



## CITY COUNCIL MEETING NO. 2012-15

Tuesday, May 15, 2012 at 6:30 pm  
in the Council Chamber at City Hall.

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

### AGENDA

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b) Park Naming – Bert Meunier Common (12-162) .....	<b>schedule pages 5-10</b>
c) Use of Correctional Service Canada Land for a Community Garden (12- 173) .....	<b>schedule pages 11-14</b>
d) Award of RFP - Full Design Services for Breakwater Park (12-177) .....	<b>schedule pages 15-25</b>

## AGENDA

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- f) Authority to Undertake Site Visits under the Ontario Heritage Act - By-Law Update (12-178) **schedule pages 30-38**

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- 3) Secondary Suite Pilot Project – Information Update (12-170)  
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**AGENDA**

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(Council Chamber)


**CALL MEETING TO ORDER**



**ROLL CALL**



**THE COMMITTEE OF THE WHOLE “CLOSED MEETING”**

- (1) **THAT** Council resolve itself into the Committee of the Whole “Closed Meeting” to consider the following item(s):
    - (a) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, and advice that is subject to solicitor-client privilege, including communications necessary for that purpose – OMB appeal – 1129 Princess Street
    - (b) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose – K-Rock Centre – Operators Agreement
  - (2) **THAT** Council rise from the Committee of the Whole “Closed Meeting” without reporting.
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**APPROVAL OF ADDEDS**



**DISCLOSURE OF POTENTIAL PECUNIARY INTEREST**



**PRESENTATIONS**



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## **DELEGATIONS**

- 1) Ms. Jean Gower and Ms. Irene Watt on behalf of the Kingston Faith and Justice Coalition will speak to Council regarding Report No. (69), Received from the Planning Committee, Secondary Suite Implementation.
- 2) Ms. Marilyn Birmingham will speak to Council regarding Report No. (69), Received from the Planning Committee, Secondary Suite Implementation.



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## **BRIEFINGS**



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## **PETITIONS**



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## **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.



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## **DEFERRED MOTIONS**



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**REPORTS**

**REPORT NO. 67: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)**

**Report No. 67**

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) High Performance New Construction Grant Application for the Kingston Transit Bus Storage Facility**

**THAT** Council authorize the Mayor and Clerk to sign an application, to be submitted to the Ontario Power Authority for consideration under the Save On Energy - High Performance New Construction grant program to fund a portion of the capital costs of the Kingston Transit Bus Storage Facility, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-169) is attached as Schedule Pages 1 - 4)  
(File No. CSU-F11-000-2012)

**b) Park Naming – Bert Meunier Common**

**THAT** Council authorize the municipal park located at 739 Augusta Drive at Augusta Drive and Crossfield Avenue in the Cataraqui North neighbourhood be named 'Bert Meunier Common'.

(The Report of the Commissioner of Community Services (12-162) is attached as Schedule Pages 5 - 10)  
(File No. CSU-R04-000-2012)

**c) Use of Correctional Service Canada Land for a Community Garden**

**THAT** Council authorize the Mayor and Clerk to enter into a Memorandum of Understanding (MOU) in a form satisfactory to the Director of Legal Services with Correctional Service Canada for the use of Correctional Services Canada land located adjacent to Centre 70 Arena for use as a community garden for two (2) years with an option to extend for an additional year.

(The Report of the Commissioner of Community Services (12-173) is attached as Schedule Pages 11 - 14) (File No. CSU-L04-000-2012)

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**REPORTS (CONTINUED)**

**REPORT NO. 67: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)**

**d) Award of RFP - Full Design Services for Breakwater Park**

**THAT** RFP No. F31-CSG-RLS-2012-03 'Full Design Services for Breakwater Park' be awarded to Claude Cormier + Associés Inc. for \$222,594.00 plus applicable taxes; and

**THAT** Council authorize the Mayor and City Clerk to enter into an agreement with Claude Cormier + Associés Inc. in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Community Services (12-177) is attached as Schedule Pages 15 - 25)

(File No. CSU-F31-000-2012)

**e) Delegated Approval and Signing Authority for Agreements under the Kingston-Frontenac Renovates Program**

**THAT** Council authorize the Commissioner, Community Services or her delegate to review and approve all documents and agreements related to the Kingston-Frontenac Renovates Program as required and as approved by the Legal Services Department.

(The Report of the Commissioner of Community Services (12-181) is attached as Schedule Pages 26 - 29)

(File No. CSU-S18-000-2012)

**f) Authority to Undertake Site Visits under the Ontario Heritage Act - By-Law Update**

**WHEREAS** Sections 38(1) and 45 on the Ontario Heritage Act, R.S.O. 1990, c. 0.18, enable the Council of a municipality to grant authority to any person for the purposes of inspecting property designated or property proposed to be designated; and

**WHEREAS** there have been several staffing changes; and the membership of the Kingston Municipal Heritage Committee has changed;

**THEREFORE**, the Council of The Corporation of the City of Kingston hereby enacts as follows:

**THAT** By-Law No. 2005-230, "A By-Law to Authorize Specific Individuals To Undertake Site Visits or Site Inspections of Property Designated or Property Proposed to be Designated Pursuant to the Ontario Heritage Act, R.S.O. 1990, c.O.18" be amended as follows:

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**REPORTS (CONTINUED)**

**REPORT NO. 67: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)**

1. The following persons are hereby removed from the list of persons designated for the purposes of carrying out site visits or site inspections pursuant to the provisions of Section 38(1) and Section 45 of the Ontario Heritage Act, R.S.O. 1990, c. O.18:
  - Katrina Guy, Planner;
  - Marcus Létourneau, Heritage Planner;
  - Lindsay Lambert, Planner, Culture and Heritage Division;
  - Marnie Venditti, Manager of Development Approvals; and
  - George Wallace, Director, Planning & Development.
  
2. The following persons are hereby added to the list of persons designated for the purposes of carrying out site visits or site inspections pursuant to the provisions of Section 38(1) and Section 45 of the Ontario Heritage Act, R.S.O. 1990, c. O.18:
  - Shirley Bailey, Manager, Heritage and Urban Design, Planning & Development Department;
  - Ryan Leary, Senior Planner, Heritage; Planning & Development Department;
  - Lindsay Lambert, Planner, Heritage, Planning & Development Department;
  - Ashley Henderson, Heritage Building & Plumbing Official, Building and Licensing Department;
  - Steve Murphy, Manager, Building Section, Building and Licensing Department; and
  - Del Stowe, Permit Supervisor, Building and Licensing Department.
  
3. The following persons are hereby removed from the list of persons designated for the purposes of carrying out site visits or site inspections pursuant to the provisions of Section 38(1) and Section 45 of the Ontario Heritage Act, R.S.O. 1990, c. O.18:
  - David Ariss;
  - Anthony Barlow; and
  - Craig Sims.
  
4. The following persons are hereby added to the list of persons designated for the purposes of carrying out site visits or site inspections pursuant to the provisions of Section 38(1) and Section 45 of the Ontario Heritage Act, R.S.O. 1990, c. O.18:
  - John Coleman;
  - Mac Gervan; and,
  - Don Taylor; and



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**REPORTS (CONTINUED)**

**REPORT NO. 67: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)**

**THAT** the amending By-Law, attached as Exhibit 'A' be presented to Council for all three readings in order to avoid further delays.

(The Report of the Commissioner of Sustainability and Growth (12-178) is attached as Schedule Pages 30 - 38)

(File No. CSU-P18-000-2012)

**(See By-Law No. (2), 2012-88)**



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**REPORTS (CONTINUED)**

**REPORT NO. 68: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER  
(RECOMMEND)**

**Report No. 68**

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

**1a) Staff Briefing:** Mr. Denis Leger, Commissioner of Transportation, Properties, and Emergency Services, and Mr. Harry Cann, Senior Regional Vice President, SMG Canada, will provide a briefing to Council regarding the K-Rock Centre – Operator Agreement Proposal.

**1b) K-Rock Centre – Operator Agreement Proposal**

**THAT** Council authorize the Mayor and Clerk to enter into an agreement for the operation of the K-Rock Centre for a period of five years, commencing on December 1, 2012 and ending on November 30, 2017, that incorporates the revised elements that are contained in the SMG Proposal dated April 24, 2012 and all other terms and conditions contained in the current operator agreement dated December 19, 2006.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-175) is attached as Schedule Pages 39 - 137)  
(File No. CSU-R05-001-2004/03)



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**REPORTS (CONTINUED)**

**REPORT NO. 69: RECEIVED FROM THE PLANNING COMMITTEE**

**Report No. 69**

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.**

**Note: Item No. (1) was deferred from the May 1, 2012 Council Meeting to obtain further information on expanding the west and east green space development.**

**1) Secondary Suite Implementation**

**THAT** staff develop and process the required Official Plan Amendment and Zoning Bylaw Amendment to implement the Second Residential Unit Research Report prepared by FoTenn Consultants Inc; and

Moved by Councillor Osanic  
Seconded by Councillor Scott

**THAT** Council direct staff to expand the proposed pilot project to include all of the City of Kingston.

(The Report of the Commissioner of Community Services (PC-12-030) was attached to the March 29, 2012 Planning Committee agenda as Pages 48-87.)

**(See Information Report No. (3))**

**2) Application for Zoning By-Law Amendment, 148 Nelson Street**

**THAT** the Application for Zoning By-Law Amendment (Our File No. D14-224-2011) submitted by Simon Clark, on behalf of B. Patry, A. Patry, C. Parslow, M. Parslow, for the property municipally known as 148 Nelson Street, **BE APPROVED**; and

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

1. By-Law No. 8499 of The Corporation of the City of Kingston, entitled "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston", as amended, is hereby further amended as follows:

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**REPORTS (CONTINUED)**

**REPORT NO. 69: RECEIVED FROM THE PLANNING COMMITTEE**

1.1. Map 19 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from 'A' to 'A.412', as shown on Schedule "A" attached to and forming part of By-Law No. 2012-89.

1.2. By **Adding** a new subsection 412 thereto as follows:

"(412)     **148 Nelson Street**

Notwithstanding the provisions of Section 5 and 6 hereof to the contrary, the lands designated 'A.412' on Schedule 'A' hereto, the following regulations shall apply:

- a) Minimum Lot Area for 2 dwelling units shall be 425 square metres;
- b) The maximum parking area in the rear yard shall be 33 square metres;
- c) Maximum aggregate total number of bedrooms permitted shall be 9; and,
- d) Front yard parking is prohibited; and

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

The Report of the Commissioner of Sustainability and Growth (PC-12-039) was attached to the May 1, 2012 Planning Committee agenda as Pages 10-64.

**3) Application for Zoning By-Law Amendment, 278-280 Frontenac Street**

**THAT** the Application for Zoning By-Law Amendment (Our File No. D14-227-2011) submitted by IBI Group, on behalf of William Lee, for the property municipally known as 278-280 Frontenac Street, **BE APPROVED**; and

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

- 1. By-Law No. 8499 of The Corporation of the City of Kingston, entitled "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston", as amended, is hereby further amended as follows:
  - 1.1. Map 19 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from 'A' Zone to 'B.413' Zone, as shown on Schedule "A" attached to and forming part of By-Law No. 2012-90.

**REPORTS (CONTINUED)**

**REPORT NO. 69: RECEIVED FROM THE PLANNING COMMITTEE**

1.2. By **Adding** a new subsection 413 thereto as follows:

“(413) **278-280 Frontenac Street**

Notwithstanding the provisions of Section 5 and 13 hereof to the contrary, the lands zoned ‘B.413’ on Schedule ‘A’ hereto, the following regulations shall apply:

- 1) Maximum number of dwelling units shall be 3;
- 2) Additional dwelling units are prohibited;
- 3) Minimum Front Yard Setback: 3.90 metres;
- 4) Maximum number of bedrooms per dwelling unit shall be 4;
- 5) Maximum Aggregate bedrooms shall be 12;
- 6) The Maximum parking area in the rear yard shall be 49 square metres; and,
- 7) Notwithstanding Section 5.39 to the contrary the –H Symbol shall only be removed once a lot grading plan has been submitted to the City and deemed satisfactory by the Engineering Department.”; and

**THAT** the Zoning By-Law Amendment be presented to City Council for all three readings.

The Report of the Commissioner of Sustainability and Growth (PC-12-040) was attached to the May 1, 2012 Planning Committee agenda as Pages 65-104.

**4) Application for Zoning By-Law Amendment, 280 Regent Street**

**THAT** the Application for Zoning By-Law Amendment (Our File No. D14-236-2012) submitted by Hughes Downey Architects, on behalf of James C. Simmons, for the property municipally known as 280 Regent Street, **BE APPROVED**; and

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

1. By-Law No. 8499 of The Corporation of the City of Kingston, entitled “Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston”, as amended, is hereby further amended as follows:
  - 1.1. Map 20 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from ‘B3’ to ‘B1.414’, as shown on Schedule “A” attached to and forming part of By-Law No. 2012-91.

**REPORTS (CONTINUED)**

**REPORT NO. 69: RECEIVED FROM THE PLANNING COMMITTEE**

1.2. By **Adding** a new subsection 414 thereto as follows:

“(414)     **280 Regent Street**

Notwithstanding the provisions of Sections 5 and 14 hereof to the contrary, the lands designated ‘B1.414’ on Schedule ‘A’ hereto, the following regulations shall apply:

- That two dwelling units be permitted; and
- That the aggregate total maximum number of bedrooms permitted shall be 4.” and

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

The Report of the Commissioner of Sustainability and Growth (PC-12-041) was attached to the May 1, 2012 Planning Committee agenda as Pages 105-123.

**5) Application for Zoning By-Law Amendment, 1485 Westbrook Road (3567 Genge Road**

**THAT** the application for Zoning By-Law Amendment (Our File No. D14-225-2011) submitted by Southwinds Enterprises Inc., for a portion of the property located at 3567 Genge Road), **BE APPROVED**; and

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

1. That Zoning Schedule “A”, Map 2 of Zoning By-Law No. 76-26, as amended, is hereby further amended by changing the zone symbol to ‘OS-15’ and ‘OS-15-H’ for the lands shown as “Subject Lands Rezoned from OS-10 to OS-15 and OS-15-H” on Schedule “A” attached hereto and forming part of amending By-Law No. 2012-92.

2. That the following be **added** as Section 8(3)(p) of the By-Law:

“8(3)(p)     **OS-15 (1485 Westbrook Road)**

Notwithstanding any provisions of Section 5 or Section 8 hereof to the contrary, on the lands zoned ‘OS-15’ on Schedule “A” attached hereto, the following provisions shall apply to the entire area zoned ‘OS-15’:

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**REPORTS (CONTINUED)**

**REPORT NO. 69: RECEIVED FROM THE PLANNING COMMITTEE**

a) PERMITTED USE:

In addition to the uses permitted in Section 8(1), the property may be used for a multi-sport recreational facility and a miniature golf course.

b) DEFINITIONS:

For the purpose of the 'OS-15' zone, the following definitions shall apply:

multi-sport recreational facility means a place designed and equipped for the conduct of sports, leisure and other recreational activities within an enclosed structure. Accessory permitted uses include office, retail of no more than 30 square metres, storage, change rooms, meeting space, and food vending area.

c) MINIMUM LOT AREA: 3.2 hectares

d) MINIMUM LANDSCAPED OPEN SPACE: 35%

e) MAXIMUM LOT COVERAGE: 35%

f) MAXIMUM BUILDING HEIGHT: 24 metres

g) MAXIMUM GROSS FLOOR AREA: 10,500 square metres

h) TOP OF BANK SETBACK: No development or site alteration shall be permitted within 30 metres of the top of bank of the tributary.

i) MINIMUM NUMBER OF PARKING SPACES: 180

j) MINIMUM NUMBER OF LOADING SPACES: 1

k) No development shall be permitted on the lands subject to the '-H' Symbol until such time as the '-H' Symbol is removed. The '-H' Symbol shall only be removed once the following conditions have been complied with:

(i) Completion of an Archaeological Assessment and acceptance of the findings of the report by the City of Kingston and the Ministry of Tourism and Culture;

(ii) All applicable Municipal and Agency requirements have been complied with;

(iii) All necessary Agreements, including the Site Plan Control Agreement, have been registered on title; and

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**REPORTS (CONTINUED)**

**REPORT NO. 69: RECEIVED FROM THE PLANNING COMMITTEE**

- (iv) City Council has passed a further amendment to the Zoning By-Law to remove the '-H' Symbol pursuant to the Planning Act."; and

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

The Report of the Commissioner of Sustainability and Growth (PC-12-042) was attached to the May 1, 2012 Planning Committee agenda as Pages 124-145. A memo of request to replace the recommendation section of the report and to revise Schedule 'A' to the DRAFT Zoning By-law and a revised Conceptual Site Plan was attached to the addendum as Pages 149-152.

**(See By-Law No. (3), 2012-89)**

**(See By-Law No. (4), 2012-90)**

**(See By-Law No. (5), 2012-91)**

**(See By-Law No. (6), 2012-92)**





**REPORTS (CONTINUED)**

**REPORT NO. 70: RECEIVED FROM THE ARTS, RECREATION AND COMMUNITY POLICIES COMMITTEE**

**Report No. 70**

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.**

**Note: Items (1) and (2) were deferred from the May 1, 2012 Council Meeting.**

**1) Affordable Housing Land Acquisition and Disposition Program**

**THAT** Council endorse the proposed policy which sets out the guidelines for the municipally funded Affordable Housing Land Acquisition and Disposition Program subject to the following amendments made by the Housing and Homelessness Advisory Committee at its February 16<sup>th</sup>, 2012 meeting:

***THAT** Section 4.4 be amended to add the words “and or acquired” after the word “purchased”; and*

***THAT** Section 6.2.1.” be amended by adding an additional sentence “If an organization acquires the land for 75% or less than the purchase price they will not be eligible to receive other public funds or financial assistance for capital provided by the municipality or from funds administered by the municipality unless they are a not for profit organization.”; and*

subject to the following amendments made by the Arts, Recreation and Community Policies Advisory Committee at its March 22<sup>nd</sup>, 2012 meeting:

***THAT** the words “for example as an exchange” be added at the end of section 4.5.3.*

(The proposed Affordable Housing Land Acquisition and Disposition of Land Program Policy was attached as Exhibit ‘A’ to report HHC-12-006 of the February 16<sup>th</sup>, 2012 Housing and Homelessness Advisory Committee agenda, schedule pages 12 – 17.)

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**REPORTS (CONTINUED)**

**REPORT NO. 70: RECEIVED FROM THE ARTS, RECREATION AND COMMUNITY POLICIES COMMITTEE**

**2) Affordable Housing Capital Investment Program**

**THAT** Council endorse the proposed policy which sets out the guidelines for the municipally funded Affordable Housing Capital Investment Program subject to the following amendments made by the Housing and Homelessness Advisory Committee at its February 16<sup>th</sup>, 2012 meeting:

***THAT** Section 5.1.8 be amended to add “except for not for profit organizations” in the first sentence after “\$50,000 per unit”; and*

subject to the following amendments made by the Arts, Recreation and Community Policies Advisory Committee at its March 22<sup>nd</sup>, 2012 meeting:

***THAT** section 5.1.5 be amended to replace fifteen years with twenty years.*

(The proposed Affordable Housing Capital Investment Program Policy was attached as Exhibit ‘A’ to report HHC-12-007 of the February 16<sup>th</sup>, 2012 Housing and Homelessness Advisory Committee agenda, schedule pages 18 – 23.)

**3) Operations of Kingston Public Market and By-Law**

**THAT** Council receives the `Strengthening the Business and Future of the Kingston Public Market; by Project for Public Spaces (PPS); and

**THAT** Council direct staff to seek representatives from City staff, Downtown BIA, members of the Kingston Public Market Vendors Association (KPMVA) and representatives of nearby resident associations to establish a working group to review the report and develop an implementation plan for Council’s consideration; and

**THAT** Council direct staff to prepare amendments to By-Law 2006-118, A By-Law Respecting the Kingston Public Market, to provide local farmers with more flexibility with their attendance on the market.

The Recommendation Report of the Commissioner of Community Services (ARCP-12-007) was attached to the April 26, 2012 ARCP agenda as Pages 1 – 77. An amended recommendation to the report was provided for consideration further to a memo attached to the addendum.

**(See By-Law No. (1), 2012-95)**



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## COMMITTEE OF THE WHOLE



## INFORMATION REPORTS

### 1) **Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of March 2012**

This information report is to:

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

(The Report of the City Treasurer (12-135) is attached as Schedule Pages 138 - 144)  
(File No. CSU-F18-000-2012)

### 2) **First Quarter Operating Budget Status Report for 2012**

This information report is to provide a financial status update of the general operating fund as at March 31, 2012, the end of the first fiscal quarter.

(The Report of the City Treasurer (12-148) is attached as Schedule Pages 145 - 157)  
(File No. CSU-F05-000-2012)

### 3) **Secondary Suite Pilot Project – Information Update**

This report provides Council with further information to proceed with the implementation of secondary suites. The recommendation in report PC12-030 which has been deferred provide for the most expedient way to move forward with the introduction of secondary suites. It should be recognized that there are certain areas within the city that should not be considered at this time for reasons identified in this report. Additional areas are presented in the options section for consideration should Council wish to direct staff to expand from the original recommended area.

(The Report of the Commissioner of Community Services (12-170) is attached as Schedule Pages 158 - 208)  
(File No. CSU-D14-000-2012)



## MISCELLANEOUS BUSINESS



## NEW MOTIONS

- 1) Moved by Councillor Berg  
Seconded by Mayor Gerretsen

**WHEREAS** Kingston City Council has received correspondence from the City of Belleville regarding an interest to discuss and investigate areas where our municipalities may benefit from cooperating on waste management initiatives;

**THEREFORE BE IT RESOLVED THAT** Kingston City Council direct City of Kingston Staff to work with the City of Belleville on exploring possible options regarding integrated waste management solutions.

- 2) Moved by Councillor Berg  
Seconded by Mayor Gerretsen

**WHEREAS** the City of Kingston is taking steps to become the most sustainable city in Canada and encourages its citizens, businesses and organizations to utilize available blue/grey/green/hazardous waste/E-waste integrated waste management streams to reduce the waste deposited in the local landfill sites, and

**THAT** new programs and ideas are constantly incorporated to enhance waste management systems,

**THEREFORE BE IT RESOLVED THAT** Kingston City Council direct City staff to enhance communications of current E-waste collection sites and to partner with local authorized E-waste collection organizations for E-waste Special Collection Days across our community with the first E-waste Special Collection Day held in concert with the Public Works Open House, May 29, 2012.

- 3) Moved by Councillor Osanic  
Seconded by Councillor Hutchison

**WHEREAS** the next steps of the Environmental Assessment will be a mandatory 30 day review period for members of the public and review agencies

**THEREFORE BE IT RESOLVED THAT** a summary of the comments from the public and review agencies be brought to Environment Infrastructure and Transportation Policy Committee after the review period.

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## NEW MOTIONS (CONTINUED)

- 4) Moved by Councillor Scott  
Seconded by Councillor Reitzel

**WHEREAS** Parks Canada and The Federal Government recently made announcements about the Rideau Canal and its intent to "align the length of its season, hours of operation and personal service at locks on canals to focus investments on the periods of highest requirements."; and

**WHEREAS** the Rideau Canal is a UNESCO World Heritage Site and should be maintained and represented in accordance with those standards and expectations; and

**WHEREAS** the Rideau Canal is an important cultural, recreational and economic asset within the City of Kingston; and

**WHEREAS** reducing the hours or service to the Rideau Canal will have a negative impact on local tourism and recreation use;

**THEREFORE BE IS RESOLVED THAT** the City of Kingston asks Parks Canada and The Federal Government to consult and work with the City of Kingston on any potential changes to service and operation of the Rideau Canal and its locks; and

**THAT** this be forwarded to Don Marrin, Eastern Ontario/Rideau Canal Field Unit Superintendent, Parks Canada, Parks Canada CEO Alan Latourelle, Ted Hsu, MP for Kingston and the Islands and surrounding Members of Parliament, municipalities along the Rideau Canal, and the Honourable Peter Kent, Canada's Environment Minister and Minister Responsible for Parks Canada.



## NOTICES OF MOTION



## MINUTES

**THAT** the Minutes of City Council Meeting No. 2012-14, held Tuesday, May 1, 2012 be confirmed.

**(Distributed to all Members of Council on Friday, May 11, 2012)**



## TABLING OF DOCUMENTS

- 2012-43 Cataraqui Region Conservation Authority (CRCA)  
Minutes – March 28, 2012  
(File No. CSU-D03-000-2012)
- 2012-44 Cataraqui Source Protection Area  
Agenda – May 10, 2012  
(File No. CSU-D03-000-2012)



## COMMUNICATIONS

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

### Filed

- 15-248 From the City of Welland, acknowledging receipt of Kingston City Council's resolution regarding Provincial payment in lieu of taxes, and advising that the City's Council passed a resolution in support to this resolution.  
(File No. CSU-F22-000-2012)
- 15-249 From Hastings County, acknowledging receipt of Kingston City Council's resolution regarding Development of a Youth Strategy that Promotes Diversity and Tolerance, and advising that the County's Council passed a resolution in support to this resolution.  
(File No. CSU-S07-000-2012)
- 15-253 From Hastings County, acknowledging receipt of Kingston City Council's resolution regarding Healthy Food Supplement for Adults on Social Assistance, and advising that the County's Council passed a resolution in support to this resolution.  
(File No. CSU-S04-000-2012)
- 15-254 From the Town of Tillsonburg, acknowledging receipt of Kingston City Council's resolution regarding Provincial payment in lieu of taxes, and advising that the Town's Council passed a resolution in support to this resolution.  
(File No. CSU-F22-000-2012)

### Referred to All Members of Council

- 15-250 From Downtown Kingston! BIA Board of Management, providing an invitation to the Spring General Meeting on Wednesday May 16, 2012, beginning at 6:30 pm, Renaissance Event Venue, 285 Queen Street.  
(File No. CSU-A01-001-2012)  
**(Distributed to all Members of Council on May 7, 2012)**

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- 15-251 From the Cataraqui Region Conservation Authority (CRCA), providing the CRCA Financial Statement Year Ending December 31, 2011.  
(File No. CSU-D03-000-2012)  
**(Distributed to all Members of Council on May 7, 2012)**
- 15-252 From Association of Municipalities of Ontario (AMO), providing the AMO breaking news regarding the rising cost of police services update.  
(File No. CSU-A01-004-2012)  
**(Distributed to all Members of Council on May 7, 2012)**
- 15-256 From the Ontario Human Rights Commission, regarding a request for Ontario Human Rights Code Day/Week Proclamation.  
(File No. CSU-M10-000-2012)  
**(Distributed to all Members of Council on May 7, 2012)**
- 15-257 From David Wright, Security Manager, St. Lawrence College, requesting the approval of Council to appoint David Legnini, David McGrath, Jim McGrath, Kevin DeRuiters, Roger Cassell, Julian Brisebois, Wil Wilson, Josh Coakeley, Hillary Kaert and David White as By-Law Enforcement Officers for the purpose of issuing tickets under By-Law 99-166 on the property of St. Lawrence College, and to remove Tim Douglas, William Manning, Steven Harnden, Susan Dalmer, Mathew Bronson, and Adam Rhymer.  
(File No. CSU-P01-003-2012)  
**(Distributed to all Members of Council on May 8, 2012)**  
**(See By-Law No. (7), 2012-93)**
- 15-258 From Mr. Bruce Todd, with respect to the Third Crossing of the Cataraqui River.  
(File No. CSU-E05-000-2012)  
**(Digitally Distributed to all Members of Council on May 8, 2012)**
- 15-259 From Mr. Bruce Todd, providing his comments, and comments from Norm Meyers, Head, Regional Traffic Section, Ministry of Transportation – Eastern Region, regarding the use of Highway 401 by local motorists.  
(File No. CSU-T08-000-2012)  
**(Digitally Distributed to all Members of Council on May 8, 2012)**

**Referred to the City Clerk**

- 15-255 From Canadian Association of Veterans in United Nations Peacekeeping, asking that Council proclaim August 9, 2012 as “Peacekeeper’s Day” in the City of Kingston.  
(File No. CSU-M10-000-2012)  
**(Distributed to all Members of Council on May 7, 2012)**



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## OTHER BUSINESS



## BY-LAWS

- (A) **THAT** By-Laws (1) through (8) be given their first and second reading.
- (B) **THAT** Clause 11.34 of By-Law No. 2010-1 be suspended for the purpose of giving By-Law (2) three readings.
- (C) **THAT** By-Laws (2) through (6) and (8) be given their third reading.



- (1) A By-Law to Amend By-Law No. 2006-118 (Section 4.2) "A By-Law Respecting the Kingston Public Market"  
FIRST AND SECOND READINGS PROPOSED NO. 2012-95  
**(See Clause (3), Report No. 70)**
- (2) A By-Law to Amend By-Law No. 2005-230, "A By-Law to Authorize Specific Individuals to Undertake Site Visits or Site Inspections of Property Designated or Property Proposed to be Designated to the *Ontario Heritage Act*, R.S.O. 1990, C. O.18"  
THREE READINGS PROPOSED NO. 2012-88  
**(See Clause (f), Report No. 67)**
- (3) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Zone Change from One and Two Family 'A' Zone to Special One and Two Family Residential 'A.412' Zone, 148 Nelson Street)  
THREE READINGS PROPOSED NO. 2012-89  
**(See Clause (2), Report No. 69)**
- (4) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Zone Change from One and Two Family 'A' Zone to Holding Special Three and Six Family 'B.413-H' Zone, 278-280 Frontenac Street)  
THREE READINGS PROPOSED NO. 2012-90  
**(See Clause (3), Report No. 69)**
- (5) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Zone Change from Multiple Family Dwelling 'B3' Zone to Special Multiple Family Dwelling 'B1.414' Zone, 280 Regent Street)  
THREE READINGS PROPOSED NO. 2012-91  
**(See Clause (4), Report No. 69)**



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**BY-LAWS (CONTINUED)**

- (6) A By-Law to Amend Zoning By-Law No. 76-26, "A By-Law to Regulate the Use of Lands and the Character, Location and Use of Buildings and Structures in the Township of Kingston" (Zone Change from 'OS-10' to 'OS-15' and 'OS-15 -H', 1485 Westbrook Road)  
THREE READINGS PROPOSED NO. 2012-92  
**(See Clause (5), Report No. 69)**
- (7) A By-Law to Amend By-Law No. 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", (Remove Tim Douglas, William Manning, Steven Harnden, Susan Dalmer, Mathew Bronson, and Adam Rhymer; Add David Legnini, David McGrath, Jim McGrath, Kevin DeRuiters, Roger Cassell, Julian Brisebois, Wil Wilson, Josh Coakeley, Hillary Kaert and David White – St. Lawrence College)  
FIRST AND SECOND READINGS PROPOSED NO. 2012-93  
**(See Communication No. 15-257)**
- (8) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, May 15, 2012  
THREE READINGS PROPOSED NO. 2012-94  
**(City Council Meeting No. 2012-15)**



**ADJOURNMENT**