12) and (14) through (18) be given their third reading.



- (1) A By-Law to Approve the Renaming of Morton Street to Morton Way, Described as Part Farm Lot 21, Concession 1, Kingston More Particularly Described as Part 13 on Reference Plan 13R-18458, Located East of Alwington Place, South of King Street West, City of Kingston, County of Frontenac
FIRST AND SECOND READINGS PROPOSED NO. 2012-110
(See Clause (m), Report No. 83)
- (2) A By-Law to Amend By-Law No. 2009-140 "A By-Law to Provide for the Prohibition and Regulation of Signs and Other Advertising Devices in the City of Kingston"
FIRST AND SECOND READINGS PROPOSED NO. 2012-111
(See Clause (r), Report No. 83)
- (3) A By-Law to Amend By-Law No. 181 of the Former City of Kingston, "A By-Law to Provide for the Collection, Removal and Disposal of Garbage, Ashes and Other Refuse"
FIRST AND SECOND READINGS PROPOSED NO. 2012-112
(See Clause (3), Report No. 84)
- (4) A By-Law to Amend By-Law No. 36-95 of the Former Township of Pittsburgh, "A By-Law to Regulate and Maintain a System for the Collection, Removal and Disposal of Ashes, Garbage and Other Refuse"
FIRST AND SECOND READINGS PROPOSED NO. 2012-113
(See Clause (3), Report No. 84)
- (5) A By-Law to Amend By-Law No. 95-55 of the Former Township of Kingston, "A By-Law to Regulate the Collection, Removal and Disposal of Garbage and to Prohibit the Throwing, Placing or Depositing of Garbage on Property Within the Township of Kingston"
FIRST AND SECOND READINGS PROPOSED NO. 2012-114
(See Clause (3), Report No. 84)

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- (6) A By-Law To Authorize an Agreement for the Provision of a Municipal Capital Facility at 370 King Street West, Kingston, Ontario
THREE READINGS PROPOSED NO. 2012-115
(See Clause (I), Report No. 83)
- (7) A By-Law to Amend By-Law No. 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 Modification to the Holding Special Residential Type 3 'R3-29-H' Zone, 2939 Creekford Road)
THREE READINGS PROPOSED NO. 2012-116
(See Clause (1), Report No. 85)
- (8) A By-Law to Amend By-Law No. 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 from 'R11-1' to 'R11-2', 1373 - 1397 & 1390 - 1400 Waterside Way, 108 Schooner Drive and 200 - 218 Clipper Court (Lots 17 - 22, 62 - 74, 101 and 103 - 112, 13M-85))
THREE READINGS PROPOSED NO. 2012-117
(See Clause (2), Report No. 85)
- (9) A By-Law to Amend Zoning By-Law No. 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', 'D' and 'M3' to 'R2-36', 'OS' and 'D', 2803 Creekford Road)
THREE READINGS PROPOSED NO. 2012-118
(See Clause (3), Report No. 85)
- (10) A By-Law to Amend By-Law No. 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 Special General Commercial 'C2-1' Zone to Special General Commercial 'C2-68' Zone, #351 Select Drive)
THREE READINGS PROPOSED NO. 2012-119
(See Clause (4), Report No. 85)
- (11) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Zone Change from A to B.416, 522-524 Johnson Street)
THREE READINGS PROPOSED NO. 2012-120
(See Clause (5), Report No. 85)
- (12) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Zone Change from A1 to A1.415, 247 Portsmouth Avenue)
THREE READINGS PROPOSED NO. 2012-121
(See Clause (1a), Report No. 85)

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- (13) A By-Law to Appoint KPMG LLP Chartered Accountants as Auditors for the City of Kingston and its Local Boards for the Fiscal Years Ending December 31, 2012 and December 31, 2013.
FIRST AND SECOND READINGS PROPOSED NO. 2012-122
(See Clause (2), Report No. 87)
- (14) A By-Law to Amend By-Law No. 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" to Remove the '-H' Holding Symbol Related to the Holding Special Residential Type 2 'R2-34-H' Zone (Woodhaven (Barr) Subdivision)
THREE READINGS PROPOSED NO. 2012-123
(Delegated Authority)
- (15) A By-Law to Amend By-Law No. 2003-209, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of the Highway Traffic Act", (Amend Speed Limits on Grenadier Drive)
THIRD READING PROPOSED NO. 2012-99
(See Clause (r), Report No. 76)
- (16) A By-Law to Amend By-Law No. 2003-209, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of the Highway Traffic Act", (Amend Through Highways and All-Way Stop Signs)
THIRD READING PROPOSED NO. 2012-100
(See Clause (s), Report No. 76)
- (17) A By-Law to Amend By-Law No. 2003-209, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of the Highway Traffic Act", (Amend Speed Limit on Taylor Kidd Boulevard)
THIRD READING PROPOSED NO. 2012-101
(See Clause (t), Report No. 76)
- (18) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, July 17, 2012
THREE READINGS PROPOSED NO. 2012-124
(City Council Meeting No. 2012-18)
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ADJOURNMENT