City Council Meeting Number 2014-21

The Regular Meeting of Kingston City Council was held on Tuesday, June 17, 2014, and was called to order at 5:45 pm in the Council Chamber, City Hall. Regular business commenced at 7:34 pm. His Worship Mayor Mark Gerretsen presided.

There was a "Closed Meeting" of the Committee of the Whole from 4:50 pm to 7:05 pm in the Councillors’ Lounge.

There was an Annual General Meeting of Kingston & Frontenac Housing Corporation from 7:15 pm to 7:21 pm.

(Council Chamber)

Roll Call

Present: Mayor Gerretsen, Councillor Berg, Councillor Downes, Councillor George, Councillor Glover, Councillor Hector, Councillor Hutchison (arrived at 5:52 p.m.), Deputy Mayor Neill, Councillor Osanic (arrived at 5:50 p.m.), Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (13)

Absent: (0)

(Councillors’ Lounge)

Administrative Staff Present:

Mr. K. Arjoon, Deputy City Clerk
Mr. J. Bolognone, City Clerk
Mr. G. Hunt, Chief Administrative Officer
Ms. L. Hurdle, Commissioner of Community Services
Mr. H. Linscott, Director, Legal Services and City Solicitor
Mr. J. Keech, President and CEO, Utilities Kingston
Mr. D. Leger, Commissioner of Transportation, Facilities and Emergency Services
Mr. P. MacLatchy, Director, Environment and Sustainable Initiatives
Mr. M. McLaughlin, Senior Legal Counsel
Mr. A. McLeod, Senior Legal Counsel
Ms. C. Mills, Manager, Policy Planning
Mr. N. Richard, Project Manager, Brownsfields
Ms. S. Nicholson, Director, Corporate Affairs
Ms. M. Venditti, Senior Manager, Client Relations and Development Services
Committee of the Whole “Closed Meeting”

1) Moved by Councillor Berg
Seconded by Councillor Paterson

That Council resolve itself into the Committee of the Whole “Closed Meeting” to consider the following items:

a) Litigation, including matters before administrative tribunals, affecting the municipality and advice that is subject to solicitor-client privilege, including communications for that purpose – Highway 15 – commercial development;

b) A proposed or pending acquisition or disposition of land by the municipality or local board – 18 and 41-57 Queen Street and 282 Ontario Street;

c) A proposed or pending acquisition or disposition of land by the municipality or local board – Davis Tannery.

Carried (11:0)
(See Recorded Vote)

YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Glover, Councillor Hector, Deputy Mayor Neill, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (11)

NAYS: (0)

ABSENT: Councillor Hutchison, Councillor Osanic (2)

(Council Chamber)

Administrative Staff Present:

Mr. K. Arjoon, Deputy City Clerk
Mr. J. Bolognone, City Clerk
Mr. L. Coleman, Information Systems & Technology
Mr. G. Hunt, Chief Administrative Officer
Ms. L. Hurdle, Commissioner of Community Services
Mr. D. Johnson, Chief Information Officer
Mr. S. Kanellos, Director, Facilities Management and Construction
Mr. J. Keech, President and CEO, Utilities Kingston
Ms. S. Kidd, Director, Transportation Services
Mr. S. Lagace, Information Systems & Technology
Mr. S. Laidman, Acting Director, Planning
Ms. M. Laplante-Wheeler, Manager, Client Services, and Acting Manager, Communications
Mr. D. Leger, Commissioner of Transportation, Facilities and Emergency Services
Mr. H. Linscott, Director, Legal Services and City Solicitor
Mr. P. MacLatchy, Director, Environment and Sustainable Initiatives
Mr. G. McLean, Policy and Program Coordinator
Report of the Committee of the Whole “Closed Meeting”

2) Moved by Councillor Osanic
   Seconded by Councillor Schell

   That Council rise from the Committee of the Whole “Closed Meeting” without reporting.

   Carried (13:0)
   (See Recorded Vote)

YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Glover, Councillor Hector, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (13)

NAYS: (0)

ABSENT: (0)

Approval of Addeds

Moved by Councillor Hector
Seconded by Councillor Downes

That the addeds be approved.

Carried (13:0)
(A 2/3 Vote of Council was Received)
(See Recorded Vote)

YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Glover, Councillor Hector, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (13)

NAYS: (0)

ABSENT: (0)

Disclosure of Pecuniary Interest

1) Councillor Schell declared a possible pecuniary interest in the matter of Clause b), Committee of the Whole “Closed Session”, A proposed or pending acquisition or
disposition of land by the municipality or local board – 18 and 41-57 Queen Street and 282 Ontario Street.

2) Councillor Schell declared a possible pecuniary interest in the matter of Clause (4), Report Number 73, Received from the Planning Committee, Comprehensive Report 50 Old Mill Road and 999 Purdy’s Mill Road Applications for Official Plan Amendment, Zoning By-Law Amendment and Draft Plan of Subdivision, New Motions number (4) from Councillor Scott and Councillor Berg, regarding the site plan control applications from Homestead Holdings being “bumped up” to the Planning Committee, and By-Law numbers (6) and (7), as she on the executive of a volunteer organization that receives support from the Britton Smith Foundation.

3) Mayor Gerretsen declared a possible pecuniary interest in the matter of New Motions number (2) from Councillor George and Deputy Mayor Neill and New Motions number (3) from Councillor Paterson and Councillor Berg, regarding the Memorial Centre being considered as a potential location for a new school Centre as he owns property in the vicinity of the subject land.

4) Councillor Glover declared a possible pecuniary interest in the matter of New Motions number (1) from Councillor Downes and Deputy Mayor Neill, regarding the reimbursement of Councillor Glover’s lawyer’s fees, as he is the beneficiary of the motion.

5) Councillor George declared a possible pecuniary interest in the matter of Clause (4), Report Number 73, Received from the Planning Committee, Comprehensive Report 50 Old Mill Road and 999 Purdy’s Mill Road Applications for Official Plan Amendment, Zoning By-Law Amendment and Draft Plan of Subdivision, New Motions number (4) from Councillor Scott and Councillor Berg, regarding the site plan control applications from Homestead Holdings being “bumped up” to the Planning Committee, and By-Law numbers (6) and (7), as his company has been retained by the applicant.

6) Councillor Hector declared a possible pecuniary interest in the matter of Clause (4), Report Number 73, Received from the Planning Committee, Comprehensive Report 50 Old Mill Road and 999 Purdy’s Mill Road Applications for Official Plan Amendment, Zoning By-Law Amendment and Draft Plan of Subdivision, New Motions number (4) from Councillor Scott and Councillor Berg, regarding the site plan control applications from Homestead Holdings being “bumped up” to the Planning Committee, and By-Law numbers (6) and (7), as she owns land plots within the Cataraqui Cemetery.

Presentations

1) Paul Carl conducted a smudging ceremony in recognition of the relationship between the City of Kingston and the First Nations, Metis and Inuit people that work, live and visit Kingston.
Delegations

Mayor Gerretsen passed the gavel to Deputy Mayor Neill and withdrew from the meeting, Deputy Mayor Neill assumed the Chair.

Moved by Councillor Downes
Seconded by Councillor Scott

That Clause 11.2 of By-Law 2010-1 be waived, in order to extend the Delegation time to allow time for Liz Bates to appear before Council with Lucinda Bray, to speak to New Motion Number (3) from Councillor Paterson and Councillor Berg regarding Memorial Centre being considered as a potential location for a new school.

Carried (11:1)

(A 2/3 Vote of Council was Received)
(See Recorded Vote)

YEAS: Councillor Berg, Councillor Downes, Councillor Glover, Councillor Hector, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (11)

NAYS: Councillor George (1)

ABSENT: Mayor Gerretsen (1)

Mayor Gerretsen returned to the meeting, Deputy Mayor Neill returned the gavel to Mayor Gerretsen who re-assumed the Chair.

Moved by Councillor Osanic
Seconded by Deputy Mayor Neill

That Clauses 11.4 and 11.5 of By-law 2010-1 be waived, in order to allow a delegation from Dr. Susan Irving to speak regarding Clause (1) of Report No. 72, Received from the Chief Administrative Officer, Turtle Crossing – Mitigative Measures.

Carried (12:1)

(A 2/3 Vote of Council was Received)
(See Recorded Vote)

YEAS: Councillor Berg, Councillor Downes, Mayor Gerretsen, Councillor Glover, Councillor Hector, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (12)

NAYS: Councillor George (1)

ABSENT: (0)

Moved by Mayor Gerretsen
Seconded by Councillor Downes

That Clauses 11.4 and 11.5 of By-law 2010-1 be waived, in order to allow a delegation from Mike Sewell, Program Leader of Skills, Training and Technology for LDSB, and...
Roxanne Saunders, Principal of LCVI to speak regarding Clause (g) of Report Number 71, Received from Chief Administrative Officer (Consent) Limestone District School Board Renovations Plus Program Agreement – Trades Facility at 52 Church Street.

Carried (12:1)
(A 2/3 Vote of Council was Received)
(See Recorded Vote)

YEAS: Councillor Berg, Councillor Downes, Mayor Gerretsen, Councillor Glover, Councillor Hector, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (12)

NAYS: Councillor George (1)

ABSENT: (0)

Council consented to the withdrawal of Delegation numbers (2) and (3) as outlined on the agenda and the addition of Delegation numbers (2) through (5).

1) Erica House and Mark Allen, Supporters of Kingston Residential Streets, appeared before Council to speak to the third reading of the By-Laws for Parking By-law Amendments: On-Street Program – Area B; Queens’s Area Parking; Brock/Johnson Cycling Lanes; Overnight Parking Restrictions;

2) Neil Donnelly, appeared before Council to speak to the third reading of the By-Laws for Parking By-law Amendments: On-Street Program – Area B; Queens’s Area Parking; Brock/Johnson Cycling Lanes; Overnight Parking Restrictions;

3) Lucinda Bray and Liz Bates, Kingscourt Community Association, appeared before Council to speak to New Motion number (3) from Councillor Paterson and Councillor Berg regarding Memorial Centre being considered as a potential location for a new school;

4) Dr. Susan Irving appeared before Council to speak to Clause (1) of Report Number 72, Received from the Chief Administrative Officer (Recommend), Turtle Crossing – Mitigative Measures;

5) Mike Sewell, Program Leader of Skills, Training and Technology for LDSB, and Roxanne Saunders, Principal of LCVI appeared before Council to speak to Clause (g) of Report Number (71), Received from Chief Administrative Officer (Consent), Limestone District School Board Renovations Plus Program Agreement – Trades Facility at 52 Church Street.

Briefings

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

Motions of Congratulations

1) Moved by Mayor Gerretsen
   Seconded by Councillor Berg

   That the congratulations of Kingston City Council be extended to Kingston Fire & Rescue on receiving the Municipal Employee of the Year Award from the Greater Kingston Chamber of Commerce. This award was presented on May 29th to Fire Chief Chaput in recognition of the dedication and commitment of Kingston Fire & Rescue during the Williamsville fire of December 2013.

Motions of Condolence

1) Moved by Councillor Hector
   Seconded by Councillor Berg

   That the condolences of Kingston City Council be extended to the family of Shari Beth Ginsberg as she lost her battle with cancer on 7 June 2014. Shari owned and operated the business 'Very Shari' in Kingston. She will be missed by all those who knew her.

   Carried (13:0)
   (See Recorded Vote)

YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Glover, Councillor Hector, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (13)

NAYS: (0)

ABSENT: (0)

Deferred Motions
Reports

Report Number 71: Received from the Chief Administrative Officer (Consent)

Moved by Councillor Hector
Seconded by Councillor Reitzel

That Report Number 71: Received from the Chief Administrative Officer (Consent) be received and adopted.

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

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

Council consented to the separation of Items (b) (c) (e) and (h), and the amendment of (g).

a) Ravensview Land Leases – LaSalle Boulevard

That Council authorize the Mayor and Clerk to execute renewals of the land leases for tenants occupying City-owned property adjacent to the Ravensview sewer treatment plant, for a term of 5 years, commencing September 1, 2014, at current 2014 rental rates plus 2%, and subject to 2% increases annually on the same terms and conditions save and except there shall be no further rights of renewal or extension in a form of lease renewal to the satisfaction of the Director of Legal Services; and

That Council direct staff to take all steps as outlined in the existing leases to return the lots to vacant condition at the time of lease expiry and to also take steps to evict tenants by August 31, 2015 who are not prepared to sign the new form of lease as of September 1, 2014; and

That Council authorize the Mayor and Clerk to execute assignments of leases to immediate family members only if so requested by a tenant or estate of a tenant and such assignments be to the satisfaction of the Director of Legal Services.

(The Report of the Commissioner of Corporate & Strategic Initiatives (14-191) was attached to the agenda as Schedule Pages 1 - 7)
(File Number CSU-L15-000-2014)

Deferred
(See Motion To Defer Which Was Carried)
Moved by: Councillor Reitzel
Seconded by: Councillor Scott

That Clause (a) of Report 71, Received from the Chief Administrative Officer (Consent), Ravensview Land Leases – LaSalle Boulevard be deferred to the City Council Meeting of July 15, 2014.

Carried (12:1)
(See Recorded Vote)

YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Hector, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (12)

NAYS: Councillor Glover (1)

ABSENT: (0)

b) Ministry of Transportation – Noise Exemption Extension Request – Highway 401 Road Construction

That the Ministry of Transportation be granted an exemption from the normal 7:00 p.m. to 7:00 a.m. restriction under Schedule “B” of By-Law 2004-52, “A By-Law to Regulate Noise” to permit road construction on Highway 401 from 3.5 kilometres west of County Road 38 (interchange 611) to 0.4 kilometres west of County Road 4 (interchange 593) between the hours of 7:00 p.m. until 7:00 a.m. commencing on June 18, 2014 and continuing until September 30, 2014 for a maximum of 15 occurrences but not on any Friday afternoon, Saturday, Sunday before midnight or Statutory Holidays.

(The Report of the Commissioner of Community Services (14-197) was attached to the agenda as Schedule Pages 8 - 14)
(File Number CSU-P01-001-2014)

c) Lease Amendment – Concorde-Select GP Kingston, Inc.

That Council authorize the Mayor and Clerk to execute a lease amending agreement to the Parking Facility Lease between the City of Kingston and Concorde-Select GP Kingston Inc. that recognizes the hotel’s use of the City’s leased spaces within the hotel property in lieu of the City paying its share of operating costs, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Transportation, Facilities and Emergency Services (14-206) was attached to the agenda as Schedule Pages 15 - 18)
(File Number CSU-L07-000-2014)
d) Request for Noise Exemptions – Queen’s University Orientation Week Events

That Queen’s Alma Mater Society be granted an exemption from Schedule “B” of By-Law 2004-52, “A By-Law To Regulate Noise”, to permit the following events during Queen’s University Orientation Week:

1. A carnival event located at Nixon Field (University Avenue at Stuart Street) on Wednesday, September 3, 2014 from 8:00 p.m. to 11:00 p.m., with sound testing from 6:00 p.m. to 8:00 p.m.;

2. An outdoor charity event located at Tindall Field, 160 Union Street, on Thursday, September 4, 2014 from 8:00 p.m. to 11:00 p.m., with sound testing from 6:00 p.m. to 8:00 p.m.;

3. An outdoor movie night located at Nixon Field, University Avenue and Stuart Street, on Thursday, September 4, 2014 from 8:00 p.m. to 11:00 p.m., with sound testing from 6:00 p.m. to 8:00 p.m.;

4. A world record attempt event located at Nixon Field, University Avenue and Stuart Street, on Friday, September 5, 2014 from 5:30 p.m. to 6:00 p.m., with sound testing from 5:15 p.m. to 5:30 p.m.;

5. An Orientation Week concert located at the Miller Hall parking lot behind Miller Hall (36 Union Street) on Friday, September 5, 2014 from 7:00 p.m. until 11:00 p.m., with sound testing from 12:00 p.m. to 7:00 p.m.; and

6. An outdoor semi-formal located at the Agnes Benidickson Field, off 5th Field Company Lane, 43 University Avenue, on Saturday, September 6, 2014, from 8:00 p.m. until 11:00 p.m., with sound testing taking place from 6:00 p.m. to 7:00 p.m.

(The Report of the Commissioner of Community Services (14-207) was attached to the agenda as Schedule Pages 19 - 25)

Carried (13:0)

(See Recorded Vote)

YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Glover, Councillor Hector, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (13)

NAYS: (0)

ABSENT: (0)
e) Appointment of Municipal By-Law Enforcement Officers – The Landmark

That a by-law be presented to amend By-Law Number 99-166, "A by-law to prohibit the parking or leaving of motor vehicles on private property without the consent of the owner or occupant of the Property, or on property owned or occupied by the City Of Kingston or any local board thereof, without the consent of the City Of Kingston or local board", to appoint Ron Cavanaugh, John Pickernell, Rob Bennett and Jason Ruffolo for the purpose of issuing parking violation tickets and to enforce the provisions of By-Law Number 99-166 on the property located at 165 Ontario Street; and

That this approval is subject to the applicant entering into an agreement, in a form satisfactory to the City Solicitor, to indemnify and save harmless the City from all claims and actions that might arise, and subject further to providing proof of sufficient insurance in a form satisfactory to the City Solicitor.

(See By-Law Number (1), 2014-105)

(See Motion To Amend Which Was Carried)

(The Report of the Commissioner of Community Services (14-208) was attached to the agenda as Schedule Pages 26 - 32)

(File Number CSU-P01-002-2014)

f) Kingston Transit – Grade 9 & 10 Transit Pass Extended Pilot Program

That the pilot program, to provide for complimentary transit passes for Grade 9 students attending secondary schools within the City of Kingston, be extended for the period of September 1, 2014 – August 31, 2015; and

That the pilot program provide complimentary transit passes for Grade 10 students attending secondary schools within the City of Kingston, under the same terms and conditions, subject to the City of Kingston receiving a total combined financial contribution of $30,000 from the Limestone District School Board and Algonquin Lakeshore Catholic District School Board; and

That the pilot program be extended to provide complimentary transit passes for Grade 11 students attending secondary schools within the City of Kingston, under the same terms and conditions, subject to the City of Kingston receiving a total combined financial contribution of $15,000 from the Limestone District School Board and Algonquin Lakeshore Catholic District School Board; and

That staff continue to explore other partnership opportunities of mutual benefit related to transportation with the School Boards, and report back to Council no later than June 2015 on the results and impact of the Grade 9, Grade 10, and Grade 11 complimentary transit pass program and recommendations for the 2015 – 2016 school year.

(See Recorded Vote 2)

(The Report of the Commissioner of Transportation, Facilities and Emergency Services (14-213) was attached to the agenda as Schedule Pages 33 - 38)

(File Number CSU-T03-000-2014)

Carried As Amended With Agreed To Amendments (13:0)

(See Motion To Amend Which Was Carried)

(See Recorded Vote 2)
Moved by Mayor Gerretsen
Seconded by Councillor Berg

**That** Clause (f) of Report Number 71, Received from the Chief Administrative Officer (Consent), be amended by adding after paragraph two, the following thereto:

That the pilot program be extended to provide complimentary transit passes for Grade 11 students attending secondary schools within the City of Kingston, under the same terms and conditions, subject to the City of Kingston receiving a total combined financial contribution of $15,000 from the Limestone District School Board and Algonquin Lakeshore Catholic District School Board; and

Carried (13:0)
(See Recorded Vote 1)

1) YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Glover, Councillor Hector, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (13)
NAYS: (0)
ABSENT: (0)

2) YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Glover, Councillor Hector, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (13)
NAYS: (0)
ABSENT: (0)

g) **Limestone District School Board Renovations Plus Program Agreement – Trades Facility – 52 Church Street**

That Council authorize the Mayor and Clerk to enter into an agreement with the Limestone District School Board to allow students enrolled in the Renovations Plus Program to assist in the construction of the City’s new trades facility work areas, mezzanine and washrooms at the former Harold Harvey Arena, located at 52 Church Street, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Transportation, Facilities and Emergency Services (14-217) was attached to the agenda as Schedule Pages 39 - 42)

(File Number CSU-R07-000-2014)

Carried (13:0)
(See Recorded Vote)

YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Glover, Councillor Hector, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (13)
NAYS: (0)
ABSENT: (0)
h) **Rideau Heights Renewal – Green Municipal Fund – Grant Agreement**

That Council authorize the Mayor and Clerk to sign a grant agreement for the Green Municipal Fund in a form satisfactory to the Director of Legal Services; and

That Council authorize the Commissioner of Community Services or his/her delegate to review and approve for signature any further documentation related to this grant funding commitment.

(The Report of the Commissioner of Community Services (14-218) was attached to the agenda as Schedule Pages 43 - 82)

(File Number CSU-F11-000-2014)

Carried (13:0)

(Clauses (b) (c) (e), and (h))

(See Recorded Vote)

YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Glover, Councillor Hector, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (13)

NAYS: (0)

ABSENT: (0)

i) **Award of Contract – Land Management System**

THAT Council approve the award of a contract to Accela Inc. (RFP Number F31-CS-PD-2013-3 to implement and support a Land Management System at a cost not to exceed $1,195,000.00 excluding HST; and

THAT annual initial software support and maintenance expenses, estimated at $58,300.00 plus annual increases, be covered through the Land Management System capital budget and that ongoing expenses be included in future Planning and Development and Building and Licensing operating budgets; and

THAT Council authorize the Mayor and Clerk to execute a contract with Accela Inc. for the provision of a Land Management System for the Planning and Development and Building and Licensing Departments, in a form satisfactory to the Director of Legal Services; and

THAT Accela Inc. be confirmed as a “vendor of record” for the purpose of acquiring additional Land Management System user licenses, software modules, and implementation services to extend the capability of the Land Management System to other City Departments and Utilities Kingston; and
THAT the Chief Information Officer (CIO) be authorized to enter into recurring maintenance and support agreements with Accela Inc., subject to annual review and in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Community Services (14-220) was attached to the agenda as Schedule Pages 83 - 91)

(File Number CSU-A23-000-2014)

Carried (13:0)
(See Recorded Vote)

YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Glover, Councillor Hector, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (13)

NAYS: (0)

ABSENT: (0)
Report Number 72: Received from the Chief Administrative Officer (Recommend)
Moved by Councillor Hector
Seconded by Councillor George
That Report Number 72: Received from the Chief Administrative Officer (Recommend) be received and adopted.

Report Number 72
To the Mayor and Members of Council:
The Chief Administrative Officer reports and recommends as follows:

1) Turtle Crossings – Mitigative Measures

That Council approve a funding program whereby the City of Kingston will match dollar-for-dollar any donation, grant or other funding coming from any agency, organization or individual (whether private or public) other than the City of Kingston or its subsidiaries, as funding for Turtle Crossing chain link fencing on Princess Street, to a maximum of $30,600, funded from the Working Fund Reserve; and

That Council endorse this initiative in order to receive donated funds towards the project and to be able to issue charitable receipts where applicable; and

That Council direct staff to work with the Turtles Kingston community group to prepare external funding applications where the City is required to partner with Turtles Kingston to apply for grant funding; and

That subject to raising $30,600 from external sources, Council approve a capital budget amendment in the amount of $61,200 for chain link fencing on Princess Street (Ambassador Hotel to bridge over train tracks/VIA rail) as outlined in Report Number EITP 13-017 entitled “Turtle Crossing - Mitigative Measures” of the Environment, Transportation, and Infrastructure Committee on November 12, 2013 with the work to be carried out on a schedule to be determined by City of Kingston Engineering Department over the next two years; and

That staff be directed to coordinate this fencing and nesting project with the Cataraqui Region Conservation Authority (CRCA).

(The Report of the City Treasurer (14-225) was attached to the agenda as Schedule Pages 92 - 96)
(File Number CSU-P00-000-2014)

Carried (13:0)
(See Recorded Vote)

YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Glover, Councillor Hector, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (13)
NAYS: (0)
ABSENT: (0)
Report Number 73: Received from the Planning Committee

Moved by Councillor Paterson
Seconded by Councillor Berg

That Report Number 73: Received from the Planning Committee be received and adopted.

Report Number 73

To the Mayor and Members of Council:

The Planning Committee reports and recommends as follows:

(1) Application for Zoning By-Law Amendment – 48 Colborne Street

That, subject to public comments received at the Public Meeting, on June 5, 2014, the Application for Zoning By-Law Amendment (Our File Number D14-078-2014) submitted by Mark Peabody Custom Homes on behalf of owners Jonathan and Leslie Rose for the property municipally known as 48 Colborne Street, be approved; and

That the City of Kingston Zoning By-Law Number 8499, as amended, be further amended as follows:

1.1. Map Number 18 of Schedule ‘A’ of Zoning By-Law Number. 8499, as amended, is hereby further amended by changing the zone symbol of the property known as 48 Colborne Street from ‘A’ to a site specific ‘A.449’ as shown on Schedule ‘A’ attached hereto and forming part of By-Law Number 2014-106.

1.2. That the By-Law is amended by the addition of the following new Section 449 to Part VIII - Exceptions To Various Zone Classifications:

“449. 48 (Colborne Street)

Notwithstanding the provisions of Section 5 and 6 hereof to the contrary, the lands designated ‘A.449’ on Schedule ‘A’ hereto, the following regulations shall apply:

a. Maximum Gross Floor Area, 310 square metres
b. Maximum Percentage of Lot Coverage, 52 percent
c. Maximum Floor Space Index, 1.5
d. That the maximum height of the rear wall and the pitch and slope of the roof of the second storey addition shall match the abutting land owners second storey addition at 50 Colborne Street
e. That the maximum height of the rear wall of the one storey addition shall not exceed 2.75 metres
f. That any external openings along the eastern wall of the second storey addition be limited to transom windows at a minimum height of 2.0 metres from finished floor, subject to Ontario Building Code requirements.
2. That the Amending By-Law be presented to City Council for all three Readings.

(Note: A copy of the draft by-law was attached to the agenda as Schedule Pages 97 - 100)

(See By-Law Number (2), 2014-106)

(2) Public Meeting and Comprehensive Report Applications for Official Plan Amendment and Zoning By-Law Amendment 824 John Counter Boulevard

That, subject to public comments received at the Public Meeting, on June 5, 2014, the applications for Official Plan Amendment and Zoning By-Law Amendment (Our Files: D09-016-2014 and D14-072-2014) submitted by Fotenn Consultants Inc., on behalf of the Kingston Lions Club Inc. and the Ontario Public Service Employees Union for the property municipally known as 824 John Counter Boulevard, be approved; and

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

1. The Official Plan for the City of Kingston is hereby amended by the following map changes which shall constitute Amendment Number 26 to the Official Plan for the City of Kingston.

   (a) Amend Schedule ‘3-D, Site Specific Policies’, of the City of Kingston Official Plan, so as to designate the properties located at 824 John Counter Boulevard, as shown on Schedule ‘B’ to By-Law Number 2014-107, as ‘Site Specific Policy Area Number 50’.

2. That the City of Kingston Official Plan, as amended, be further amended by adding the following new Site Specific Policy as Section 3.18.50:

   “824 John Counter Boulevard
   Schedule 3-D,
   SSP Number 50
   On the lands located on the south side of John Counter Boulevard, between Elliott Avenue and Maple Street and municipally known as 824 John Counter Boulevard, as shown on Schedule 3-D, the permitted uses shall also include an office use. The new use shall be limited to the existing building”; and

That the Official Plan Amendment By-Law be presented to City Council for all three readings; and

That the City of Kingston Zoning By-Law Number 8499, as amended, be further amended as follows:

   By deleting in its entirety Part VIII - Exceptions to various zone classifications: Section 262; and

   By adding the following section to Part VIII – Exceptions to various zone classifications:

   “(262) 824 John Counter Boulevard
On the approximately 0.453 hectare parcel of land located on the south side of
John Counter Boulevard between Elliott Avenue and Maple Street, known
municipally as 824 John Counter Boulevard and designated M2.262 on a copy
of Zoning Map Number 15 attached to and forming part of By-Law Number 91-
321 as Schedule ‘A’, the following regulations shall apply:

(i) Notwithstanding the provisions of Sections 25.2 of this By-Law, the permitted
uses shall also include a community hall for community functions and events,
a union hall and office use.

That the Amending By-Law be presented to City Council for all three readings.
(Note: A copy of the draft by-law was attached to the agenda as Schedule Pages
101 - 107)
(See By-Law Number (3), 2014-107)
(See By-Law Number (4), 2014-108)

(3) Public Meeting and Comprehensive Report, Application for Zoning By-Law
Amendment 141 Hickson Avenue

That, subject to public comments received at the Public Meeting, on June 5, 2014,
the application for Zoning By-Law Amendment (File Number D14-081-2014)
submitted by BPE Development Inc., for the property municipally known as 141
Hickson Avenue, be approved; and

That the City of Kingston Zoning By-Law Number 8499, as amended, be further
amended as follows:

1. Map 15 of Schedule “A”, as amended, is hereby further amended by changing
the zone symbol of the subject site from General Industrial Zone ‘M7’ to
Special General Industrial Zone ‘M7.451’, as shown on Schedule “A” attached
to and forming part of By-Law Number 2014-109.

2. That the By-Law be amended by the addition of the following section to Part
VIII – Exceptions To The Various Zone Classifications:

“451. ‘M7.451’ 141 Hickson Avenue

Notwithstanding the provision of Section 30.3(b) to the contrary the
minimum front yard shall be 1.5 metres along Hickson Avenue.”

That the Amending By-Law be presented to City Council for all three readings.
(Note: A copy of the draft by-law was attached as to the agenda as Schedule
Pages 108 - 110)
(See By-Law Number (5), 2014-109)

Carried (13:0)
(Clauses (1) through (3))
(See Recorded Vote)

YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen,
Councillor Glover, Councillor Hector, Councillor Hutchison, Deputy Mayor Neill,
Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell,
Councillor Scott (13)
Councillor Schell, Councillor George, and Councillor Hector withdrew from the meeting.

(4) Comprehensive Report 50 Old Mill Road and 999 Purdy’s Mill Road Applications for Official Plan Amendment, Zoning By-Law Amendment and Draft Plan of Subdivision

That the Applications for Official Plan Amendment (Our File D09-012-2013), for Zoning By-Law Amendments (Our File Number’s D14-220-2011 and D14-059-2013) and for Draft Plan of Subdivision (Our File Number D12-064-2011) submitted by IBI Group, on behalf of Homestead Land Holdings Inc. for the properties municipally known as 50 Old Mill Road and 999 Purdy’s Mill Road, be approved; and

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

1. The Official Plan for the City of Kingston is hereby amended by the following map change which shall constitute Amendment Number 25 to the Official Plan for the City of Kingston:

   (a) Amend Schedule ‘3-A’, ‘Land Use’, of the City of Kingston Official Plan, so as to designate the property located at 50 Old Mill Road, as shown on Schedule ‘A’ to By-Law Number 2014-110, from ‘Arterial Commercial’ to ‘District Commercial’.

2. This By-Law shall come into force and take effect on the day that is the day after the last day for filing an appeal pursuant to the Planning Act, provided that no Notice of Appeal is filed to this By-Law in accordance with the provisions of Section 17, Subsection 24 of the Planning Act, as amended; and where one or more appeals have been filed within the time period specified, at the conclusion of which, the By-Law shall be deemed to have come into force and take effect on the day the appeals are withdrawn or dismissed, as the case may be; and

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

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

   1.1. Map 3 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from Holding Special Residential Type 4 ‘R4-1-H’ Zone and Holding Special Residential Type 4 ‘R4-13-H’ Zone to Holding Special Residential Type 5 ‘R5-18-H’, ‘R5-19-H’, and ‘R5-20-H’ Zones, and Open Space ‘OS’ Zone to Special Open Space ‘OS-17’ Zone and Environmental Protection Area ‘EPA’ Zone to Open Space ‘OS’ Zone, and
from Development ‘D’ zone to Special General Commercial ‘C2-71-H’ Holding Zone as shown on Schedule “A” attached to and forming part of By-Law Number 2014-111.

1.2. By adding a new subsections 15A(3)(r) thereto as follows:

“(r) ‘R5-18’ (999 Purdy’s Mill Road)

Notwithstanding the provisions of Section 15A and 5 hereof to the contrary, the lands designated ‘R5-18’ on Schedule ‘A’ hereto, the following regulations shall apply:

(a) Minimum Lot Area: 1.4 hectares
(b) Minimum Lot Frontage: 100 metres
(c) Minimum Front Yard Depth: 10 metres
(d) Minimum Exterior Side Yard Depth: 30 metres
(e) Minimum Interior Side Yard Depth: 10 metres
(f) Minimum Rear Yard Depth: 42 metres

(g) Yards Where Parking is Permitted:

Parking is permitted in all yards provided no part of any parking area, other than a driveway or any underground parking, is located no closer than 1.5 metres to a front lot line, 1.5 metres to any side lot line and 30 metres to the rear lot line.

(h) Minimum Percentage of Landscaped Open Space: 40%
(i) Maximum Lot Coverage: 30%
(j) Maximum Building Height: 45 metres
(k) Maximum Number of Dwelling Units per Block: 185 dwelling units

(l) Privacy Yards: A privacy yard for an apartment dwelling, unobstructed by parking area or vehicular driveway shall be provided adjoining a habitable room window with a minimum depth of 5 metres measured at right angles from such wall the window adjoins except at front entrance and loading area where a 1.5 metre yard shall be required.

(m) An unbroken 1.8 metre high chain link fence is required to be constructed along the westerly property line for the whole extent of this zone. The fence shall be constructed without any openings and/or gates.

(n) A berm(s) shall be constructed along the entire westerly property line, save and except where existing drainage and secondary emergency access need to be incorporated into the design of the berm(s) and subject to the following provisions:

- Minimum setback from property line: 3 metres
- Minimum height: 4 metres at the average finished grade
- Minimum slope shall be: 3:1
- The design of the berm(s) will take into account the existing drainage from the abutting property to the west to ensure that excessive ponding does not occur as a result of the berm construction.
• The berm(s) shall be used for no other purpose than planting a row of trees or a continuous unpierced hedgerow of evergreens and deciduous trees, not less than 5 feet high, along the crest of the berm(s); the remainder of the strip shall be used for no other purpose than the planting of shrubs, flowering shrubs, flower beds or a combination thereof. The berm will be vegetated with a mix of deciduous and coniferous native species with a trunk diameter to be determined to be satisfactory to the City’s Arborist in consultation with the City’s Planner (Parks Development) and Senior Heritage Planner.

(o) Minimum vertical clearance for a parking structure or underground garage shall be 2.1 metres.

1.3. By adding a new subsections 15A(3)(s) as follows:

“(s) ‘R5-19’ (999 Purdy’s Mill Road)
Notwithstanding the provisions of Section 15A and 5 hereof to the contrary, the lands designated ‘R5-19’ on Schedule ‘A’ hereto, the following regulations shall apply:

(a) Minimum Lot Area: 1.4 hectares
(b) Minimum Lot Frontage: 100 metres
(c) Minimum Front Yard Depth: 10 metres
(d) Minimum Interior Side Yard Depth: 10 metres
(e) Minimum Rear Yard Depth: 55 metres
(f) Yards Where Parking is Permitted:
Parking is permitted in all yards provided no part of any parking area, other than a driveway or any underground parking, is located no closer than 1.5 metres to a front lot line, 1.5 metres to any side lot line and 30 metres to the rear lot line.

(g) Minimum Percentage of Landscaped Open Space: 40%
(h) Maximum Lot Coverage: 30%
(i) Maximum Building Height: 45 metres
(j) Maximum Number of Dwelling Units per Block: 185 dwelling units
(k) Privacy Yards: A privacy yard for an apartment dwelling, unobstructed by parking area or vehicular driveway shall be provided adjoining a habitable room window with a minimum depth of 5 metres measured at right angles from such wall the window adjoins except at front entrance and loading area where a 1.5 metre yard shall be required.

(l) An unbroken 1.8 metre high chain link fence is required to be constructed along the westerly property line for the whole extent of this zone. The fence shall be constructed without any openings and/or gates.

(m) A berm(s) shall be constructed along the entire westerly property line, save and except where existing drainage and secondary emergency
access need to be incorporated into the design of the berm(s) and subject to the following provisions:

- Minimum setback from property line: 3 metres
- Minimum height: 4 metres at the average finished grade
- Minimum slope shall be: 3:1
- The design of the berm(s) will take into account the existing drainage from the abutting property to the west to ensure that excessive ponding does not occur as a result of the berm construction.
- The berm(s) shall be used for no other purpose than planting a row of trees or a continuous unpierced hedgerow of evergreens and deciduous trees, not less than 5 feet high, along the crest of the berm(s); the remainder of the strip shall be used for no other purpose than the planting of shrubs, flowering shrubs, flower beds or a combination thereof. The berm will be vegetated with a mix of deciduous and coniferous native species with a trunk diameter to be determined to be satisfactory to the City’s Arborist in consultation with the City’s Planner (Parks Development) and Senior Heritage Planner.

1.4. By adding a new subsection 15A(3)(t) as follows:

“(t) ‘R5-20’ (999 Purdy’s Mill Road)
Notwithstanding the provisions of Section 15A and 5 hereof to the contrary, the lands designated ‘R5-20’ on Schedule ‘A’ hereto, the following regulations shall apply:

(a) Minimum Lot Area: 1.4 hectares
(b) Minimum Lot Frontage: 100 metres
(c) Minimum Front Yard Depth: 10 metres
(d) Minimum Interior Side Yard Depth: 10 metres
(e) Minimum Rear Yard Depth: 65 metres
(f) Yards Where Parking is Permitted:

Parking is permitted in all yards provided no part of any parking area, other than a driveway or any underground parking, is located no closer than 1.5 metres to a front lot line, 1.5 metres to any side lot line and 30 metres to the rear lot line.

(g) Minimum Percentage of Landscaped Open Space: 40%
(h) Maximum Lot Coverage: 30%
(i) Maximum Building Height: 45 metres
(j) Maximum Number of Dwelling Units per Block: 185 dwelling units
(k) Privacy Yards: A privacy yard for an apartment dwelling, unobstructed by parking area or vehicular driveway shall be provided adjoining a
habitable room window with a minimum depth of 5 metres measured at right angles from such wall the window adjoins except at front entrance and loading area where a 1.5 metre yard shall be required.

(i) An unbroken 1.8 metre high chain link fence is required to be constructed along the westerly property line for the whole extent of this zone. The fence shall be constructed without any openings and/or gates.

(m) A berm(s) shall be constructed along the entire westerly property line, save and except where existing drainage and secondary emergency access need to be incorporated into the design of the berm(s) and subject to the following provisions:
- Minimum setback from property line: 3 metres
- Minimum height: 4 metres at the average finished grade
- Minimum slope shall be: 3:1
- The design of the berm(s) will take into account the existing drainage from the abutting property to the west to ensure that excessive ponding does not occur as a result of the berm construction.
- The berm(s) shall be used for no other purpose than planting a row of trees or a continuous unpierced hedgerow of evergreens and deciduous trees, not less than 5 feet high, along the crest of the berm(s); the remainder of the strip shall be used for no other purpose than the planting of shrubs, flowering shrubs, flower beds or a combination thereof. The berm will be vegetated with a mix of deciduous and coniferous native species with a trunk diameter to be determined to be satisfactory to the City’s Arborist in consultation with the City’s Planner (Parks Development) and Senior Heritage Planner.

(n) Minimum vertical clearance for a parking structure or underground garage shall be 2.1 metres”.

1.5. By adding a new subsection 8(3)(r) thereto as follows:
“(r) ‘OS-17’ (999 Purdy’s Mill Road)
Notwithstanding the provisions of Section 8 and 5 hereof to the contrary, the lands designated ‘OS-17’ on Schedule ‘A’ hereto, the following regulations shall apply:
(a) The lands designated OS-17 on Schedule ‘A’ hereto shall be used for only for the conservation of the existing natural heritage features.
(b) Alteration of the natural heritage feature, excluding enhancement and protection, is prohibited.
(c) The erection and alteration of any building or structure, other than a pedestrian bridge, is prohibited.

1.6 By adding a new subsection 19(3)(bt) thereto as follows:
“(bt) ‘C2-71’, 50 Old Mill Road
Notwithstanding the provisions of Section 5, 6 and 19 hereof to the contrary, the lands designated ‘C2-71’ on Schedule ‘A’ hereto, the following regulations shall apply:

(a) Only Permitted Uses:
- A bank;
- A business office or professional office;
- A clinic;
- A convenience store;
- A dry-cleaning or laundry outlet;
- A home occupation;
- A laundromat;
- A mixed residential/commercial use;
- A personal service shop;
- A public use in accordance with the provisions of Section 5(18) hereof;
- A recreational establishment;
- A restaurant;
- A take-out restaurant;
- A retail store;
- A shopping centre consisting of any of the permitted uses listed herein;
- A supermarket; and
- A day nursery.

(b) In addition to the provisions of Section 6(6), Holding Zone Provisions the following additional provisions apply:

- The preparation of a floodplain compensation plan to the satisfaction of the CRCA and the City, and
- The execution of the floodplain compensation plan through a permit under Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses.

That the amending By-Laws be presented to City Council for all three Readings; and

That the application for Draft Plan of Subdivision (File Number D12-064-2011) submitted by IBI Group, on behalf of Homestead Land Holdings Inc. for the property known municipally as 999 Purdy’s Mill Road, be approved, subject to the following conditions:

1. Approved Draft Plan:

That this approval applies to the Draft Plan of Subdivision, prepared by Hopkins, Cormier and Chitty Surveying Consultants Inc., dated February 26, 2014, which shows the following:

- 3 residential blocks (Blocks 1-3, inclusive)
- 1 block for natural open space (Block 8)
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- 2 blocks for parkland dedication (Blocks 6 and 7)
- 1 block for road widening purposes (Block 4)
- 1 block for 0.3 metre reserves (Block 9)
- 1 block for a temporary turning circle (Block 5)
- 1 new roadway (Street ‘A’)

2. Streets and Civic Addressing:
   (a) That the road allowances included in this Plan shall be shown and dedicated as public highways.
   (b) That the road allowances within the Plan shall be designed in accordance with the Municipality’s engineering standards and shall be dedicated to the Municipality free of all charge and encumbrances. The streets, lots and blocks shall be designed to coincide with the development pattern on adjacent properties.
   (c) That prior to Final Approval, the Owner shall submit proposed street names for approval by the Planning and Development Department and shall be included on the first submission of the engineering drawings. The Streets within this Plan shall be named to the satisfaction of the City, in consultation with the 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) 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) Any dead end or open side of a road allowance within the Plan shall be terminated in a 0.3 metre reserve to be conveyed to the Municipality free of all charges and encumbrances.
   (g) That the Owner shall agree that the location and design of any construction access shall be approved by the Municipality and/or the appropriate authority.

3. Reserves and Easements:
   (a) That any dead ends and open sides of the road allowances created by this Plan shall be terminated in 0.3 metre reserves to be conveyed to, and held in trust, by the Municipality.
(b) That such easements, as may be required for utility or drainage purposes, shall be granted to the appropriate authority free of all charges and encumbrances.

(c) That such easements, as may be required for access for maintenance purposes or public use, shall be granted to the appropriate authority and applied to the subject lands free of all charges and encumbrances.

4. Financial Requirements:

(a) That the Owner agrees in writing to satisfy all the requirements, financial and otherwise, of the Municipality concerning all provisions of municipal services but not limited to including fencing, lighting, landscaping, sidewalks, roads, installation of underground services, provisions of drainage and noise mitigation where required.

(b) That Prior to Final Plan Approval, the Owner shall submit for the Municipality’s approval a detailed breakdown of the construction costs for the works associated with the development of this Plan, including any cash surcharges or special levies. The construction costs shall be prepared and stamped by a professional engineer. The cost estimate shall be submitted in the Municipality’s standard format for incorporation into both the Pre-Servicing and Subdivision Agreements.

(c) That the Owner shall bear the expense of all off site works resulting from the approved public works design where such works are not subsidized under the Policies and By-Laws of the Municipality.

(d) That the Owner agrees to reimburse the Municipality for the cost of any Peer Reviews of the Studies/Reports submitted in support of the proposed Plan of Subdivision.

5. Subdivision Agreement:

(a) That the Owner shall enter into the Municipality’s standard Subdivision Agreement which shall list all approved plans and municipal conditions as required by the Municipality for the development of this Plan.

(b) The Subdivision Agreement between the Owner and the Municipality is 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. Holding Provisions:

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

b. confirmation of sufficient servicing capacity for the development;
c. that all necessary approvals have been received from all other agencies and
government bodies and any required Agreements have been executed by the
Owner; and

d. that a Zone Change Application has been approved by the Municipality to
remove the ‘-H’ Holding Symbol.

7. 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 Municipality’s Subdivision Design Guidelines and to the
satisfaction of the Municipality. 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 Municipality’s standard
format for incorporation into the Pre-Servicing and Subdivision Agreement.

8. Revisions to Draft Plan:
(a) That any further subdivision of blocks or additional road patterns on the Plan
shall be completed to the satisfaction of the Municipality.

(b) That prior to Final Plan Approval of any part of the Plan, the Owner shall
submit a revised Plan, if required, to reflect any significant alterations
caused from this Draft Plan Approval.

(c) That where final engineering design(s) result in minor variations to the Plan
(e.g., in the configuration of road allowances and lotting, number of lots,
etc.), these may be reflected in the Final Plan to the satisfaction of the
Municipality.

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

(b) That the phasing of the development shall be reflected in the Subdivision
Agreement and on the approved subdivision design drawings to the
satisfaction of the Municipality, taking into account the temporary
termination of underground services, interim grading, interim stormwater
management, operations and maintenance vehicle access and access for
emergency vehicles.

(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.
10. Zoning By-Law Compliance:
   (a) That the lands within this Draft Plan shall be appropriately zoned by a Zoning By-Law which has come into effect in accordance with the provisions of the Planning Act.
   (b) That prior to Final Plan Approval, the Owner shall submit a Surveyor’s Certificate which confirms that the lots and blocks within this Plan conform to the minimum lot frontage and lot area requirements of the applicable Zoning By-Law.

11. Required Studies:
   (a) That prior to Final Plan Approval, the Owner shall submit a Geotechnical Study, certified by a professional engineer, to the satisfaction of the Municipality. The recommendations of the Geotechnical Study shall be incorporated into the Subdivision Agreement and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the Municipality.
   (b) That prior to Final Plan Approval, the Owner shall 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, rev. 1997). The acceptable method for this demonstration would be a Phase I Environmental Site Assessment (ESA) performed in accordance with CSA standard Z768-01 and any required follow up investigations (Phase II ESA) or remediation. The recommendations of the Study shall be incorporated into the Subdivision Agreement and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the Municipality.
   Should site remediation be required to meet the applicable soil and groundwater criteria set out in applicable guidelines, the Owner shall submit to the Municipality, prior to Final Plan Approval, a copy of the Record of Site Condition acknowledged by a Provincial Officer of the Ministry of the Environment.

   The Owner shall provide a certificate, by a qualified professional, that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the Municipality, meet the applicable soil and groundwater criteria.
   (c) That prior to Final Plan Approval, all recommendations of the Servicing Study shall be incorporated into the Subdivision Agreement and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the Municipality.
   (d) That prior to Final Plan Approval, the Owner shall submit a Traffic Impact Report, prepared by a professional engineer to the satisfaction of the Municipality. The Subdivision Agreement shall contain provisions for the
Owner to design, construct and financially secure the costs of any off site road improvements as are deemed necessary by the Report’s recommendations to the satisfaction of the Municipality’s Director of Engineering.

(e) That prior to Final Plan Approval, a Stormwater Management Report and implementing plans for the development shall be prepared by a qualified professional engineer, to the satisfaction of the Municipality and the Cataraqui Region Conservation Authority. Such plans shall be included in the Subdivision Agreement. The Owner shall carry out the recommendations of the report, at his expense, to the satisfaction of the Municipality and the Cataraqui Region Conservation Authority.

(f) That Prior to Final Plan Approval, the Owner shall submit a detailed Noise Impact Study prepared to the satisfaction of the Municipality and the Ministry of Environment. The recommendations of the Study shall be incorporated into the Subdivision Agreement and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the Municipality.

12. Archaeological Assessment:

(a) That the Owner shall carry out an archaeological assessment of the subject property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource requirements.

(b) That prior to Final Plan Approval and prior to commencement of any works on any site identified as being archaeologically significant, the Owner shall carry out archaeological excavations of such sites to the satisfaction of the Ministry of Culture and the Municipality. The Owner shall agree to take protective measures required by the Municipality for such sites.

(c) That the Subdivision Agreement shall contain provisions that in the event that deeply buried or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, all work must immediately cease and the site must be secured. The Cultural Program Branch of the Ministry of Culture & Sport (416-314-7132) and the City of Kingston Heritage Planner (613-546-4291 extension 1844) must be immediately contacted.

(d) That the Subdivision Agreement shall contain provisions that in the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police (613-549-4660), the Registrar of Cemeteries Regulation Section of the Ontario Ministry of Consumer Business Services (416-326-8404), the Cultural Program Branch of the Ministry of Culture & Sport (416-314-7132) and the City of Kingston
Heritage Planner (613-546-4291 extension 1844) must be immediately contacted.

13. 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
Municipality and the Cataraqui Region Conservation Authority. The
approved plans shall be included in the Subdivision Agreement between the
Owner and Municipality.
   (b) That prior to Final Plan Approval and prior to any works commencing on the
Site, the Owner shall submit for approval by the Municipality and the
Cataraqui Region Conservation Authority (CRCA), a detailed engineering
report(s) that describes the storm drainage system for the proposed
development, which shall include:
      i. plans illustrating how this drainage system will be tied into the
         surrounding drainage systems, and indicating whether it is part of an
         overall drainage scheme, the design capacity of the receiving system
         and how external flows will be accommodated;
      ii. the location and description of all outlets and other facilities;
      iii. storm water management techniques which may be required to control
          minor and major flows;
      iv. proposed methods of controlling or minimizing erosion and siltation on-
          site and in downstream areas during and after construction;
      v. overall grading plans for the subject lands; and
      vi. storm water management practices to be used to treat storm water, to
          mitigate the impacts of development on the quality and quantity of
          ground and surface water resources as it relates to fish and their
          habitat.
   (c) That the Owner shall agree to maintain all storm water management and
erosion and sedimentation control structures operating and in good repair
during the construction period.
   (d) The Engineer, in his municipal design, shall take into account any
recommendations contained in the Storm Water Management Report.
   (e) The Subdivision Agreement between the City and the owner shall make
provision for the owner to carry out the recommendations of the Final Storm
Water Management Report, at his expense, to the satisfaction of the City of
Kingston and the Cataraqui Region Conservation Authority.

14. Parkland Conveyance/Open Space/Environmental Protection Areas:
    (a) Parkland Conveyance: Lands conveyed under this draft plan are Blocks 6
and 7 with a composite total of 1.54 hectares of land. There is an over
dedication of land of 0.972 hectares that will be recognized by the City as a
credit towards parkland dedication requirements in future phases to this
land owners development.
(b) Calculations

<table>
<thead>
<tr>
<th>Draft Plan</th>
<th>Area</th>
<th>5% parkland conveyance</th>
<th>Draft plans</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase 1</td>
<td>3.2 ha</td>
<td>0.16 ha (deferred to phase 2)</td>
<td>0.0 ha</td>
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<tr>
<td>Phase 2</td>
<td>8.16 ha</td>
<td>0.408 ha</td>
<td>1.54 ha</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>0.56 ha</td>
<td>1.54 ha</td>
</tr>
<tr>
<td>Over Dedication</td>
<td></td>
<td></td>
<td>0.972 ha</td>
</tr>
</tbody>
</table>

(c) Tree preservation plans shall be required prior to any removal of vegetation and soils on Blocks 6 and 7.

(d) The developer shall excavate, remove and dispose of all organic material and vegetation from Blocks 6 and 7.

(e) Clean, debris free inorganic certified engineered fill compacted to 98% S.P.D. shall be placed on Blocks 6 and 7 up to the subgrade elevation, not to be below 1:100 flood line, and approved by the City of Kingston and to the City’s satisfaction.

(f) The developer shall make available to the City, access to stockpiled topsoil in the amount to accommodate a minimum of 6 inches of topsoil coverage over Blocks 6 and 7. The topsoil may be stockpiled but not distributed.

(f) The subdivision agreement shall include financial securities that equate to the dollar value to remediate Blocks 6 and 7 to functional parkland to the City’s satisfaction.

(g) That the Owner shall deed the lands described as Natural Open Space to the Municipality, said lands being described as Block 8 as natural areas.

(h) That prior to assumption of the park blocks, the Manager of Parks Development shall be in receipt of a clearance memo from the Manager of Environment indicating that the park site is environmentally clean.

(i) That prior to the commencement of any clearing, grubbing or construction work within 10 metres of the park blocks defined on the Draft Plan, the Owner shall:
   1. Install snow fencing around the periphery of the park site to protect the site.
   2. Post signage to Municipal specifications, on all accessible sides of each park block, which indicates:
      • the future use of the block as a park; and
      • that no construction storage shall occur on this parcel of land nor shall any construction debris be dumped on this site.

(k) That prior to the Transfer of Deeds for the parkland to the Municipality, the Manager of Parks Development or designate, shall inspect the park blocks to ensure that they are in a clean state. Should the park blocks be in an
unsatisfactory state, the Owner shall be held responsible for restoring the site to the Municipality’s satisfaction.

(l) That the Owner shall deed the lands described as Natural Open Space to the Municipality, said lands being described as Block 8 as natural area.

(m) That the developer shall compensate for any filling of the 1:100 year flood plain within Block 6 or 7 under the direction and approval of the Cataraqui Region Conservation Authority.

15. Tree Inventory/Street Trees:

(a) That prior to any grubbing/clearing or construction on parcels of land not defined as roadways or servicing easements on the draft plan, the Owner shall receive final approval from the Municipality for a Tree Preservation Plan prepared for the subject lands. The final approved tree inventory plan shall be prepared by a certified arborist (ISA approved), and shall set out the surveyed locations of all trees on the site. The tree inventory shall list the species, caliper size, condition, crown radius and indicate whether the tree is to be retained or removed. If trees 6 inches (150 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 Municipality. This plan shall be reviewed and approved by the Municipality and be included as a schedule to the Subdivision Agreement. Requirements for the tree preservation plan are noted in the subdivision design guidelines produced by the Municipality.

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

(c) That the trees listed be in good and moderate condition, and have been identified for removal, will be subject to replacement tree and/or compensation amounts. Trees in good condition have been given a replacement value of 1 replacement tree per 10 cm DBh removed from the site ratio. Trees in moderate condition have been given a replacement value of 1 replacement tree per 1 tree removed ratio.

(d) There are 132 Black Walnut trees identified in a supplementary inventory. Since they are a distinctive species as outlined in the City of Kingston Tree By-Law, they are subject to compensation in the event they are to be removed. Upon the submission of grading plans to the City of Kingston for final subdivision approval, the Owner is required to have the tree inventory updated to reflect what Black Walnut trees are to be removed or retained. Compensation/replacement tree ratios will be determined by the Planning and Development Department and Public Works – Forestry staff, once the
suitability for preservation is determined by the consulting arborist in the field.

(e) The Tree Inventory and a supplementary submission have identified a number of Butternut trees on the subject property. This species is classified as endangered under the *Endangered Species Act* and as such is subject to clauses within the Act. The owner/developer is required to contact a Species at Risk Biologist with the Ontario Ministry of Natural Resources (MNR). The trees will need to be assessed by a Certified Butternut Health Assessor in order to determine if the trees are a retainable specimen. If the trees are found to be a retainable specimen and the owner wishes to have it removed, then the owner will be subject to any and all conditions and/or permits issued by the MNR. This work will have to be completed to the satisfaction of the MNR prior to obtaining final subdivision approval.

(f) Prior to the conveyance of Blocks 6 and 7 (Park Blocks) on the approved Draft Plan of Subdivision, the Owner agrees all Ash trees within the blocks will be removed due to the imminent threat of the emerald ash borer.

(g) Prior to the conveyance of Blocks 6 and 7 (Park Blocks) on the approved Draft Plan of Subdivision, the Owner agrees to remove all standing dead trees.

(h) Prior to the conveyance of Blocks 6 and 7 (Park Blocks) on the approved Draft Plan of Subdivision, the Owner agrees all trees within 10 metres of existing residential lots shall be mitigated to remove liability issues (i.e. dead wood, leaning trees, etc.). This will be completed to the satisfaction of Public Works – Forestry staff.

16. Canada Post - Community Mail Boxes:

(a) That prior to Final Plan Approval, the Owner shall, in consultation with and to the satisfaction of Canada Post, identify the location of community mail boxes within the Plan, and shall identify such locations on drawings for approval by the City.

(b) That prior to Final Plan Approval, the Owner shall, in consultation with and to the satisfaction of the City, provide detailed design plans for the community mail boxes including a landscape plan showing street furniture and complimentary architectural features.

(c) That the Owner shall provide a suitable temporary community mail box location(s) until the curbs, sidewalks and final grading have been completed at the permanent location(s).

(d) That prior to Final Plan Approval, the Owner shall enter into a Community Mail Box Developer Agreement and pay the Address Activation Fee with Canada Post Corporation for the installation of Community Mail Boxes as required by Canada Post.

(e) That the Owner shall identify in all offers of purchase and sale, or lease for all lots and blocks within this Plan that mail delivery will be provided via a community mail box, provided that the Owner has paid for the activation and equipment installation of the community mail box, and the locations of
all community mailboxes within this Plan. A Notice to Purchasers shall also be included in the Subdivision Agreement to this effect.

17. Bell Canada Requirements:

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

i. 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. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the owner/developer shall be responsible for the relocation of such facilities and easements.

ii. Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s) in which the telecommunication facilities are located to the street line.

iii. 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.

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

18. Utilities Requirements:

(a) Prior to Final Plan Approval, the Owner shall satisfy all technical, financial and other requirements of Utilities Kingston regarding the design, installation, connection and/or expansion of water distribution services and sanitary sewer distribution services, or any other related matters.

(b) The Owner shall agree to design, purchase materials and install a 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 Hydro One and the Municipality.

(c) 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.

(d) That prior to final Plan Approval the Owner shall satisfy all technical,
financial and other requirements of Utilities Kingston regarding the
establishment of wastewater capacity necessary to service the lands at the
Owners expense in accordance with the following:

i. The Owner shall, subject to the written approval of Utilities Kingston,
acquire independent third party professional engineering services to
review the estimated wastewater flows generated by this development
along with the estimated flows from all contributing areas within the
sanitary sewer shed and undertake an impact assessment of those
existing and proposed flows on the current rated capacity as
established in the Environmental Compliance Approval (ECA) of the
John Counter Boulevard Pumping Station;

ii. The Owner shall, through the independent third party professional
engineering services, identify all required capital improvements,
upgrades or works necessary to meet the standard operating practices
of Utilities Kingston for wastewater pumping stations that address the
total proposed and existing wastewater flows;

iii. The Owner shall apply for and obtain any amended ECA approvals
from the Ministry of Environment to satisfy the new requirements of this
existing facility; and

iv. The Owner shall make a onetime payment to the City of Kingston for
100% of the total estimated cost to complete the required capital
improvements, upgrades or works, inflated at a rate of 1.5% per year
from 2014 to 2022.

19. Transit Requirements:

a. To ensure that Transit is a viable option for residents, bus stops are
required to be built according to the City’s bus stop design guidelines at:

   • John Counter Boulevard and a sidewalk are provided to connect all
development to the bus stops at John Counter Boulevard, including bus
shelters along Old Mill Road/Street “A” to accommodate potential future
service. Placement of these stops can be discussed during the detailed
design; and

   • A notice shall be provided to potential property owners/tenants
identifying Old Mill Road/Street “A” as a potential future transit route in
the subdivision agreement.
20. Fire and Rescue:

1. The following clause will be included in the Subdivision Agreement: “The owner agrees that the approved secondary emergency access route from Purdy’s Mill Road will be maintained as an active emergency access route connection 12 months of the year and 24 hours a day until such time as a permanent secondary access is constructed. The emergency access route shall be constructed in conformance with the Ontario Building Code.

2. The following clause is to be included in the Subdivision Agreement for Blocks 1-3, inclusive of the approved Draft Plan of Subdivision: “That the Owner agrees to sprinkle all dwelling units constructed in conformance with the appropriate National Fire Protection Association (NFPA) Standard (NFPA 13, 13R, 13D, as amended).”

21. Engineering Requirements:

(a) Access to the underground utilities must be accommodated at phase limits if phasing is proposed. The consultant should be made aware that regardless of marketing considerations and what may be considered for phasing now may have to change as part of the design review. Looping of water mains, interim drainage, etc. are all factors to be accommodated in the phasing scheme. Similarly, maintenance and waste collection vehicles must be accommodated for turning at the phase boundaries. The draft conditions should therefore contain the standard phasing clause.

(b) Acoustic fencing may be required based on the finding of the Noise Attenuation Report. The noise impact study will be reviewed when a grading plan is available.

(c) Any off-site works required for this development will be at the expense of the Applicant.

(d) That prior to Final Approval, the owner shall submit for approval design plans for all public works and services prepared by a professional engineer to the satisfaction of the City of Kingston, such plans to be incorporated into the subdivision agreement between the Owner and the City of Kingston.

(e) That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.

(f) The owner shall bear the expense of all offsite works resulting from the approved public works design where such works are not subsidized under the policies and by-laws of the City of Kingston.

(g) That the subdivision agreement between the City of Kingston and the Owner contain all necessary 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.

(h) That any existing wells and or septic systems that may be present on the site be decommissioned as per all applicable regulations pertaining to each.
22. Cataraqui Region Conservation Authority:

1. That a lot grading and drainage plan and a sediment and erosion control plan be completed and approved to the satisfaction of the City of Kingston (‘City’) and the Cataraqui Region Conservation Authority (CRCA), and be included in the Subdivision Agreement between the Owner and the City.

2. That a detailed stormwater management plan be prepared by a qualified professional engineer and approved to the satisfaction of the City and the CRCA, and that appropriate text to implement its findings is included in the Subdivision Agreement.

3. That a tree preservation plan is prepared to the satisfaction of the City and the CRCA, and that appropriate text to implement its findings is included in the Subdivision Agreement.

4. That a floodplain compensation plan related to floodplain management on the affected section of Little Cataraqui Creek will be prepared by the City of Kingston and Homestead Land Holdings Ltd. to the satisfaction of the CRCA, and executed through a permit under Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses prior to the commencement of development and site alteration on Blocks 6, 7 and 8.

5. That any proposed modifications to the configuration of Blocks 6, 7 and 8 be supported by a hydrologic analysis of the unnamed watercourse and floodplain compensation plan, if required, prepared by a qualified professional engineer and approved to the satisfaction of the City and the CRCA.

6. That the Subdivision Agreement include text to the satisfaction of the City and the CRCA notifying the Owner that permission from the CRCA will be required under Ontario Regulation 148/06: Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses prior to the commencement of development and site alteration (including but not limited to stockpiling, filling, grading, buildings and structures) on Blocks 1, 2, 3, 4, 5, 6, 7, 8, and 9. The Agreement shall also include text advising subsequent purchasers and/or owners of this requirement.

23. Emergency Access Route

An emergency access route is to be provided via Purdy’s Mill Road with a 10 metre wide access route to Block 1. The emergency access route (fire lane) must be within Blocks 1, 2 and 3. The following conditions will apply to the emergency access route:

e. The emergency access route from the existing Purdy’s Mill Road surface to Old Mill Road will be designed and constructed by the owner. The design will be submitted to the City for approval prior to final subdivision approval.

f. The emergency access route (fire lane) on Blocks 1, 2 and 3 will be designed and constructed by the owner. The design will be submitted to the City for approval prior to final subdivision approval.
g. The emergency access route (fire lane) on Blocks 1, 2 and 3 is to be registered as a right of way to the City by the owner. The owner will have to register temporary emergency access routes as required during development of the blocks so that a loop from Purdy’s Mill Road to Old Mill Road is maintained at all times.

h. Access to the emergency route is to be blocked from vehicle access at the entrance from Purdy’s Mill Road by a chained barricade system that is approved by Fire and Rescue.

i. The owner will be responsible for maintenance and snow removal of the emergency access route until a secondary road access is constructed to the satisfaction of the City.

j. Clauses regarding the above will be included in the subdivision agreement.

24. Warning Clauses:

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

(a) Within the entire subdivision plan:

1. “Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including from construction activities, may be of concern and occasionally interfere with some activities of the dwelling occupants.”

2. “Purchasers and/or tenants are advised that the proposed finished lot and/or block grading may not meet Municipality of Kingston lot grading criteria in certain areas to facilitate preservation of existing vegetation and to maintain existing adjacent topographical conditions.”

3. “Purchasers and/or tenants are advised that traffic calming measures may have been incorporated into the road allowances.”

4. “Purchasers and/or tenants are advised that the planting of trees on Municipal boulevards in front of residential units is a requirement of the Municipality and a Conceptual Location Plan is included in the Subdivision Agreement. While every attempt will be made to plant trees as shown, the Municipality reserves the right to relocate or delete any boulevard tree without further notice.”

5. “Purchasers and/or tenants are advised that mail delivery will be from a designated community mail box, the location of which will be identified by the Owner prior to any home closings.”

6. “Purchasers and/or tenants are advised that any roads ending in a dead end or temporary turning circle may be extended in the future to facilitate development of adjacent lands, without further notice.”

(b) Abutting any open space, woodlot or storm water facility:
“Purchasers and/or tenants are advised that the adjacent open space, woodlot or storm water management facility may be left in a naturally vegetated condition and receive minimal maintenance.”

(c) Abutting a park block:
“Purchasers and/or tenants are advised that the lot abuts a park, and that noise and lighting should be expected from the designed active use of the park.”

(d) Abutting a potential transit route:
“Purchasers and/or tenants are advised that the following streets may be used as a transit route in the future: Old Mill Road.”

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

26. Special Conditions:
(a) That prior to Final Plan Approval, the Applicant will submit a detailed account of how each Condition of Draft Plan Approval has been satisfied.

(b) That the Owner shall pay any and all outstanding application fees to the Planning and Development Department, in accordance with the Municipality’s Tariff of Fees By-Law.

(c) That when requesting Final Approval from the Municipality, the Owner shall accompany such request with the required number of originals and copies of the Final Plan, together with a surveyor’s certificate stating that the lots/blocks thereon conform to the frontage and area to the requirements of the Zoning By-Law.

(d) That the Owner agrees to remove any driveways and buildings on site, which are not approved to be maintained as part of the Plan; any modification to off-site driveways required to accommodate this Plan shall be coordinated and completed at the cost of the Owner.

(e) That the Owner shall agree to maintain vehicular access to the Riley House located north of Block 3 of the approved draft plan of subdivision.

(f) That the Owner shall agree that all lots or blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing prior to assumption of the works by the Municipality.

(g) 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.

(h) That the Owner shall agree to erect fencing in the locations and of the types as shown on the approved subdivision works drawings and as required by the Municipality.
(i) The Owner shall agree that no building permits, with the exception of model homes, will be applied for until the Municipality is satisfied that adequate access, municipal water, sanitary and storm services are available.

(j) An unbroken 1.8 metre high chain link fence is required to be constructed along the westerly property line for the whole extent of this zone. The fence shall be constructed without any openings and/or gates.

(k) The berm(s) shall be used for no other purpose than planting a row of trees or a continuous unpierced hedgerow of evergreens and deciduous trees, not less than 5 feet high, along the crest of the berm(s); the remainder of the strip shall be used for no other purpose than the planting of shrubs, flowering shrubs, flower beds or a combination thereof. The berm will be vegetated with a mix of deciduous and coniferous native species with a trunk diameter to be determined to be satisfactory to the City’s Arborist in consultation with the City’s Planner (Parks Development) and Senior Heritage Planner.

(l) Drainage will be addressed prior to final plan of subdivision approval to the satisfaction of the City and the Cataraqui Region Conservation Authority.

27. Clearance Letters:
   (a) That prior to Final Plan Approval, the approval authority shall submit a detailed document detailing how each condition has been met.
   (b) That prior to Final Plan Approval, the Municipality is to be advised in writing by the Cataraqui Region Conservation Authority the method by which all applicable conditions have been satisfied.
   (c) That prior to Final Plan Approval, the City is to be advised in writing by Canada Post the method by which all applicable conditions have been satisfied.
   (d) That prior to Final Plan Approval, the Municipality is to be advised in writing by Ontario Hydro the method by which all applicable conditions have been satisfied.
   (e) That prior to Final Plan Approval, the Municipality is to be advised in writing by Bell Canada the method by which all applicable conditions have been satisfied.

28. 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.
(Note: A copy of the draft by-laws are attached as Schedule Pages 111 - 121)
(See By-Law Number (6), 2014-110)
(See By-Law Number (7), 2014-111)

Carried (7:3)
(See Motion To Defer Which Was LOST)
(See Recorded Vote 2)

Moved Councillor Glover
Seconded Councillor Osanic

That Clause (4) of Report number 73, Received from Planning Committee, 50 Old Mill Road and 999 Purdy's Mill Road be deferred until after Council has considered the revised designation by-law, which is expected to be confirmed by the Conservation Review Board at a pre-hearing on 26 June.

Lost (5:5)
(See Recorded Vote 1)

(1) YEAS: Councillor Downes, Councillor Glover, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic (5)
NAYS: Councillor Berg, Mayor Gerretsen, Councillor Paterson, Councillor Reitzel, Councillor Scott (5)
ABSENT: Councillor George, Councillor Hector, Councillor Schell (3)

(2) YEAS: Councillor Berg, Councillor Downes, Mayor Gerretsen, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Scott (7)
NAYS: Councillor Glover, Councillor Hutchison, Deputy Mayor Neill (3)
ABSENT: Councillor George, Councillor Hector, Councillor Schell (3)

Councillor Schell, Councillor George, and Councillor Hector returned to the meeting.
Report Number 74: Received from the Municipal Heritage Committee

Moved by Councillor Glover
Seconded by Councillor Schell

That Report Number 74: Received from the Municipal Heritage Committee be received and adopted.

Report Number 74

To the Mayor and Members of Council:

The Municipal Heritage Committee reports and recommends as follows:

Council consented to the separation of Item 4).

1) Request to Alter a Heritage Designated Property – 57-61 Brock Street

That alterations to a designated property at 57-61 Brock Street, be approved in accordance with details described in Application P18-076-048-2014 which was deemed complete on May 14, 2014, with said alterations to include the removal and replacement of six (6) second storey windows with six over six, simulated divided light, double-hung sash metal clad wood windows in an exterior cream colour and the restoration and repositioning of the six (6) existing wooden transom windows; and

That the approval be subject to the following condition:

1. All window repairs and replacements are to be completed in accordance with the City’s Policy on Window Renovations in Heritage Buildings.

2) Request to Alter a Heritage Designated Property – 167 King Street East

That alterations to a designated property at 167 King Street East, be approved in accordance with details described in Application P18-414-042-2014, which was deemed complete on May 1, 2014, with said alterations to include removal of up to 10 feet from an existing 15 foot portion of the limestone wall; and

That the approval be subject to the following conditions:

1. All masonry work be completed in accordance with the City’s Policy on Masonry Restoration in Heritage Buildings;

2. Care and caution be given when removing the stones from the wall in order not to adversely affect the state of the remaining wall; and

3. Remove only that portion of the wall which is absolutely necessary to accommodate vehicle access and to ensure the remaining wall is stabilized; and
4. Existing end stones to be used wherever possible at the new end of the shortened wall.

3) Request to Alter a Heritage Designated Property – 678 – 680 King Street West

That alterations to a designated property at 678-680 King Street West, be approved in accordance with details described in Application P18-243-045-2014 which was deemed complete on May 14, 2014, with said alterations to include repairing the masonry on the entire building; and

That the approval be subject to the following conditions:

1. All masonry work be completed in accordance with the City’s Policy on Masonry Restoration in Heritage Buildings; and

2. An application for a building permit be submitted if it is discovered that more extensive structural repair is required.

4) Request to Alter a Heritage Designated Property and Heritage Property Grant – 419 Regent Street - Barriefield

That alterations to a designated property at 419 Regent Street, Barriefield, be approved in accordance with details described in Application P18-442-047-2014, which was deemed complete on May 9, 2014, with said alterations to renovate the existing detached garage which includes: replacing the existing vinyl siding with wooden vertical board and batten siding (unpainted); painting the front man door and garage doors and frames in grey/taupe colour; installing three (3) new 2 over 2 wooden sash windows on the west side; replacing the two (2) windows at rear (north side) with wooden horizontal sliding windows; and constructing a 4.9 metre (16 foot) by 5.2 metre (17 foot) unenclosed carport addition off the rear (north side) with either 3-tab asphalt shingles, sheet-metal or metal batten roofing; and

That the approval be subject to the following conditions:

1. Any required building permits be obtained;

2. Any required encroachment permit be obtained;

3. The window replacements be done in accordance with the City’s Policy on Window Renovations in Heritage Buildings; and

That the Heritage Property Grant Application for the designated property at 419 Regent Street be provisionally approved, subject to the standard requirements pertaining to the completion of the works and the release of funding, in accordance with the details described in Ontario Heritage Act Permit Application P18-442-047-2014 and Heritage Property Grant Application HG-06-2014.

Carried As Amended (9:4)
(See Recorded Vote 1)
(See Motion To Amend Which Was Carried)

That the following application outlined in the recommendation be refused:

That the Heritage Property Grant application for the designated property at 419 Regent Street, be provisionally approved, subject to the standard requirements pertaining to the completion of the works and the release of funding, in accordance with the details described in Ontario Heritage Act Permit Application P18-442-047-2014 and Heritage Property Grant Application HG-06-2014.

(Note: A copy of the Heritage Property Grant application was attached to the agenda as Schedule Pages 122 - 124)

Lost (5:8)
(See Recorded Vote 2)

Moved by: Councillor Reitzel
Seconded by: Councillor Berg

That Clause 4) of Report Number 74, Received from the Municipal Heritage Committee be amended by adding the following thereto:

"That the Heritage Property Grant Application for the designated property at 419 Regent Street be provisionally approved, subject to the standard requirements pertaining to the completion of the works and the release of funding, in accordance with the details described in Ontario Heritage Act Permit Application P18-442-047-2014 and Heritage Property Grant Application HG-06-2014".

(1) YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Hector, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (9)
NAYS: Councillor Glover, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic (4)
ABSENT: (0)

(2) YEAS: Councillor Downes, Councillor Glover, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic (5)
NAYS: Councillor Berg, Councillor George, Mayor Gerretsen, Councillor Hector, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (8)
ABSENT: (0)

5) Application for Heritage Property Grant – 194 King Street East

That the Heritage Property Grant application for the designated property at 194 King Street East, be provisionally approved, subject to the standard requirements
pertaining to the completion of the works and the release of funding, in accordance with the details described in Ontario Heritage Act Permit Application P18-189-040-2014DA and Heritage Property Grant Application HG-03-2014.

6) **Application for Heritage Property Grant – 85 King Street East**

*That* the Heritage Property Grant application for the designated property at 85 King Street East be provisionally approved, subject to the standard requirements pertaining to the completion of the works and the release of funding, in accordance with the details described in Ontario Heritage Act Heritage Permit Application P18-179-041-2014DA and Heritage Property Grant Application HG-04-2014.

7) **Application for Heritage Property Grant – 14 Drummond Street**

*That* the Heritage Property Grant application for the designated property at 14 Drummond Street, be provisionally approved, subject to the standard requirements pertaining to the completion of the works and the release of funding, in accordance with details described in Ontario Heritage Act Application P18-456-043-2014 and Heritage Property Grant Application HG-05-2014.

8) **Application for Heritage Property Grant – 20 Market Street/45-47 Clarence Street**

*That* the Heritage Property Grant application for the designated property at 20 Market Street/45-47 Clarence Street, be provisionally approved, subject to the standard requirements pertaining to the completion of the works and the release of funding, in accordance with details described in Ontario Heritage Act Permit Application P18-099-049-2014DA and Heritage Property Grant Application HG-07-2014.

**CARRIED (12:0)**

(Clauses (1) through (3) and (5) through (8))

(See Recorded Vote)

YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Glover, Councillor Hector, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Scott (12)

NAYS: (0)

ABSENT: Councillor Schell (1)
Report Number 75: Received from the Rural Advisory Committee

Moved by Councillor Reitzel
Seconded by Councillor Scott

That Report Number 75: Received from the Rural Advisory Committee be received and adopted.

Report Number 75

To the Mayor and Members of Council:

The Rural Advisory Committee reports and recommends as follows:

Council consented to consider Report Number 75, Received from the Rural Advisory Committee Clause by Clause.

(1) Proposed Highway 2, Highway 15 and Highway 38 Renaming-Survey Response and Future Direction

That based on the responses received from residents, technical agencies and adjacent municipalities in support of the proposed road renaming, and in consideration of the responses received that Council direct staff to continue the road renaming process; and

That staff prepare a budget for consideration by Council that will include necessary budget consideration to implement the renaming of roads, and compensation for residents and business with related expenses; and

That a detailed report regarding the proposed process and budget for the signage be provided to the Rural Advisory Committee; and

That the Rural Advisory Committee host public meetings for each of the impacted areas.

Lost (6:7)
(See Recorded Vote)

YEAS: Councillor Berg, Councillor George, Mayor Gerretsen, Councillor Paterson, Councillor Reitzel, Councillor Scott (6)

NAYS: Councillor Downes, Councillor Glover, Councillor Hector, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic, Councillor Schell (7)

ABSENT: (0)
(2) Shannon’s Corner/Glenburnie Hamlet Signage

That in accordance with the Signage Policy for Municipal Rights of Way, new gateway hamlet signage be installed in Glenburnie to replace existing hamlet signage; and

That in accordance with the Signage Policy for Municipal Rights of Way, Council direct staff to prioritize Shannon’s Corners in future budgets for the signage for recognizing historic villages and hamlets; and

That the renaming of the hamlet of Shannon’s Corners to Glenburnie in the City of Kingston Official Plan be considered during the next five year review.

Carried (13:0)
(See Recorded Vote)

YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Glover, Councillor Hector, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (13)

NAYS: (0)

ABSENT: (0)

Committee of the Whole

Information Reports

1) Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of April 2014

This report is to provide Council with tenders/RFPs approved and contracts awarded greater than $50,000, and contract awarded by senior staff between $20,000 and $50,000 for the month of April 2014.

(The Report of the City Treasurer (14-184) was attached to the agenda as Schedule Pages 125 - 132)

(File Number CSU-F18-000-2014)
Miscellaneous Business

1) Moved by Deputy Mayor Neill
   Seconded by Councillor Berg

   That, as requested by Major Paul Kelly, Joint Signal Regiment, Canadian Forces
   Base Kingston, Council proclaim June 18, 2014 as “Freedom of the City” in the
   City of Kingston.

   (See Communication Number 21-306)

   Carried (13:0)
   (See Recorded Vote)

YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen,
   Councillor Glover, Councillor Hector, Councillor Hutchison, Deputy Mayor Neill,
   Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell,
   Councillor Scott (13)

NAYS: (0)

ABSENT: (0)

New Motions

Councillor Glover withdrew from the meeting.

1) Moved by Councillor Downes
   Seconded by Deputy Mayor Neill

   Whereas an Integrity Commissioner investigation took place and has reported to
   Council; and

   Whereas no sanctions were recommended against Councillor Glover; and

   Whereas Kingston City Council has accepted the recommendation; and

   Whereas the expense of legal representation is a form of sanction;

   Therefore be it resolved that Kingston City Council reimburse Councillor Bill
   Glover for his lawyer’s fees of $3,955.00 that he incurred to defend himself.

   Carried (9:3)
   (See Recorded Vote)

YEAS: Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Hector,
   Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic, Councillor Paterson,
   Councillor Schell (9)

NAYS: Councillor Berg, Councillor Reitzel, Councillor Scott (3)

ABSENT: Councillor Glover (1)
Mayor Gerretsen passed the gavel to Deputy Mayor Neill and withdrew from the meeting, Deputy Mayor Neill assumed the Chair. Councillor Glover returned to the meeting.

Moved by Councillor Berg  
Seconded by Councillor George

**THAT** Council waive the rules of By-Law No. 2010-1, “Council Procedural By-Law”, in order to extend the meeting past 11:00 pm in order to complete the agenda.

**Carried (10:2)**  
(A 2/3 Vote Of Council Was Received)

**YEAS:** Councillor Berg, Councillor Downes, Councillor George, Councillor Hector, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic, Councillor Paterson, Councillor Schell, Councillor Scott (10)

**NAYS:** Councillor Glover, Councillor Reitzel (2)

**ABSENT:** Mayor Gerretsen (1)

2) Moved by Councillor George  
Seconded by Deputy Mayor Neill

**Whereas** on 4 June 2013 Kingston City Council adopted a motion stating that “the City of Kingston express its clear commitment to not consider the use of the Memorial Centre and Cook Brothers Arena sites for any new school construction”; and

**Whereas** the period when a reconsideration of that motion to change the statement expires on 3 June 2014; and

**Whereas** the new council that will take office on 1 December 2014 is not constrained by a one year period prohibiting reconsideration; and

**Whereas** given the provincial election on 12 June and municipal and school board trustee elections on 27 October 2014, in the current climate there is a degree of uncertainty both with respect to what the future policies of other legislative bodies might be:

**Therefore be it resolved that** going forward Kingston City Council reaffirms and renews the commitment expressed on 4 June 2013 that:

**Whereas** several million dollars have been spent on the revitalization of the Kingston Memorial Centre, including the Linear Park, Outdoor Aquatic Centre and the Memorial Wall and Garden, with considerable community input and engagement; and

**Whereas** recent studies have shown the midtown core of the City, including Williamsville and Kingscourt/Strathcona, have a low ratio of parkland per capita; and

**Whereas** both the Limestone District School Board and the Algonquin and District Catholic School Board are each conducting a PARC process, which may seek in future a site for a new school construction;
Therefore be it resolved that the City of Kingston express its clear commitment to not consider the use of the Memorial Centre and Cook Brothers Arena sites for any new school construction.

Carried (9:3)

(See Recorded Vote)

YEAS:  Councillor Downes, Councillor George, Councillor Glover, Councillor Hector, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic, Councillor Reitzel, Councillor Schell (9)

NAYS:  Councillor Berg, Councillor Paterson, Councillor Scott (3)

ABSENT: Mayor Gerretsen (1)

3)  Moved by Councillor Paterson
    Seconded by Councillor Berg

Whereas the Limestone District School Board has made a decision to replace KCVI and QECVI with a new secondary school; and

Whereas having a secondary school located in the downtown is vital for maintaining a healthy downtown community, for supporting residential intensification in the city’s core and for promoting active transportation and sustainability; and

Whereas the original vision for the Memorial Centre property was for a living memorial, as a place to offer both education and entertainment, with a particular emphasis on providing activities for youth; and

Whereas the recent investments into the revitalization of the Memorial Centre property, including the Linear Park, Outdoor Aquatic Centre and the Memorial Wall and Garden must be protected; and

Whereas a new secondary school, appropriately designed and located on the Memorial Centre property could provide additional facilities for community use at no cost to the city;

Therefore be it resolved that city staff be requested to explore the possibility of locating a new secondary school on the Memorial Centre property under the following conditions:

1. No net reduction in green space;

2. The preservation of all recent investments in the revitalization of the Memorial Centre property;

3. The provision of a capital contribution from the Limestone District School Board towards the further rejuvenation of the Memorial Centre property;

4. The preservation of public access to the entire Memorial Centre property outside of the secondary school building itself;

5. The preservation of sufficient space and facilities for the Memorial Centre Farmer’s Market;

6. Community access to school facilities (such as a library and gymnasium) outside of regular school hours;
7. Consultation between city staff and the Kingston & District Agricultural Society to ensure the continuation of the Kingston Fall Fair on an annual basis; and

That city staff be requested to report back to council with their findings.

Ruled Out Of Order
By Deputy Mayor Neill

Mayor Gerretsen returned to the meeting, Deputy Mayor Neill returned the gavel to Mayor Gerretsen who re-assumed the Chair. Councillor George, Councillor Hector, and Councillor Schell withdrew from the meeting.

4) Moved by Councillor Scott
Seconded by Councillor Berg

Whereas Homestead Holdings has applied for a zoning by-law amendment, official plan application and draft plan of subdivision, for the purpose of constructing three fourteen story apartment buildings; and

Whereas from concern expressed by the neighbouring Cataraqui Cemetery in respect to the impact of the building mass proposed; and

Whereas the delegation of authority by-law allows for Council to "bump up" site plan control applications to Planning Committee; and

Whereas this procedure will allow for further scrutiny of the impact of the development on the neighbouring cemetery;

Therefore be it resolved that the site plan control applications from Homestead Holdings for blocks 1, 2 and 3 of draft plan outlined in planning file D12-064-2011 be "bumped up" to the Planning Committee.

Carried (9:1)
(See Recorded Vote)

YEAS: Councillor Berg, Councillor Downes, Mayor Gerretsen, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Scott (9)

NAYS: Councillor Glover (1)

ABSENT: Councillor George, Councillor Hector, Councillor Schell (3)

Councillor George, Councillor Hector, and Councillor Schell returned to the meeting.
5) Moved by Councillor Osanic
   Seconded by Councillor Scott

Whereas the Sandy Pines Wildlife Centre in the Town of Greater Napanee is a non-profit charitable organization that does not receive any regular government funding and is licensed to provide care and shelter for wildlife; and

Whereas demand for its emergency veterinary care and long-term rehabilitation services continues to grow each year for a range of mammals, birds, reptiles, and amphibians, including species at risk; and

Whereas Sandy Pines Wildlife Centre is the only wildlife centre in South-Eastern Ontario and 30% of admissions to the Centre come from within the City of Kingston boundary; and

Whereas an effort is underway to construct a new, larger treatment facility and $120,000 must be raised by the community by the end of June 2014;

Therefore be it resolved that the City of Kingston make a one-time donation of $1,200 to the building fund for the Sandy Pines Wildlife Centre in the Town of Greater Napanee, to be funded out of the Working Fund Reserve; and

That a letter be sent to the City of Kingston’s neighbouring municipalities, Loyalist Township and South-Frontenac Township, suggesting that they make a financial contribution to the Sandy Pines Wildlife Centre as well.

Carried (13:0)
(See Recorded Vote)

YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Glover, Councillor Hector, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (13)

NAYS: (0)

ABSENT: (0)
6) Moved by Mayor Gerretsen
Seconded by Councillor Reitzel

THAT Council receive the report dated June 17, 2014, from Mayor Gerretsen with
respect to Member of Provincial Parliament (MPP) Candidate responses to third
crossing in infrastructure investment.

(The Report of the Mayor was attached to the agenda as Schedule Pages 133 -
151)
(File No. CSU-F11-000-2013)

Carried (13:0)
(See Recorded Vote)

YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen,
Councillor Glover, Councillor Hector, Councillor Hutchison, Deputy Mayor Neill,
Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell,
Councillor Scott (13)

NAYS: (0)

ABSENT: (0)

Notices of Motion

Minutes

Moved by Councillor Reitzel
Seconded by Councillor Berg

That the Minutes of City Council Meeting Number 2014-19, held Tuesday, May 27, 2014,
and the Minutes of City Council Meeting Number 2014-20, held Tuesday, June 03, 2014
be confirmed.

(Distributed to all Members of Council on Friday, June 6, and Friday, June 13, 2014)

Carried (13:0)
(See Recorded Vote)

YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen,
Councillor Glover, Councillor Hector, Councillor Hutchison, Deputy Mayor Neill,
Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell,
Councillor Scott (13)

NAYS: (0)

ABSENT: (0)
Tabling of Documents

Communications

Filed

21-276 From the Committee of Adjustment, a Notice of Decision for the following applications:

Minor Variance In respect of an application to request relief from Zoning By-Law Number 32-74 for the property at 1830 Highway 2 East, the Committee decided That the application should be approved, subject to conditions. The final date for appeal is June 16, 2014.

Minor Variance In respect of an application to request relief from Zoning By-Law Number 32-74 for the property at 460-500 Gardiners Road, the Committee decided That the application should be approved, subject to conditions. The final date for appeal is June 16, 2014.

21-288 From the City of London, acknowledging receipt of Kingston City Council’s resolution regarding prohibiting Corporate and Union Donations in Municipal Elections.

Referred to All Members of Council

21-262 From Hans Westenberg, in regards to the empty store fronts in downtown Kingston.

(File Number CSU-D22-000-2014) (File Number CSU-E07-000-2014) (Distributed to all Members of Council on May 30, 2014)

21-263 From Terry Young, Vice President, Corporate and Employee Relations, with respect to the Independent Electricity System Operator’s (IESO) 2013 Annual Report.

(File Number CSU-E06-000-2014) (Distributed to all Members of Council on May 30, 2014)

21-264 From Association of Municipalities of Ontario (AMO), in regards to Provincial Election Update.

(File Number CSU-C07-000-2014) (Distributed to all Members of Council on May 30, 2014)

21-265 From Rachel Brackenbury, with respect to the site for a new high school.

(File Number CSU-R07-000-2014) (Distributed to all Members of Council on May 30, 2014)
<table>
<thead>
<tr>
<th>File No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>21-267</td>
<td>From Jennifer Allan, Administrative Assistant, City of Oshawa, in regards to Corporate and Union donations in Municipal Elections. (File Number CSU-C07-000-2014) (Distributed to all Members of Council on June 06, 2014)</td>
</tr>
<tr>
<td>21-268</td>
<td>From Joe Hawkins, on behalf of the Kingscourt Community Association, with respect to a new elementary school. (File Number CSU-R07-000-2014) (Distributed to all Members of Council on June 06, 2014)</td>
</tr>
<tr>
<td>21-269</td>
<td>From Barb Schlafer, in regards to Climate Change/Global Warming and Council. (File Number CSU-E05-000-2014) (Distributed to all Members of Council on June 06, 2014)</td>
</tr>
<tr>
<td>21-270</td>
<td>From Katrina Chrzanowska, Director, Ministry of the Environment, with respect to Environmental Compliance Approval. (File Number CSU-E11-000-2014) (Distributed to all Members of Council on June 06, 2014)</td>
</tr>
<tr>
<td>21-271</td>
<td>From Association of Municipalities of Ontario (AMO), in regards to New Building Canada Fund – Member Update. (File Number CSU-F11-000-2014) (Distributed to all Members of Council on June 06, 2014)</td>
</tr>
<tr>
<td>21-272</td>
<td>From Liz Bates, with respect to the revitalization of Williamsville. (File Number CSU-T04-000-2014) (Distributed to all Members of Council on June 06, 2014)</td>
</tr>
<tr>
<td>21-273</td>
<td>From Mark Peters, in regards to the location of a new high school. (File Number CSU-R07-000-2014) (Distributed to all Members of Council on June 06, 2014)</td>
</tr>
<tr>
<td>21-274</td>
<td>From Association of Municipalities of Ontario (AMO), in regards to Provincial Election update. (File Number CSU-C07-000-2014) (Distributed to all Members of Council on June 06, 2014)</td>
</tr>
<tr>
<td>21-275</td>
<td>From Elizabeth Bates, in regards to the Memorial Centre being a location for a new school. (File Number CSU-R07-000-2014) (Distributed to all Members of Council on June 06, 2014)</td>
</tr>
</tbody>
</table>
21-277 From Brian Tolls, Frontenac Federation of Agriculture, in regards to farm machinery on roads.
(File Number CSU-T04-000-2014)
(Distributed to all Members of Council on June 06, 2014)

21-278 From Association of Municipalities of Ontario (AMO), in regards to the latest on the Key Municipal Priorities.
(File Number CSU-C07-000-2014)
(Distributed to all Members of Council on June 06, 2014)

21-279 From Gail Shook, President, Kingston and District Agricultural Society, with respect to the Kingston Memorial Centre grounds being considered for a new school.
(File Number CSU-R07-000-2014)
(Distributed to all Members of Council on June 06, 2014)

21-280 From Katherine Kilpatrick, Health for Life, in regards to Memorial Centre being considered as a potential location for a new school.
(File Number CSU-R07-000-2014)
(Distributed to all Members of Council on June 13, 2014)

21-281 From Julien Lalonde and Melodie Bowes, in regards to an application for a Special Occasion Permit.
(File Number CSU-M02-000-2014) (File Number CSU-P09-000-2014)
(Distributed to all Members of Council on June 13, 2014)

21-282 From Kenneth Major & Jessica Lee in regards to an application for a Special Occasion Permit.
(File Number CSU-M02-000-2014) (File Number CSU-P09-000-2014)
(Distributed to all Members of Council on June 13, 2014)

21-283 From John Grenville, in regards to Memorial Centre being considered as a potential location for a new school.
(File Number CSU-R07-000-2014)
(Distributed to all Members of Council on June 13, 2014)

21-284 From Susan Walker, in regards to Memorial Centre being considered as a potential location for a new school.
(File Number CSU-R07-000-2014)
(Distributed to all Members of Council on June 13, 2014)
21-285 From Sunny Kerr, in regards to Memorial Centre being considered as a potential location for a new school.
(File Number CSU-R07-000-2014)
(Distributed to all Members of Council on June 13, 2014)

21-286 From Sylvia Sutherland, Ontario Municipal Board, in regards to an Ontario Municipal Board hearing.
(File Number CSU-L01-001-2014)
(Distributed to all Members of Council on June 13, 2014)

21-287 From Mayor Gerretsen, in regards to Memorial Centre being considered as a potential location for a new school.
(File Number CSU-R07-000-2014)
(Distributed to all Members of Council on June 13, 2014)

21-289 From Paul Carl, with respect to a smudging ceremony in recognition of the relationship between the City of Kingston and the First Nations, Metis and Inuit people that work, live, and visit Kingston.
(File Number CSU-M02-000-2014)
(Distributed to all Members of Council on June 13, 2014)

21-290 From Laurie French, Chair, Limestone District School Board, in regards to input on new schools planned for North 7 Central Kingston.
(File Number CSU-R07-000-2014)
(Distributed to all Members of Council on June 13, 2014)

21-291 From Hart Cantelon, with respect to the Memorial Centre being a location for a new school.
(File Number CSU-R07-000-2014)
(Distributed to all Members of Council on June 13, 2014)

21-292 From Douglas Morrow, with respect to Clause (4) of Report Number (74), Received from the Municipal Heritage Committee, Request to Alter a Heritage Designated Property and Heritage Property Grant – 419 Regent Street.
(File Number CSU-P18-000-2014)
(Distributed to all Members of Council on June 13, 2014)

21-293 From Richard Gold, in regards to the Memorial Centre being a location for a new school.
(File Number CSU-R07-000-2014)
(Distributed to all Members of Council on June 13, 2014)
From Tom Craydon, in regards to the Memorial Centre being a location for a new school.
(File Number CSU-R07-000-2014)
(Distributed to all Members of Council on June 13, 2014)

From Lori-Jo Whitfield, District 11, King’s Town, in regards to the Memorial Centre being a location for a new school.
(File Number CSU-R07-000-2014)
(Distributed to all Members of Council on June 17, 2014)

From Zane Whitfield, District 11, King’s Town, in regards to the Memorial Centre being a location for a new school.
(File Number CSU-R07-000-2014)
(Distributed to all Members of Council on June 17, 2014)

From Sharon E. Deline, in regards to the Memorial Centre being a location for a new school.
(File Number CSU-R07-000-2014)
(Distributed to all Members of Council on June 17, 2014)

From Katharine Ham, in regards to the Memorial Centre being a location for a new school.
(File Number CSU-R07-000-2014)
(Distributed to all Members of Council on June 17, 2014)

From Lindsay Davidson, in regards to the Memorial Centre being a location for a new school.
(File Number CSU-R07-000-2014)
(Distributed to all Members of Council on June 17, 2014)

From Marian Burdshall, with respect to the By-laws for parking by-law amendments.
(File No. CSU-T02-000-2014)
(Distributed to all Members of Council on June 17, 2014)

From John Colangeli, in regards to the Memorial Centre being a location for a new school.
(File Number CSU-R07-000-2014)
(Distributed to all Members of Council on June 17, 2014)

From Rosemarie Tripp, in regards to the Memorial Centre being a location for a new school.
(File Number CSU-R07-000-2014)
(Distributed to all Members of Council on June 17, 2014)
21-305 From Barb Bentley and Gary Ridge, in regards to the Memorial Centre being a location for a new school.
(File Number CSU-R07-000-2014)
(Distributed to all Members of Council on June 17, 2014)

21-306 From Major Paul Kelly, Joint Signal Regiment, Canadian Forces Base Kingston, asking that Council proclaim June 18, 2014 as “Freedom of the City” in the City of Kingston.
(File Number CSU-M10-000-2014)
(See Miscellaneous Business Item Number (1))
(Distributed to all Members of Council on June 17, 2014)

21-307 From Wendy Kelen, in regards to the Memorial Centre being a location for a new school.
(File Number CSU-R07-000-2014)
(Distributed to all Members of Council on June 17, 2014)

21-308 From Zane Whitfield, District 11, King’s Town, in regards to the Memorial Centre being a location for a new school.
(File Number CSU-R07-000-2014)
(Distributed to all Members of Council on June 17, 2014)

Other Business

By-Laws

Mayor Gerretsen passed the gavel to Deputy Mayor Neill and withdrew from the meeting, Deputy Mayor Neill assumed the Chair.

Council consented to the withdrawal of By-Law (11) and to the addition of By-Law (14).

a) Moved by Councillor Berg
   Seconded by Councillor Paterson

   That By-Law (6) and (7) be given their first and second readings.  
   Carried (9:0)
   (See Recorded Vote)

   YEAS:  Councillor Berg, Councillor Downes, Councillor Glover, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Scott (9)

   NAYS:  (0)

   ABSENT:  Councillor George, Mayor Gerretsen, Councillor Hector, Councillor Schell (4)
b) Moved by Councillor Osanic
   Seconded by Councillor Reitzel

   That By-Law (6) and (7) be given their third readings.

   Carried (9:0)
   (See Recorded Vote)

   YEAS: Councillor Berg, Councillor Downes, Councillor Glover, Councillor Hutchison,
         Deputy Mayor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel,
         Councillor Scott (9)
   NAYS:  (0)
   ABSENT: Councillor George, Mayor Gerretsen, Councillor Hector, Councillor Schell (4)

   Mayor Gerretsen returned to the meeting, Deputy Mayor Neill returned the gavel to Mayor
   Gerretsen who re-assumed the Chair. Councillor Schell and Councillor George returned
   to the meeting.

c) Moved by Councillor Berg
   Seconded by Councillor Paterson

   That By-Laws (1) through (5), (13) and (14) be given their first and second reading.

   Carried (12:0)
   (See Recorded Vote)

   YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen,
         Councillor Glover, Councillor Hutchison, Deputy Mayor Neill, Councillor
         Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor
         Scott (12)
   NAYS:  (0)
   ABSENT: Councillor Hector (1)

d) Moved by Councillor Schell
   Seconded by Councillor Reitzel

   That Clause 11.34 of By-Law Number 2010-1 be suspended for the purpose of
   giving By-Law (14) three readings.

   Carried (12:0)
   (See Recorded Vote)

   YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen,
         Councillor Glover, Councillor Hutchison, Deputy Mayor Neill, Councillor
         Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor
         Scott (12)
   NAYS:  (0)
   ABSENT: Councillor Hector (1)
Moved by Councillor Osanic
Seconded by Councillor Reitzel

That By-Laws (2) through (5), (8) through (10), and (12) through (14) be given their third reading.

Carried (12:0)
(See Recorded Vote)

YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Glover, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (12)

NAYS: (0)

ABSENT: Councillor Hector (1)

1) A By-Law to Amend By-Law Number 99-166 "A by-law to prohibit the parking or leaving of motor vehicles on private property without the consent of the owner or occupant of the property, or on property owned or occupied by the City of Kingston or any local board thereof, without the consent of the City of Kingston or the local board"

First and Second Readings Proposed Number 2014-105
(See Clause (e), Report Number 71)

2) A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Zone Change from ‘A’ to ‘A.449, 48 Colborne Street)

Three Readings Proposed Number 2014-106
(See Clause (1), Report Number 73)

3) A By-Law To Amend The Official Plan For The City Of Kingston Planning Area (Amendment No. 26, 824 John Counter Boulevard)

Three Readings Proposed Number 2014-107
(See Clause (2), Report Number 73)

4) A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation Of The City Of Kingston" (Zone Change to further Amend Special Requirement Industrial ‘M.262’, 824 John Counter Boulevard)

Three Readings Proposed Number 2014-108
(See Clause (2), Report Number 73)

5) A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Zone Change from General Industrial ‘M7’ Zone to Special General Industrial ‘M7.451’ Zone, 141 Hickson Avenue)

Three Readings Proposed Number 2014-109
(See Clause (3), Report Number 73)
6) A By-Law to Amend The Official Plan for The City of Kingston Planning Area (Amendment Number 25, 50 Old Mill Road)
   Three Readings Proposed Number 2014-110
   (See Clause (4), Report Number 73)
7) A By-Law to Amend By-Law Number 76-26, “A By-Law to Regulate the use of lands and the Character, Location and use of Buildings and Structures in The Township of Kingston” (Zone Change from Holding Special Residential Type 4 ‘R4-1-H’ Zone and Holding Special Residential Type 4 ‘R4-13-H’ Zone to Holding Special Residential ‘R5-18-H’ Zone, Holding Special Residential Type 4 ‘R4-13-H’ Zone to Holding Special Residential ‘R5-19-H’ Zone, Holding Special Residential Type 4 ‘R4-13-H’ Zone to Holding Special Residential ‘R5-20-H’ Zone, from Development ‘D’ zone to Special General Commercial ‘C2-71-H’ Holding Zone, Open Space ‘OS’ Zone to Special Open Space ‘OS-17’ Zone and Environmental Protect Area ‘EPA’ Zone to an Open Space ‘OS’ Zone, for the lands municipally known as 50 Old Mill Road and 999 Purdy’s Mill Road)
   Three Readings Proposed Number 2014-111
   (See Clause (4), Report Number 74)
8) A By-Law to Amend By-Law Number 2010-128 “A By-Law to Regulate Parking” (Parking Metre Zones on City Streets)
   Third Reading Proposed Number 2014-94
   (See Clause (a), Report Number 66)
9) A By-Law to Amend By-Law Number 2010-128 “A By-Law to Regulate Parking” (Medical and University Parking Zones)
   Third Reading Proposed Number 2014-95
   (See Clause (a), Report Number 66)
10) A By-Law to Amend By-Law Number 2010-128 “A By-Law to Regulate Parking” (No Parking)
    Third Reading Proposed Number 2014-96
    (See Clause (a), Report Number 66)
11) A By-Law to Amend By-Law Number 2010-128 “A By-Law to Regulate Parking” (Bicycle Lanes)
    Third Reading Proposed Number 2014-97
    (See Clause (a), Report Number 66)
    WITHDRAWN
12) A By-Law to Amend By-Law Number 2010-128 “A By-Law to Regulate Parking” (Overnight Parking Prohibitions)
    Third Reading Proposed Number 2014-98
    (See Clause (a), Report Number 66)
13) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, June 17, 2014

Three Readings Proposed Number 2014-112
(City Council Meeting Number 2014-21)


Three Readings Proposed Number 2014-113 (See Clause (a), Report Number 66)

Adjournment

Moved by Councillor Downes
Seconded by Deputy Mayor Neill

That Council do now adjourn. Carried (12:0)
(See Recorded Vote)

YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Glover, Councillor Hutchison, Deputy Mayor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (12)

NAYS: (0)

ABSENT: Councillor Hector (1)

Council adjourned at 11:10 pm.

(Signed) John Bolognone Mark Gerretsen
City Clerk Mayor