

AGENDA

Page No.

- e) Supply of Recycling Processing Services (12-362) **schedule pages 30-33**
- f) Award of RFP - Winter Control for Bus Stops and Shelter Clearing (12-379) **schedule pages 34-36**
- h) Kingston Fire & Rescue – Establishing and Regulating By-law –
Appointment of Deputy Fire Chief (12-373) **schedule pages 37-71**
- i) Approval of Assignment of Four Points Hotel Parking As Part of Property
Transfer (12-376) **schedule pages 72-75**

- Report No. 126: Received from the CAO (Recommend) 11
 - (1) Affordable Housing Project Funding for Home Base Housing (540 Montreal
Street), Kingston Co-operative Homes Inc. (1338 Princess Street), and
Central Frontenac Housing Corp. **schedule pages 76-83**

- Report No. 127: Received from the Planning Committee 12 - 26
- Report No. 128: Received from the Arts, Recreation & Community
Policies Committee 27
- Report No. 129: Received from the Environment, Infrastructure &
Transportation Policies Committee 28 - 30
schedule pages 84-87
- Report No. 130: Received from the Nominations Advisory Committee
..... 31 & 32
- Committee of the Whole 33
- Information Reports 33
 - 1) 2012 Priority Matrix – Q3 Update (12-342) **distributed separately**
 - 2) Recruitment and Appointment of Fire Chief (12-354) **schedule pages 88-95**
 - 3) Cessation of the Childcare Fee Subsidy Waitlist (12-367) **schedule pages 96-100**

AGENDA

	Page No.
Miscellaneous Business	34
New Motions	35 & 36
Notices of Motion.....	36
Minutes	36
Tabling of Documents	37
Communications	37 - 41
Other Business.....	41
By-Laws	41 - 44
Adjournment.....	45

(Council Chamber)


CALL MEETING TO ORDER



ROLL CALL



THE COMMITTEE OF THE WHOLE “CLOSED MEETING”

- (1) **THAT** Council resolve itself into the Committee of the Whole “Closed Meeting” to consider the following item:
 - (a) Proposed or Pending Acquisition of Land by the Municipality – Mile Square
 - (2) **THAT** Council rise from the Committee of the Whole “Closed Meeting” without reporting.
- 

APPROVAL OF ADDEDS



DISCLOSURE OF POTENTIAL PECUNIARY INTEREST




PRESENTATIONS



DELEGATIONS



BRIEFINGS

- 1) Joe Davis, Acting Executive Director, Sustainable Kingston, and Jennifer Kiwala, Member, Sustainable Kingston Board of Directors, will provide a briefing to Council in order to update on Sustainable Kingston’s recent activities.
- 

PETITIONS

- (1) A petition bearing approximately 593 signatures was presented by Councillor Neill and referred to the Commissioner of Sustainability and Growth and the President and CEO, Utilities Kingston, and reads as follows:

“We the undersigned, support all City efforts to make the Williamsville Infrastructure acceptable to active transportation users: complete with a segregated bicycle lane that will separate bicycle traffic from motor vehicles.”

REFERRED TO C. BEACH, COMMISSIONER, SUSTAINABILITY AND GROWTH

REFERRED TO J. KEECH, PRESIDENT & CEO, UTILITIES KINGSTON

- (2) A petition bearing approximately 46 signatures was presented by Councillor Glover and referred to the President & CEO, Utilities Kingston, and reads as follows:

“Many residents have expressed a desire for the City to do something about traffic control at the intersection of Clarence and Ontario Streets. The Board has requested in your name that the City address this issue. Many of you have expressed anecdotal evidence of close calls at this intersection which you have experienced as pedestrians. We believe that a petition indicating your experiences with close calls could be advantageous in helping the City come to a favourable decision.”

REFERRED TO J. KEECH

PRESIDENT & CEO, UTILITIES KINGSTON

- (3) A petition bearing approximately 101 signatures was presented by Mayor Gerretsen and referred to the Commissioner of Sustainability and Growth and reads as follows:

“The following students of Holy Name Catholic School would like to see Rob Gibson and Will Crothers be honoured publically with a special Olympic Celebration/Holiday at City Hall for winning a Silver medal in the Men’s 8 Rowing 2012 London Olympics.”

REFERRED TO C. BEACH

COMMISSIONER, SUSTAINABILITY AND GROWTH



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

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

Motions of Congratulations

- 1) Moved by Councillor Schell
Seconded by Councillor Neill

THAT the congratulations of Council be extended to the Kingston Arts Council on their 50th anniversary. On November 18, 1962, a group of dedicated citizens came together

**MOTIONS OF CONGRATULATIONS, RECOGNITION, SYMPATHY,
CONDOLENCES AND SPEEDY RECOVERY (CONTINUED)**

to save the Grand, and as a result, two organizations were formed: the Grand Theatre and the Kingston Arts Council. A job well done!

- 2) Moved by Mayor Gerretsen
Seconded by Deputy Mayor George

THAT the congratulations of Kingston City Council be extended to MetalCraft Marine on being awarded the Innovation-Exports Award, bronze level. This award recognizes excellence in export expansion, job creation, and the development of world-leading products.

Motions of Condolence

- 1) Moved by Councillor Berg
Seconded by Mayor Gerretsen

THAT the sincere condolences of Kingston City Council be extended to the family of Ken Kilabuk, student of St. Lawrence College. Ken will be greatly missed by his family and friends.



DEFERRED MOTIONS



REPORTS

**REPORT NO. 125: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER
(CONSENT)**

Report No. 125

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

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

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

a) Award of RFP - Miscellaneous Improvements to Various Parks

THAT RFP No. F31-CSG-RLS-2012-65 for the construction of miscellaneous improvements to various parks be awarded to Kiley Paving Ltd. for a total price of \$113,102.25 plus applicable taxes; and

THAT the Mayor and City Clerk be authorized to enter into an agreement with Kiley Paving Ltd. in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Community Services (12-372) is attached as Schedule Pages 1 - 4)

(File No. CSU-R04-000-2012)

b) Queen's University Area Speed Limit Reductions

THAT City Council amend By-Law No. 2003-209, "A By-Law For Regulating Traffic in the Highways Of The City of Kingston, Subject To The Provisions Of The Highway Traffic Act" as amended, in order to reduce the posted speed limit from 50 km/h to 40 km/h on University Avenue, Union Street (Barrie to Collingwood), Stuart Street and Division Street (Union to Johnson).

(The Report of the President and CEO of Utilities Kingston (12-331) is attached as Schedule Pages 5 - 10)

(File No. CSU-T08-000-2012)

(See By-Law No. (1), 2012-159)

REPORTS (CONTINUED)

**REPORT NO. 125: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER
(CONSENT)**

c) Proposed All-Way Stop Control – Various Intersections

THAT City Council amend By-Law No. 2003-209, “A By-Law For Regulating Traffic in the Highways Of The City of Kingston, Subject To The Provisions Of The Highway Traffic Act” as amended, in order to install all-way stop control at the following intersections: 1) Crossfield Street & Andersen Drive, 2) Main Street & Raglan Road and 3) Victoria Street & Oak Street.

(The Report of the President and CEO of Utilities Kingston (12-332) is attached as Schedule Pages 11 - 21)

(File No. CSU-T08-000-2012)

(See By-Law No. (2), 2012-160)

d) Various Changes to School Bus Loading Zones

THAT City Council amend By-Law No. 2010-128, “A By-law to Regulate Parking” as amended, in order to implement new school bus loading zones and parking changes on streets adjacent to 1) Madeleine-de-Roybon (Gilmour Avenue) and 2) Centennial Public School (Norman Rogers Drive).

(The Report of the President and CEO of Utilities Kingston (12-333) is attached as Schedule Pages 22 - 29)

(File No. CSU-T02-000-2012)

(See By-Law No. (3), 2012-161)

e) Supply of Recycling Processing Services

THAT the agreement with BFI Canada Inc. for the supply of recycling processing services awarded under RFP OS-SW-02-2005 be extended for one year commencing July 1, 2013 and continuing to and including June 30, 2014 under the same terms and conditions; and

THAT the Mayor and City Clerk be authorized to enter into an agreement, in a form satisfactory to the Director of Legal Services.

(The Report of the President and CEO of Utilities Kingston (12-362) is attached as Schedule Pages 30 - 33)

(File No. CSU-E07-001-2012)

REPORTS (CONTINUED)

**REPORT NO. 125: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER
(CONSENT)**

f) Award of RFP - Winter Control for Bus Stops and Shelter Clearing

THAT Council authorize the Mayor and Clerk to enter into a contract in a form satisfactory to the Director of Legal Services with Pleasant View for bus stop & shelter clearing in areas; Rideau Heights, Central, North West, South West, and Kingston East.

(The Report of the President and CEO of Utilities Kingston (12-379) is attached as Schedule Pages 34 - 36)
(File No. CSU-T06-000-2012)

g) Kingston Fire & Rescue – Establishing and Regulating By-law – Appointment of Deputy Fire Chief

1) THAT Council amend Bylaw 2007-193, a Bylaw to Establish and Regulate Fire and Rescue Services by amending the following definitions:

Delete:

1.c. **commissioner** means the Commissioner of the Department of Public Works and Emergency Services for the City of Kingston

Replace with:

1.c. **commissioner** means the Commissioner of Transportation, Properties and Emergency Services for the City of Kingston.

THAT the amending bylaw be given three readings.

2) THAT Council be presented with a bylaw to appoint Neville Murphy, Deputy Fire Chief, Urban Operations to **deputy chief** as defined in the Establishing and Regulating Bylaw, as a person appointed by council whose duties include authority to act on behalf of the fire chief of the fire department in the case of an absence or a vacancy in the office of fire chief and that the Bylaw be given all three readings.

3) THAT Council be presented with a bylaw to amend Bylaw 98-8 to appoint Neville Murphy, Deputy Fire Chief, Urban Operations as **Inspector** for the purpose of enforcement of the Building Code Act, 1992, as it relates to fire safety in the City of Kingston and that the Bylaw be given all three readings.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-373) is attached as Schedule Pages 37 - 71)

(File No. CSU-C12-000-2012)

(See By-Law No. (4), 2012-162)

(See By-Law No. (5), 2012-163)

(See By-Law No. (6), 2012-164)

h) Approval of Assignment of Four Points Hotel Parking As Part of Property Transfer

THAT Council consent to the assignment of the Lease Agreement to Concord-Select Kingston GP, Inc. as amended with J.S. Melo Inc. and also authorize the Director of Legal Services to negotiate, approve and execute any agreements required to give effect to this direction of Council.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-376) is attached as Schedule Pages 72 - 75)

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



REPORTS (CONTINUED)

**REPORT NO. 126: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER
(RECOMMEND)**

Report No. 126

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

- 1) Affordable Housing Project Funding for Home Base Housing (540 Montreal Street), Kingston Co-operative Homes Inc. (1338 Princess Street), and Central Frontenac Housing Corp. (Time Sensitive)**

THAT Council approve a reduction in former DOOR funding to the revised amount of \$814,500 to Home Base Housing (HBH) for the development of seven affordable rental units; and

THAT Council approve DOOR funding in the amount of \$25,000 to Central Frontenac Housing Corporation to complete landscaping, lighting and paving for five seniors affordable units; and

THAT Council approve \$50,000 and any accumulated interest to be allocated from the Emergency Shelter Reserve Fund to the former DOOR Capital Reserve Fund to provide capital funding to build more affordable units in the community; and

THAT Council approve total funding in the amount of \$1,123,000 from the former DOOR Capital Reserve Funds (\$435,931), the Affordable Housing Construction Reserve (\$594,969) and the 2012 Capital Investment in Affordable Housing program (\$92,100) to Kingston Co-operative Homes Inc. for development of eight affordable rental units; and

THAT Council authorize the Commissioner, Community Services or her delegate to review and approve, for execution by the Mayor and Clerk, all documents and agreements related to the funding allocations outlined in this report as required and to the satisfaction of the Director of Legal Services; and

THAT Council authorize the Mayor and Clerk to execute all documents and agreements related to the funding allocations outlined in this report as approved by the Commissioner, Community Services or her delegate.

(The Report of the Commissioner of Community Services (12-311) is attached as Schedule Pages 76 - 83)
(File No. CSU-S18-000-2012)



REPORTS (CONTINUED)

REPORT NO. 127: RECEIVED FROM THE PLANNING COMMITTEE

Report No. 127

To the Mayor and Members of Council:

The Planning Committee reports and recommends as follows:

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

1) Application for Draft Plan of Subdivision for 1380 Crossfield Avenue.

THAT the application for Draft Plan of Subdivision (Our File No. D12-030-2007) managed by FoTenn Consultants, on behalf of Tamarack (Catarauqui North) Corporation, for the property municipally known as 1380 Crossfield Avenue, **BE APPROVED**; and

THAT the application for Draft Plan of Subdivision (File No. D12-055-2010) submitted by Tamarack (Catarauqui North) Corporation for the property municipally known as 1380 Crossfield Avenue **BE APPROVED**, subject to the following conditions:

1. Approved Draft Plan:

That this approval applies to the Draft Plan of Subdivision, prepared by Grange W. Elliott Ltd., dated June 29, 2012 which shows the following:

- 35 residential lots (Lots 1- 35);
- 1 new roadway (Street 'A');
- 1 Park Block (Block 37); and
- 2 Blocks for Pedestrian Walkway (Blocks 36, 38).

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

REPORTS (CONTINUED)

REPORT NO. 127: RECEIVED FROM THE PLANNING COMMITTEE

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) **That Prior to Final Plan Approval**, the Owner shall deed sight triangles as blocks on the registered plan to the City to the satisfaction of the Engineering Department.
- (g) Any dead end or open side of a road allowance within the Plan shall be terminated in a 0.3 m reserve to be conveyed to the Municipality free of all charges and encumbrances.
- (h) 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.

REPORTS (CONTINUED)

REPORT NO. 127: RECEIVED FROM THE PLANNING COMMITTEE

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 be registered against the lands to which it applies once the Plan of Subdivision has been registered.
- (c) That the Subdivision Agreement shall contain all necessary warning clauses and notices to purchasers resulting from, but not necessarily restricted to, the design and provision of services, including the requirement to provide and maintain private site specific works as necessary.

REPORTS (CONTINUED)

REPORT NO. 127: RECEIVED FROM THE PLANNING COMMITTEE

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 Holding '-H' Holding Symbol shall be in accordance with Section 2.5 of Zoning By-Law No. 97-102 and shall require the following:

- confirmation of sufficient servicing capacity for the development;
- 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
- 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.

REPORTS (CONTINUED)

REPORT NO. 127: RECEIVED FROM THE PLANNING COMMITTEE

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.

REPORTS (CONTINUED)

REPORT NO. 127: RECEIVED FROM THE PLANNING COMMITTEE

- (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 ground water criteria set out in applicable guidelines, the Owner shall submit to the Municipality **Prior to Final Plan Approval**, a copy of the Record of Site Condition acknowledged by a Provincial Officer of the Ministry of the Environment.

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

- (c) **That Prior to Final Plan Approval** all recommendations of the Servicing Study shall be incorporated into the Subdivision Agreement and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the Municipality.
- (d) **That Prior to Final Plan Approval**, a **Stormwater Management Report** and implementing plans for the development shall be prepared by a qualified Professional Engineer, to the satisfaction of the Municipality. 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.

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

REPORTS (CONTINUED)

REPORT NO. 127: RECEIVED FROM THE PLANNING COMMITTEE

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) Should archaeological resources be found on the property during construction activities, the *Ministry of Culture* must be notified immediately.
- (d) In the event that human remains are encountered during construction, the proponent must immediately contact both the *Ministry of Culture* and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the *Ministry of Government Services*. (1-800-268-1142).

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. The approved plans shall be included in the Subdivision Agreement between the Owner and Municipality.
- (b) **Prior to Final Plan Approval and Prior to any Works Commencing on the Site**, the Owner shall submit for approval by the Municipality, 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;

REPORTS (CONTINUED)

REPORT NO. 127: RECEIVED FROM THE PLANNING COMMITTEE

- 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.

14. Parkland Conveyance / Open Space / Environmental Protection Areas:

- (a) That the Owner Convey Block 37, as described in the draft plan of subdivision to the City as parkland prior to the final approval of the subdivision.
- (b) That the Owner conveys up to 5% residential and up to 2% commercial of the land included in the Plan of Subdivision to the Municipality for functional park or other public recreational purposes. Where the subdivision exceeds 15 units per residential hectare of land, the Owner shall convey lands for recreational purposes at a rate described in the Parkland Dedication By-Law. Alternatively, the Municipality may require cash-in-lieu for all or a portion of the conveyance.
- (c) That lands to be conveyed to the Municipality for park or other public recreational purposes shall be subject to the following conditions:
 - (i) **That all lands shall be left in an untouched, natural state.** All existing vegetation is to remain within the limits of the park site, including any significant trees at the property line. Existing grades/elevations are to be maintained at the property lines and within the park itself unless approval for site alteration is received in writing from the Manager of Parks Development, Recreation & Leisure Services or designate.
 - (ii) **That Prior to Assumption of the park,** the Manager of Parks Development, Recreation & Leisure Services shall be in receipt of a clearance memo from the Manager of Environment indicating that the park site is environmentally clean.
 - (iii) That the Owner shall enter into a Site Access Agreement with the Municipality to permit City staff to access the park site to complete pre-engineering, survey and design works for the park. This Agreement shall

REPORTS (CONTINUED)

REPORT NO. 127: RECEIVED FROM THE PLANNING COMMITTEE

terminate once the Municipality is deeded the land as part of Final Plan Approval.

- (iv) **That Prior to the Commencement of any Clearing, Grubbing or Construction Work** within 10 metres of the park blocks defined on the Draft Plan, the Owner shall:
1. Install snow fencing around the periphery of the park site to protect the site. The Municipality will be responsible for the maintenance of the fence and its removal.
 2. Post signage to Municipality specifications, on all accessible sides of each park block, which indicates:
 - the future use of the block as a park;
 - that no construction storage shall occur on this parcel of land nor shall any construction debris be dumped on this site; and
 - that all trees and other vegetation must not be disturbed.
- (v) **That Prior to the Transfer of Deeds for the Parkland to the Municipality**, the Manager of Parks Development, Recreation & Leisure Services or designate shall inspect the park site to ensure that the park is in a clean/natural state. The conditions on the site must be satisfactory to the Manager of Culture, Parks and Recreation prior to transfer of title and the removal of the snow fencing. Should the park blocks be in an unsatisfactory state, the Owner shall be held responsible for restoring the site to the Municipality's satisfaction.
- (vi) No above ground public utilities such as Bell pedestals or transformers shall be situated within the parkland to be conveyed in the City of Kingston.
- (d) **That Prior to Final Plan Approval**, the Owner shall prepare a Landowner Information Package, to the satisfaction of the Municipality, which shall be distributed to all prospective purchasers and shall be appended to their Agreements of Purchase and Sale or Lease. A clause shall be included in the subdivision agreement to require a Notice to Purchasers that the Landowner Information Package has been prepared to help educate new home owners on best practice for general maintenance in an environmentally friendly manner of residential lot. The Landowner Information Package shall be registered on title of the subject property.

REPORTS (CONTINUED)

REPORT NO. 127: RECEIVED FROM THE PLANNING COMMITTEE

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, calliper 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.

16. Community Mailboxes:

- (a) **That Prior to Final Plan Approval**, the Owner shall, in consultation with and to the satisfaction of Canada Post, identify the location of community mailboxes within the Plan, and shall identify such locations on drawings for approval by the Municipality. The locations of these community mailboxes shall be identified in the notice to future purchasers of the lots within the Subdivision.
- (b) **That Prior to Final Plan Approval**, the Owner shall, in consultation with and to the satisfaction of the Municipality, provide detailed design plans for the community mailboxes including a landscape plan showing street furniture and complimentary architectural features.

REPORTS (CONTINUED)

REPORT NO. 127: RECEIVED FROM THE PLANNING COMMITTEE

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

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; and,
- ii. 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.
- iii. 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 (ie., 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 or applicable service provider regarding the design, installation, connection and/or expansion of electric distribution services, gas distribution services, water distribution services and sanitary sewer distribution services, or any other related matters.

REPORTS (CONTINUED)

REPORT NO. 127: RECEIVED FROM THE PLANNING COMMITTEE

- (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 Utilities Kingston or applicable service provider 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.

19. 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:
 - “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.”
 - “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”.
 - “Purchasers and/or tenants are advised that traffic calming measures may have been incorporated into the road allowances.”
 - “Purchasers and/or tenants are advised that the planting of trees on Municipality boulevards in front of residential units is a requirement of the Municipality and a conceptual location Plan is included in the Subdivision Agreement. While every attempt will be made to plant trees as shown, the Municipality reserves the right to relocate or delete any boulevard tree without further notice.”

REPORTS (CONTINUED)

REPORT NO. 127: RECEIVED FROM THE PLANNING COMMITTEE

- “Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox, the location of which will be identified by the Owner prior to any home closings.”
- (b) abutting a park block:
 - “Purchasers and/or tenants are advised that the lot abuts a “neighbourhood Park”, and that noise and lighting should be expected from the designed active use of the park.”
- (c) abutting a potential transit route:
 - “Purchasers and/or tenants are advised that the following street may be used as transit routes in the future: Crossfield Avenue.”
- (d) Cul-de Sacs & Bulbed Corners:
 - “Purchasers of lots on cul-de-sacs and bulbed corners within this Subdivision are advised that the design of cul-de-sacs and bulbed corners presents challenges to the City’s snow clearing / removal operations. The City will make every effort to keep the street clear of snow and to plow to the curb line. However, some property owners may experience higher volumes of snow at the end of their driveways or may have to remove snow from a portion of the roadway where it is not possible for the snow plow to reach the curb. Purchasers are further advised that it may be necessary for the City to pile snow in the middle of the cul-de-sac during / after significant storm events. The City will only remove the snow piled in the middle of the cul-de-sac when ongoing snow clearing operations or normal vehicular access may be compromised.”

20. 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.

21. General Conditions:

- (a) 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.

REPORTS (CONTINUED)

REPORT NO. 127: RECEIVED FROM THE PLANNING COMMITTEE

- (b) 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.
- (c) That the Owner agrees to remove any driveways and buildings on site, which are not approved to be maintained as part of the Plan; any modification to off-site driveways required to accommodate this Plan shall be coordinated and completed at the cost of the Owner.
- (d) That the Owner shall agree that all lots or blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing prior to assumption of the works by the municipality.
- (e) **That Prior to Final Plan Approval**, the Owner shall pay the proportionate share of the cost of any external municipal services, temporary and/or permanent, built or proposed, that have been designed and oversized by others to accommodate the subject plan.
- (f) That the Owner shall agree to erect fencing in the locations and of the types as shown on the approved subdivision works drawings and as required by the 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.
- ii. Should the services for the development be required to be directed towards Crossfield Avenue, the developer will be required to obtain permission of the land owner to allow service connections and associated ground work within Crossfield Avenue.

22. Clearance Letters:

- (a) That prior to final Approval the municipality is to be advised in writing by the owner how all the conditions of Draft Plan Approval have been satisfied.
- (b) **That Prior to Final Plan Approval**, the approval authority shall advise that all Conditions of Draft Plan Approval have been satisfied; the clearance memorandum shall include a brief statement detailing how each Condition has been met.

REPORTS (CONTINUED)

REPORT NO. 127: RECEIVED FROM THE PLANNING COMMITTEE

- (c) **That prior to Final Approval**, the municipality is to be advised in writing by the appropriate services provider the method by which Condition 18 has been satisfied.

23. 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.



REPORTS (CONTINUED)

REPORT NO. 128: RECEIVED FROM THE ARTS, RECREATION AND COMMUNITY POLICIES COMMITTEE

Report No. 128

To the Mayor and Members of Council:

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

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

a) Arts Advisory Committee Report Card 2012

THAT the 2012 Arts Advisory Committee Report Card, advising of the current status of arts in Kingston, be received for information.

(A copy of the Arts Advisory Committee Report Card 2012 was attached to the October 25th, 2012 Arts, Recreation and Community Policies Committee agenda as schedule pages 14 – 20.)



REPORTS (CONTINUED)

REPORT NO. 129: RECEIVED FROM THE ENVIRONMENT, INFRASTRUCTURE AND TRANSPORTATION POLICIES COMMITTEE

Report No. 129

To the Mayor and Members of Council:

The Environment, Infrastructure and Transportation Policies Committee reports and recommends as follows:

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

1) Integrated Waste Management Study – Residual Waste Processing

1. **THAT** as part of the Integrated Waste Management study the City issue an RFP to engage a Consulting Engineering team to develop terms of reference and issue a Request for Information (RFI) to obtain current and industry relevant experience and system requirements for biological treatment, thermal treatment, and refuse derived fuel, and
2. **THAT** the resulting submissions be reviewed by the consulting team, taking environmental, social and financial impacts into consideration, in order for staff to recommend to the EITP Committee a technology to seek proposals on, and
3. **THAT** staff first report back to the EITP Committee on additional options to maximize the reuse, reduction and recycling diversion of the City's waste stream, and
4. **THAT** staff report back to the EITP Committee on the opportunities and challenges of expanding the City's reuse, reduction and recycling programs to include the institutional, commercial and industrial sectors.

2) KEAF response to January 10th, 2012 Council Resolution regarding Impact of Climate Change on City Infrastructure

WHEREAS Council, at its regular meeting held January 23, 2012 approved a resolution directing the Kingston Environmental Advisory Forum to research and report to the Environment, Infrastructure and Transportation Policies Committee on findings regarding trends and effects of climate change on municipal infrastructure; and

WHEREAS the Climate Change Working Group presented a report to the Kingston Environmental Advisory Forum at its October 1, 2012 meeting; and

REPORTS (CONTINUED)

REPORT NO. 129: RECEIVED FROM THE ENVIRONMENT, INFRASTRUCTURE AND TRANSPORTATION POLICIES COMMITTEE

WHEREAS the Environment, Infrastructure & Transportation Policies Committee received a copy of the report regarding the Impact of Climate Change on City Infrastructure;

THEREFORE BE IT RESOLVED THAT the attached report regarding the Impact of Climate Change on City Infrastructure be referred to Council and the Corporate Management Team as information.

(Note: A copy of the Impact of Climate Change on City Infrastructure is attached as Schedule Pages 84 - 87)

3) Requests for Amendments to the Committee Composition of KEAF to include Technical Representation from the Ministry of the Environment

WHEREAS the Kingston Environmental Advisory Forum (KEAF) feels that representation from provincial environmental regulators would be an asset to the KEAF in providing sound technical advice to Council:

THEREFORE BE IT RESOLVED THAT staff provide a report to Council on possible amendments to Committee By-law 2010-205 regarding the Committee Composition of the Kingston Environmental Advisory Forum (KEAF) with respect to the potential of the Ministry of the Environment providing a Technical Representative to KEAF.

4) Almost Home Garbage Exemption

WHEREAS Council, by motion of 20 November 2007, has recognized that shelters for victims of violence have unique circumstances that warrant some relief from garbage bag limits; and

WHEREAS Almost Home of 118 William Street, a registered charity, provides family accommodation for families who are in Kingston with an ill or injured child who is receiving special medical care; and

WHEREAS these families have in the past come from such diverse places as James Bay and France, representing a broad range of cultural values and municipal standards for recycling, which complicates Almost Home's efforts to cut back; and

WHEREAS the families frequently have a volume of medical waste, for which a full time resident family would with our current policy be able to get garbage relief after having obtained the necessary medical documentation and completed to administrative processes;

REPORTS (CONTINUED)

**REPORT NO. 129: RECEIVED FROM THE ENVIRONMENT, INFRASTRUCTURE AND
TRANSPORTATION POLICIES COMMITTEE**

THEREFORE BE IT RESOLVED THAT Almost Home, in recognition of these unique circumstances, the important service it offers to the broader community, and following on the 2007 parallel policy, be allowed 6 bags of garbage a week, this being 50% of the number of residential bedrooms that they have.



REPORTS (CONTINUED)**REPORT NO. 130: RECEIVED FROM THE NOMINATIONS ADVISORY COMMITTEE****Report No. 130**

To the Mayor and Members of Council:

The Nominations Advisory Committee reports and recommends as follows:

1. **Recommendation Regarding Public Appointments to Boards and Committees**

THAT the following board and committee appointments be made, effective December 1, 2012:

Board / Committee	Length of Term	Names
Municipal Heritage Committee	November 30, 2014 November 30, 2014 November 30, 2014 November 30, 2014 November 30, 2014 November 30, 2014 November 30, 2014	Paul Carl Peter G. Goheen Edward Grenda Gary Hurtubise Stephanie Milligan Laura Murray Stephen Robins
Appeals Committee	November 30, 2013 November 30, 2013 November 30, 2013	James Anthony Dowling Blaine Fudge Michael Gourgon
Arts Advisory Committee	November 30, 2014 November 30, 2014	Lynne Kenny Jenny Lee
Cataraqui Region Conservation Authority (CRCA) – Lemoine Point Advisory Committee	November 30, 2014 November 30, 2014	John Diemer Brenda J. Hamilton
Grand Theatre Community Advisory Board	November 30, 2014 November 30, 2014 November 30, 2014 November 30, 2014 November 30, 2014 November 30, 2014 November 30, 2014 November 30, 2014	Daniel Beals Gary Cork Kendall Garton Donna Huff Ian Malcolm Terry Thompson Wayne Worden William Wornes
Housing and Homelessness Advisory Committee 2 Public/ 1 Tenant	November 30, 2014 November 30, 2014 November 30, 2014	Patsy de Haan David Kay Jeff Burnette (Tenant)
Kingston Environmental Advisory Forum (KEAF)	November 30, 2014 November 30, 2014 November 30, 2014 November 30, 2014 November 30, 2014	Anna Donevan Chris Grimshaw Simon Smith Terry Thompson Jayrin Yue

Kingston City Council Meeting No. 2012-27

Agenda

Tuesday, November 6, 2012

Kingston Police Services Board	November 30, 2014	Andrea Risk
MacLachlan Woodworking Museum Advisory Committee	November 30, 2014	Clark Moffatt
Municipal Accessibility Advisory Committee	1 and 2 year terms – Committee will advise and report back	Malcolm Bauder Robert Baird John Carr David Grightmire R. John LeGros Elizabeth Moore Henderika Penning Harry Smith Shirley E. Wartman Kym Watson Marilyn E. Wilson
Taxi Commission	November 30, 2013 November 30, 2013 November 30, 2013 November 30, 2013 November 30, 2013	Jamshed Hassan Charles Lapointe Courtney Mahoney Michael Marlin John Pyke

2. **Technical Appointments to Boards and Committees**

THAT the following board and committee appointments be confirmed without comment by the Nominations Advisory Committee, effective December 1, 2012:

<i>Arts Advisory Committee Confirmation only required</i>	<i>Length of Term</i>
<i><u>Performing Arts</u> Brett Christopher Matt Salton James Wannamaker</i>	<i>November 30, 2014 November 30, 2014 November 30, 2014</i>
<i><u>Visual Arts</u> Sunny Kerr Jocelyn Purdie</i>	<i>November 30, 2014 November 30, 2014</i>
<i><u>Other</u> Kristiana Clemens Karen Dolan</i>	<i>November 30, 2014 November 30, 2014</i>



COMMITTEE OF THE WHOLE



INFORMATION REPORTS

Note: Information Report No. (1) was deferred from the October 23, 2012 Special Meeting of Council.

1) **2012 Priority Matrix – Q3 Update**

It is the practice of staff to provide an update to Council on the projects and initiatives that are included on the Priority Status Matrix. This report provides an update as of September 30, 2012.

(The Report of the Chief Administrative Officer (12-342) was attached to the October 16, 2012 Council agenda as Schedule Pages 148 - 168)
(File No. CSU-C08-000-2012)

2) **Recruitment and Appointment of Fire Chief**

The purpose of this information report is to advise Council of the recruitment and selection process for the Fire Chief for the City of Kingston and upon selection of the preferred candidate, offer and acceptance of an employment contract that a recommendation will be made to Council to appoint the Fire Chief in open session.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-354) is attached as Schedule Pages 88 - 95)
(File No. CSU-H11-000-2012)

3) **Cessation of the Childcare Fee Subsidy Waitlist**

The purpose of this report is to inform Council of the recent cessation of the Childcare Fee Subsidy Wait list and to provide related information on both the customer service processes and data associated with the waitlist close out at this time.

(The Report of the Commissioner of Community Services (12-367) is attached as Schedule Pages 96 - 100)
(File No. CSU-S01-000-2012)



MISCELLANEOUS BUSINESS

Motions of Council are required:

- (1) **THAT** the resignation of Mr. Robert Wood from the Grand Theatre Community Advisory Board effective November 30th, 2012 be received with regret.
(See Communication No. 27-433)
- (2) **THAT**, as requested by the Sandra Schmirler Foundation, Council proclaim February 17, 2013 as "Sandra Schmirler Day" in the City of Kingston.
(See Communication No. 27-427)
- (3) **THAT**, as requested by Heroes Highway Ride and Rally Association, Council proclaim June 1, 2013 as "Heroes Highway Ride and Rally Day" in the City of Kingston.
(See Communication No. 27-429)



NEW MOTIONS

- 1) Moved by Councillor Hutchison
Seconded by Councillor Neill

WHEREAS Section 5 of the By-Law 99-169, as amended, being a by-law to provide for the annual paying of an annual allowance to the Members of Council for the Corporation of the City of Kingston, reads "Effective December 1, 2003, the remuneration and car allowance for the Mayor, Deputy Mayor, and Members of Council be adjusted annually to the cost of living, as established by the Consumer Price Index on the previous October 1st,

THEREFORE BE IT RESOLVED THAT notwithstanding Section 5 of the By-Law 99-169, as amended, the remuneration with respect to the cost of living not be adjusted for the remainder of this Council term.

- 2) Moved by Councillor Scott
Seconded by Councillor Schell

THAT the following motion, approved by Council at its meeting held on September 18, 2012, be reconsidered:

Moved by Councillor Scott
Seconded by Councillor Schell

THAT the following motion be deferred until the Ontario Government has made a decision on this matter:

NEW MOTIONS

WHEREAS Council received Communication 18-336 advising that the Kingston, Frontenac and Lennox & Addington Board of Health passed the following resolution, recommending amendments to City of Kingston By-law 2006-213, the Business Licensing By-law, Schedule S-1, Salons:

“That the KFL&A Board of Health Recommend to the City of Kingston an amendment to its By-Law to license, Regulate and Govern Certain Businesses 2006-213, Schedule S-1 Salons with the following provisions:

1. The definition of aesthetic services be amended to include facilities with indoor tanning beds.
2. All facilities with indoor tanning beds be required to hold a business license and be regulated.
3. Indoor tanning services be prohibited to youth under 19 years of age.
4. All facilities with indoor tanning beds be required to post signage indicating:
 - The prohibition of indoor tanning services to youth under 19 years of age, and
 - The carcinogenic potential and overall health risks associated with tanning facilities.
5. All facilities with indoor tanning beds services be required to adhere to Health Canada's Guidelines for Tanning Salon Owners, Operators and Users.
6. Sign off by KFL&A Public Health be required on indoor tanning operator education before a business license is issued.
7. Provincial Offences Officers from KFL& A Public Health be designated for enforcement of these parts of the by-law .
8. Short form wording and fines be included in the by-law to facilitate enforcement; and

THAT other municipalities in the KFL&A area be requested to enact similar by-laws prohibiting the use of tanning facilities by youth under 19 years of age.”

THEREFORE BE IT RESOLVED THAT the matter be directed to the Manager of Licensing and Enforcement for further review; and

THAT staff be directed to provide a report to the Administrative Policies Committee no later than March 2013.

(2/3 Vote of Council Required)

NEW MOTIONS

- 3) Moved by Mayor Gerretsen
Seconded by Councillor Berg

WHEREAS the City of Kingston is committed to the enhancement of accessibility in the community; and

WHEREAS closed captioning services are an important part of the integration of accessibility; and

WHEREAS the City of Kingston is committed to ensuring that meetings of Kingston City Council are as accessible as possible;

THEREFORE BE IT RESOLVED THAT city staff be requested to investigate the possibility of including closed captioning services in the broadcasting of Kingston City Council meetings, both current meetings as well as future committee meetings that may be broadcast on the internet; and

THAT as part of this process city staff work with Cogeco, the current deliverer of broadcasting, to explore the possibility of including closed captioning on the current broadcasting of council meetings; and

THAT staff report back to the Administrative Policies Committee no later than the second meeting of December 2012



NOTICES OF MOTION



MINUTES

THAT the Minutes of Special City Council Meeting No. 2012-24, held Tuesday, October 9, 2012, and the Minutes of City Council Meeting No. 2012-25, held Tuesday, October 16, 2012, and the Minutes of Special City Council Meeting 2012-26, held Tuesday, October 23, 2012 be confirmed.

(Distributed to all Members of Council on Friday, November 2, 2012)



TABLING OF DOCUMENTS

- 2012-83 Cataraqui Region Conservation Authority
Minutes – September 26, 2012
(File No. CSU-D03-000-2012)
- 2012-84 Kingston & Frontenac Housing Corporation
Agenda – October 29, 2012
(File No. CSU-S13-000-2012)
- 2012-85 Kingston Frontenac Public Library Board
Minutes – September 26, 2012
(File No. CSU-R02-000-2012)
- 2012-86 Cataraqui Region Conservation Authority
Agenda – October 24, 2012
(File No. CSU-D03-000-2012)
- 2012-87 KFL&A Public Health Board
Agenda – October 24, 2012
(File No. CSU-S08-001-2012)
- 2012-88 Kingston & Frontenac Housing Corporation
Minutes – September 24, 2012
(File No. CSU-R02-000-2012)



COMMUNICATIONS

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

Filed

- 27-419 From the Committee of Adjustment, a Notice of Decision for the following applications:
- MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 32-74 for the property at 96 Grenadier Drive, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is November 12, 2012.
- MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 32-74 for the property at 798 Lotus Avenue, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is November 12, 2012.
- MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 76-26 for the property at 1145 Bittersweet Place, the Committee decided

that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is November 12, 2012.

MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 8499 for the property at 21 Baiden Street, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is November 12, 2012.

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

- 27-420 From Mom's Chicken, an application for a liquor licence from the Alcohol and Gaming Commission of Ontario for an establishment located at 339 Princess Street.
(File No. CSU-P09-000-2012)
- 27-420a From Township of Rideau Lakes, advising that the Township's Council supported a resolution that Kingston City Council adopted with respect to Ontario Government Budget Commitments to Eradicate Contraband Tobacco Sales.
(File No. CSU-L11-000-2012)
- 27-421 From Hastings County, advising that the County's Council supported a resolution that Kingston City Council adopted with respect to Ontario Government Budget Commitments to Eradicate Contraband Tobacco Sales.
(File No. CSU-L11-000-2012)
- 27-422 From the Town of Penetanguishine, advising that the Town's Council supported a resolution that Kingston City Council adopted with respect to Heads and Beds.
(File No. CSU-F22-000-2012)
- 27-423 From Township of Township of Stirling-Rawdon, advising that the Township's Council supported a resolution that Kingston City Council adopted with respect to Ontario Government Budget Commitments to Eradicate Contraband Tobacco Sales.
(File No. CSU-L11-000-2012)
- 27-424 From the Committee of Adjustment, a Notice of Decision for the following applications:

CONSENT – In respect of an application for consent to sever the property at 1150 Gardiners Road, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is November 15, 2012.
- 27-438 From the Municipality of Centre Hastings, advising that the Municipality's Council supported a resolution that Kingston City Council adopted with respect to Ontario Government Budget Commitments to Eradicate Contraband Tobacco Sales.
(File No. CSU-L11-000-2012)

Referred to All Members of Council

- 27-425 From Steve Knechtel, General Manager, Secretary/Treasurer, Cataraqui Region Conservation Authority (CRCA), regarding appointment of members to the CRCA starting January 2013.
(File No. CSU-D03-000-2012)
(Distributed to all Members of Council on October 30, 2012)
- 27-426 From the Cataraqui Region Conservation Authority (CRCA), issuing a wind warning and watershed conditions statement for the Kingston area.
(File No. CSU-E05-000-2012)
(Distributed to all Members of Council on October 30, 2012)
- 27-427 From Robin Wilson, Sandra Schmirler Foundation, asking that Council proclaim February 17, 2013 as "Sandra Schmirler Day" in the City of Kingston.
(File No. CSU-M10-000-2012)
(See Miscellaneous Business Item No. (2))
(Distributed to all Members of Council on October 30, 2012)
- 27-428 From the Association of Municipalities of Ontario (AMO), providing breaking news regarding amendments to The Navigation Protection Act.
(File No. CSU-L11-000-2012)
(Distributed to all Members of Council on October 30, 2012)
- 27-429 From the Heroes Highway Ride and Rally Association, asking that Council proclaim June 1, 2013 as "Heroes Highway Ride and Rally Day" in the City of Kingston.
(File No. CSU-M10-000-2012)
(See Miscellaneous Business Item No. (3))
(Distributed to all Members of Council on October 30, 2012)
- 27-430 From Evelyn Maizen, regarding free parking for individuals with a disability for the period of December 1 through April 1 annual for the metered pay-and-display spaces.
(File No. CSU-T02-000-2012)
(Distributed to all Members of Council on October 30, 2012)
- 27-431 From Polaris Institute, regarding Municipal P3 projects and PPP Canada Inc., and providing a backgrounder for municipalities.
(File No. CSU-M00-000-2012)
(Distributed to all Members of Council on October 30, 2012)
- 27-432 From John C. Stuart, Manager, Communications & Stakeholders Relations Family and Children's Services of Frontenac, Lennox and Addington, inviting the Mayor and Members of Council to the grand opening of their new building at 817 Division Street, on Friday, November 16, 2012, from 10:00 am – 11:30 am.
(File No. CSU-M02-000-2012)

(Distributed to all Members of Council on October 30, 2012)

27-433 From Robert A. Wood, advising of his resignation from the Grand Theatre Advisory Board beyond this year's term
(File No. CSU-C12-000-2012)
(See Miscellaneous Business Item No. (1))
(Distributed to all Members of Council on October 30, 2012)

27-434 From Association of Municipalities of Ontario (AMO), providing more information on the December 6, 2012 Connections Energy Symposium "Spark Change".
(File No. CSU-A04-000-2012)
(Distributed to all Members of Council on October 30, 2012)

27-435 From AMO, providing breaking news regarding the newly released "*Brighter Prospects: Transforming Social Assistance in Ontario*" report.
(File No. CSU-S04-000-2012)
(Distributed to all Members of Council on October 30, 2012)

27-436 From Jacques Cote, Group President, Physical Delivery, Canada Post, regarding a one-time fee to developers to install and activate all Community Mail Boxes and addresses in new developments effective January 1, 2013.
(File No. CSU-A08-000-2012)
(Distributed to all Members of Council on October 30, 2012)

27-437 From Kingston Coalition for Active Transportation (KCAT), providing an "Our Injury Study", which examines which route types are associated with higher and lower cycling injury risk.
(File No. CSU-T08-000-2012)
(Distributed to all Members of Council on October 30, 2012)

27-439 From Holy Name Catholic School, Grade 5/6 class, providing letters to the Mayor and Council responding to the Whig Extra article "City Deserves a Paddling", and writing in support of honouring Olympic silver medalists Rob Gibson and Will Crothers.
(File No. CSU-M02-000-2012)
(Distributed to all Members of Council on October 30, 2012)

27-440 From Judy Couture, grade 5 teacher, St. Martha Catholic School, providing the following student letters to the City of Kingston with respect to municipal issues affecting the students and their families:

From Michaela and Olivia, regarding the one bag limit per household.

From Brent and Owen, regarding the one bag limit per household.

From Katie and Rachel, regarding the soccer dome in Kingston east.

From Will and Benjamin, regarding the soccer dome in Kingston east.

From Alex and Ryan, regarding the speed limit and new school development in Greenwood park east.

From Jordyn, regarding the availability of grocery stores in the Kingston east area.

From Gwen, regarding the traffic congestion on the 401, and suggesting a bridge crossing the Cataraqui river.

From Sam, regarding the graffiti in Kingston.

From Sarah, regarding the construction on the streets, and the street conditions.

From Emily, regarding crossing the street between Maureen Street and McCallum street, and the possibility of implementing a crossing guard.

From Serena and Ryleigh, regarding the one bag limit per household, the availability of park space in Kingston east area and Highway 2, the availability of bus routes past the military base, and the traffic congestion.

From Alexis and Madison, regarding the graffiti at their local park.

From Brayden and Jason, regarding the one bag limit per household.

From Brooklyn, suggesting a crossing guard for the path on Maureen Street ,and streetlights on Highway 15.

(File No. CSU-M02-000-2012)

(Distributed to all Members of Council on October 30, 2012)



OTHER BUSINESS



BY-LAWS

- (A) **THAT** By-Laws (1) through (20) and (25) be given their first and second reading.
- (B) **THAT** Clause 11.34 of By-Law No. 2010-1 be suspended for the purpose of giving By-Laws (4) to (6) three readings.
- (C) **THAT** By-Laws (4) through (25) be given their third reading.



- (1) A By-Law To Amend By-Law No. 2003-209, "A By-Law For Regulating Traffic In The Highways Of The City Of Kingston, Subject To The Provisions Of The Highway Traffic Act", (Amend Speed Limits On Various Streets)
FIRST AND SECOND READINGS PROPOSED NO. 2012-159
(See Clause (b), Report No. 125)
- (2) A By-Law To Amend By-Law No.2003-209, "A By-Law For Regulating Traffic In The Highways Of The City Of Kingston, Subject To The Provisions Of The Highway Traffic Act", (Amend Through Highways And All-Way Stop Signs)
FIRST AND SECOND READINGS PROPOSED NO. 2012-160

Kingston City Council Meeting No. 2012-27

Agenda

Tuesday, November 6, 2012

Page 42

(See Clause (c), Report No. 125)

- (3) A By-Law To Amend By-Law No. 2010-128, "A By-Law To Regulate Parking".
FIRST AND SECOND READINGS PROPOSED NO. 2012-161
(See Clause (d), Report No. 125)
- (4) A By-Law To Amend By-Law No. 2007-193, "A By-Law To Establish And Regulate Fire
And Rescue Services"
THREE READINGS PROPOSED NO. 2012-162
(See Clause (g), Report No. 125)
- (5) A By-Law To Appoint A Deputy Chief
THREE READINGS PROPOSED NO. 2012-163
(See Clause (g), Report No. 125)
- (6) A By-Law To Amend By-Law No. 98-8, "A By-Law To Appoint Statutory Officials Of The
Corporation Of The City Of Kingston"
THREE READINGS PROPOSED NO. 2012-164
(See Clause (g), Report No. 125)
- (7) A By-Law To Establish Block 15 On Plan 13M-39 As Part Of The Public Highway Known
As Andersen Drive In The City Of Kingston In Accordance With Section 31(4) Of The
Municipal Act, Chapter 25, 5.0. 2001, As Amended.
THREE READINGS PROPOSED NO. 2012-165
(Delegated Authority)
- (8) A By-Law To Establish Block 226 On Plan 13M-58 As Part Of The Public Highway.
Known As Andersen Drive In The City Of Kingston In Accordance With Section 31(4) Of
The Municipal Act, Chapter 25, S.O. 2001, As Amended.
THREE READINGS PROPOSED NO. 2012-166
(Delegated Authority)
- (9) A By-Law To Establish Block 218 On Plan 13M-58 As Part Of The Public Highway
Known As Augusta Drive In The City Of Kingston In Accordance With Section 31(4) Of
The Municipal Act, Chapter 25, S.O. 2001, As Amended.
THREE READINGS PROPOSED NO. 2012-167
(Delegated Authority)
- (10) A By-Law To Establish Block 222 On Plan 13M-58 As Part Of The Public Highway
Known As Abbot Street In The City Of Kingston In Accordance With Section 31 (4) Of
The Municipal Act, Chapter 25, S.O. 2001, As Amended.
THREE READINGS PROPOSED NO. 2012-168
(Delegated Authority)

Kingston City Council Meeting No. 2012-27

Agenda

Tuesday, November 6, 2012

Page 43


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- (11) A By-Law To Establish Block 233 On Plan 13M-58 As Part Of The Public Highway Known As Crossfield Avenue In The City Of Kingston In Accordance With Section 31(4) Of The Municipal Act, Chapter 25, S.O. 2001, As Amended.
THREE READINGS PROPOSED NO. 2012-169
(Delegated Authority)
- (12) A By-Law To Provide For The Assumption Of The Public Highways In Midland Park Subdivision Phase 2 Stage 1, Registered Plan 13M-57, In The City Of Kingston, In Accordance With Section 31(4) Of The Municipal Act, Chapter 25, S.O. 2001; And To Provide For The Acceptance By The City Of Kingston, Of The Associated Public Works Within.
THREE READINGS PROPOSED NO. 2012-170
(Delegated Authority)
- (13) A By-Law To Provide For The Assumption Of The Public Highways In Greenwood Park Subdivision Phase 5, Registered Plan 13M-45, In The City Of Kingston, In Accordance With Section 31(4) Of The Municipal Act, Chapter 25,5.0.2001; And To Provide For The Acceptance By The City Of Kingston, Of The Associated Public Works Within.
THREE READINGS PROPOSED NO. 2012-171
(Delegated Authority)
- (14) A By-Law To Provide For The Assumption Of The Public Highways In Greenwood Park Subdivision Phase 7, Registered Plan 13M-54, In The City Of Kingston, In Accordance With Section 31(4) Of The Municipal Act, Chapter 25, S.O. 2001; And To Provide For The Acceptance By The City Of Kingston, Of The Associated Public Works Within.
THREE READINGS PROPOSED NO. 2012-172
(Delegated Authority)
- (15) A By-Law To Establish Parts 3, 4 & 8 On Reference Plan 13R-20396 As Part Of The Public Highway Known As Fortune Crescent In The City Of Kingston In Accordance With Section 31(4) Of The Municipal Act, Chapter 25, 5.0. 2001, As Amended.
THREE READINGS PROPOSED NO. 2012-173
(Delegated Authority)
- (16) A By-Law To Establish Parts 6, 7 & 12 On Reference Plan 13R-20396 As Part Of The Public Highway Known As Gardiners Road In The City Of Kingston In Accordance With Section 31 (4) Of The Municipal Act, Chapter 25, S.O. 2001, As Amended.
THREE READINGS PROPOSED NO. 2012-174
(Delegated Authority)
- (17) A By-Law To Establish Parts 22, 23 & 25 On Reference Plan 13R-19877 As Part Of The Public Highway Known As Venture Drive In The City Of Kingston In Accordance With Section 31 (4) Of The Municipal Act, Chapter 25,5.0.2001, As Amended.
THREE READINGS PROPOSED NO. 2012-175
(Delegated Authority)

Kingston City Council Meeting No. 2012-27

Agenda

Tuesday, November 6, 2012

Page 44

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- (18) A By-Law To Establish Part 28 On Reference Plan 13R-19877, Save And Except Part 1 On Reference Plan 13R20332 As Part Of The Public Highway Known As Resource Road In The City Of Kingston In Accordance With Section 31(4) Of The Municipal Act, Chapter 25,5.0.2001, As Amended.
THREE READINGS PROPOSED NO. 2012-176
(Delegated Authority)
- (19) A By-Law To Establish Part 4 On Reference Plan 13R-19747 As Part Of The Public Highway Required For A Daylight Triangle At The Intersection Of Dalton Avenue And Sir John A. Macdonald Boulevard In The City Of Kingston In Accordance With Section 31(4) Of The Municipal Act, Chapter 25, S.O. 2001, As Amended.
THREE READINGS PROPOSED NO. 2012-177
(Delegated Authority)
- (20) A By-Law To Exempt Certain Lands On Registered Plan 13M-58 From The Provisions Of Section 50 (5) Of The *Planning Act*, R.S.O. 1990, Chapter P.13, And Amendments Thereto (Lots 132 and 200 to 211, municipally known as 693 - 699 Augusta Drive & 1261 - 1277 Crossfield Avenue, for the purpose of adjusting the lot line).
THREE READINGS PROPOSED NO. 2012-178
(Delegated Authority)
- (21) A By-Law to Permit Council to Enter into a Municipal Contribution Agreement with Homestead Land Holdings Ltd. For the Provision of Affordable Housing in Exchange for the Acquisition of Property at 58 Leroy Grant Drive, in Kingston.
THIRD READING PROPOSED NO. 2012-149
(See Clause (4), Report No. 112)
- (22) A By-Law to Amend By-Law No. 2002-231, "A By-Law to Regulate Smoking in Public Places and Workplaces in the City of Kingston as Amended"
THIRD READING PROPOSED NO. 2012-150
(See Clause (1), Report No. 118)
- (23) A By-Law to Amend By-Law No. 2003-209, "A By-Law to Regulate Traffic".
THIRD READING PROPOSED NO. 2012-156
(See Clause (1), Report No. 123)
- (24) A By-Law to Amend By-Law No. 2010-128, "A By-Law to Regulate Parking".
THIRD READING PROPOSED NO. 2012-157
(See Clause (1), Report No. 123)
- (25) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, November 6, 2012
THREE READINGS PROPOSED NO. 2012-179
(City Council Meeting No. 2012-27)
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ADJOURNMENT