



## CITY COUNCIL MEETING NO. 2012-14

Tuesday, May 1, 2012 at 6:15 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) Noise Exemption Request – Howe Island Mainland Ferry Terminal (12-115)	<b>schedule pages 70-76</b>
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- (e) Conveyance of 0.3 Meter Reserves Blocks 213 and 215 Plan of Subdivision 13M-58 Lyndenwood Subdivision Phase 3 (12-140)  
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(3) An Update Regarding the Relocation and Restoration of Engine 1095, "the Spirit of Sir John A." (12-057)	<b>distributed separately</b>
(4) Joint Services County of Frontenac/City of Kingston (12-128)	<b>distributed separately</b>
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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) A proposed or pending acquisition or disposition of land by the municipality or local board, advice that is subject to solicitor-client privilege, including communications necessary for that purpose - John Counter Boulevard.
  - (b) A proposed or pending acquisition or disposition of land by the municipality or local board - North Block
- (2) **THAT** Council rise from the Committee of the Whole “Closed Meeting” and that the rules of By-Law No. 2010-1 be waived and the Chair report:

**THAT** in satisfaction of the terms of settlement of an appeal to the Ontario Municipal Board Council direct and instruct the Director of Legal Services to present the planning rationale dated April 5, 2012 to counsel for Mr. Patry, who appealed Council’s approval of Zoning Amendment By-Law 2011-122 to the Ontario Municipal Board. **Note: The aforementioned Planning Rationale is attached as Schedule Pages (1 - 69)**



## APPROVAL OF ADDEDS



## DISCLOSURE OF POTENTIAL PECUNIARY INTEREST



## PRESENTATIONS



## DELEGATIONS

- 1) Mr. Greg Tilson, Program Coordinator, Kingston Arts Council, and Mr. Caleb Seguin, Kingston Youth Arts Council Member, will speak to Council regarding Miscellaneous Motion No. (1), requesting Council to proclaim May 1 – May 7 as “National Youth Week”.  
**(See also Communication No. 13-230)**



## BRIEFINGS



## PETITIONS



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

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

### Motions of Congratulations

- 1) Moved by Mayor Gerretsen  
Seconded by Deputy Mayor Schell

**THAT** the congratulations of Kingston City Council be extended to Chris Whitaker as he takes an exciting new step in his career. Mr. Whitaker has been with St. Lawrence College for twenty-five years, the last five of which he served as president and CEO of the institution. Although his leadership at the college and his passion for our community will be missed, we are truly excited for all that lies ahead for him.

- 2) Moved by Councillor Berg  
Seconded by Councillor Hector

**THAT** the congratulations of Kingston City Council be extended to Kingston-native Dylan Wykes who ran the second-fastest time ever by a Canadian in the Rotterdam Marathon, thus qualifying for the 2012 Summer Olympics in London. Best of luck, Dylan! Every day is a good day when you run!

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

- 3) Moved by Councillor Berg  
Seconded by Councillor Paterson

**THAT** the congratulations of Kingston City Council be extended to Kingston golfer Brad Boyle, who won his ninth NCAA Division II tournament in Indiana where he is a senior at Indiana University of Pennsylvania. Congratulations, Brad, and best of luck as you turn pro this summer!

- 4) Moved by Councillor Berg  
Seconded by Councillor Scott

**THAT** the congratulations of Kingston City Council be extended to the Kingston-based Pegasus Under 15 girls volleyball team, that won Gold at the Ontario championships last month. The team includes players from Sydenham, Ernestown, Frontenac, Regiopolis-Notre Dame, Loyalist, Kingston Collegiate and Deseronto. Best of luck, Pegasus, as you head to the Canadian Open later this month!

- 5) Moved by Mayor Gerretsen  
Seconded by Deputy Mayor Schell

**THAT** the congratulations of Kingston City Council be extended to the St. Joseph's School of Nursing, of Hotel Dieu Hospital, for its 100<sup>th</sup> Anniversary. The school of nursing began in 1914 with four in the graduating class and continued to produce graduates for the following sixty years, until schools of nursing were transferred to community colleges. Over the years St. Joseph's School of Nursing graduates played an integral role in the health of the Kingston community.

**Motions of Condolence**

- 1) Moved by Mayor Gerretsen  
Seconded by Deputy Mayor Schell

**THAT** the condolences of Kingston City Council be extended to the family and friends of Peter Sword, who passed away in March at the age of 60. Peter held the position of Driver/Labourer, Recreation and Leisure Services Department and was in his 41<sup>st</sup> year of service with the City when he passed. The City of Kingston would like to express sincere appreciation for the many years of dedicated service Peter provided to the citizens of Kingston.

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

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

**THAT** the condolences of Kingston City Council be extended to the family and friends of Robert Stuckless. Robert was a valued and dedicated employee who held the position of Bus Operator at Kingston Transit and enjoyed retirement in 1990. The City of Kingston would like to express sincere condolences to Robert's family and friends.



**DEFERRED MOTIONS**



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**REPORTS**

**REPORT NO. 59: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)**

**Report No. 59**

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:

**Note:** Clause (a) was deferred from the April 17, 2012 Council Meeting in order to receive additional information with respect to: the financial proposal from the vendor recommended by staff; the City's ability to control the advertising content; the City's ability to control the location of the advertising benches. (See Information Report No. 7).

**a) Award of RFP - A License to Sell Third-Party Advertising on Kingston Transit Benches**

**THAT** RFP No. F31-TPES-TS-2012-1, A License to Sell Third-Party Advertising on the Kingston Transit Benches be awarded to Creative Outdoor Advertising, for a period of thirty-two (32) months, for a term ending December 31, 2014; and

**THAT** Council authorize the Mayor and Clerk to enter into an agreement with Creative Outdoor Advertising, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-124) was attached to the April 17, 2012 Council agenda.)

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

**(See Information Report No. 7)**

**b) Noise Exemption Request – Howe Island Mainland Ferry Terminal**

**THAT** The Ministry of Transportation be granted an exemption from the normal 7:00 p.m. to 7:00 a.m. restriction under the City of Kingston Noise Control By-Law 2004-52 Schedule "B", in order to allow for rehabilitation of the Howe Island Ferry mainland terminal located at the southerly terminus of the Howe Island Ferry Road between the hours of 7:00 p.m. and 7:00 a.m. between September 4, 2012 and October 5, 2012 excluding Sundays and Statutory Holidays, and;

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**REPORTS (continued)**

**REPORT NO. 59: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)**

**THAT** this activity be permitted only for 14 days during the exemption period and that the applicant provides the Manager, Licensing and Enforcement Division, 48 hours notice before the exemption is being utilized.

(The Report of the Commissioner of Sustainability and Growth (12-115) is attached as Schedule Pages 70 - 76)  
(File No. CSU-P01-001-2012)

**c) 2012 Kids' Perch Derby at Portsmouth Olympic Harbour Waiver of Fees and Charges By-Law**

**THAT** Council waive the fees of \$1,096.47 (Sail Room rental \$834.03 and the Lobby Area rental \$262.44) for the 2012 Kids' Perch Derby at Portsmouth Olympic Harbour on May 26, 2012 and that this be funded from the Working Fund Reserve.

(The Report of the Commissioner of Community Services (12-158) is attached as Schedule Pages 77 - 80)  
(File No. CSU-F21-000-2012)

**d) Award of RFP - 6.5 Ton Crawler Track Mounted Asphalt Paver**

**THAT** the RFP F31-TPES-TS-FL-2012-15 for the purchase of one 6.5 ton crawler track mounted asphalt paver be awarded to 2151518 Ontario Inc. (Operating as Asphalt Concrete Equipment and Supplies) for the purchase price of \$93,700 plus applicable taxes.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-153) is attached as Schedule Pages 81 - 83)  
(File No. CSU-F31-000-2012)

**e) Conveyance of 0.3 Meter Reserves Blocks 213 and 215 Plan of Subdivision 13M-58 Lyndenwood Subdivision Phase 3**

**THAT** Council authorize the Mayor and Clerk to execute such agreements and documents as are necessary to effect the conveyance of Blocks 213 and 215 on Registered Plan 13M-58.

(The Report of the President and CEO of Utilities Kingston (12-140) is attached as Schedule Pages 84 - 87)  
(File No. CSU-E06-000-2012)



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**REPORTS (continued)**

**REPORT NO. 59: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)**

2. **THAT** the above-noted by-law be presented for all three readings in order to meet tax billing process deadlines.

(The Report of the City Treasurer (12-130) is attached as Schedule Pages 92 - 116)

(File No. CSU-F22-000-2012)

**(See By-Law No. (2), 2012-85)**



**REPORTS (CONTINUED)**

**REPORT NO. 60: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER  
(RECOMMEND)**

**Report No. 60**

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

**1) Northern Evacuees Hosting and Community Support**

**THAT** City Council approve supporting any municipality in southeastern Ontario who enters into agreements with either the federal and/or provincial governments to be a host community for evacuees; and

**THAT** if additional capacity is required and a further request to host evacuees is made, the City of Kingston will consider being a potential short term host community to receive up to two hundred Stage 1 evacuees.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-127) is attached as Schedule Pages 117 - 123)  
(File No. CSU-P03-000-2012)

**2) 370 King Street West - J.K. Tett Centre 390 King Street West – Isabel Bader Centre for Performing Arts Access Agreement between the City of Kingston and Queen’s University**

**THAT** Gerard Hunt, CAO, be authorized to enter into an Access Agreement with Queen’s University to the satisfaction of the Director of Legal Services.

(The Report of the Commissioner of Sustainability and Growth (12-166) is attached as Schedule Pages 124 - 127)  
(File No. CSU-R05-000-2012)

**3) Fourth Quarter Operating Budget Report for 2011**

1. **THAT** Council receive the 2011 4th quarter operating budget status report.

2. **THAT** the surplus generated from municipal operations in the amount of \$3,832,210 be allocated as follows:

a. Affordable Housing Construction Reserve	\$ 271,147
b. Solid Waste & Recycle Capital Reserve Fund	\$ 540,142
c. Transit Capital Reserve Fund	\$ 508,615
d. Library Capital Reserve Fund	\$ 259,239

**REPORTS (CONTINUED)**

**REPORT NO. 60: RECEIVED FROM THE CHIEF ADMINISTRATIVE OFFICER  
(RECOMMEND)**

- |   |              |
|---|--------------|
| e. Police Equipment Capital Reserve Fund            | \$ 370,601   |
| f. Working Fund Reserve (in accordance with policy) | \$ 1,882,466 |
3. **THAT** the surplus generated from the municipal utilities operations in the amount of \$2,656,196 be allocated as follows:
- |                                       |              |
|---------------------------------------|--------------|
| a. Water Capital Reserve Fund         | \$ 154,259   |
| b. Wastewater Capital Reserve Fund    | \$ 230,930   |
| c. Gas Capital Reserve Fund           | \$ 2,234,372 |
| d. Gas Capital Appliance Reserve Fund | \$ 36,635    |

(The Report of the City Treasurer (12-145) is attached as Schedule Pages 128 - 148)  
(File No. CSU-F05-000-2012)

- 4a) **Staff Briefing:** Mr. Mark Van Buren, Director of Engineering, Dan Lalande, Senior Project Manager (JL Richards), Wes Peatkau, Assistant Project Manager (JL Richards), and Brian Petzold, Associated Engineering, will provide a briefing to Council regarding the Third Crossing of the Cataraqui River Environmental Assessment.

4b) **Third Crossing of the Cataraqui River Environmental Assessment**

**THAT** Council receive and approve the Environmental Study Report entitled "City of Kingston Third Crossing of the Cataraqui River Environmental Assessment"; and

**THAT** Council endorse the issuance of a Notice of Completion for filing the Third Crossing of the Cataraqui River Environmental Assessment Report for public and agency review as required by the Ontario Environmental Assessment Act.

(The Report of the President and CEO of Utilities Kingston (12-155) is attached as Schedule Pages 149 - 162)  
(File No. CSU-E05-000-2012)



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**REPORTS (CONTINUED)**

**REPORT NO. 61: RECEIVED FROM THE PLANNING COMMITTEE**

**Report No. 61**

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 April 17, 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.)

**2) Application for Zoning By-Law Amendment, 1264 Channelview Road**

**THAT** the application for Zoning By-Law Amendment (Our File No. D14-222-2011) submitted by David V. Craig, for the property located at 1264 Channelview Road), **BE APPROVED**; and,

**THAT** the Township of Pittsburgh Zoning By-Law No. 32-74, as amended, be further amended as follows:

1. That Zoning Schedule "A", Map 2 of Zoning By-Law No. 32-74, as amended, is hereby further amended by changing the zone symbol to 'ER-10' and ER-11' of the lands shown as "Subject Lands Rezoned from A1 to ER-10 and ER-11" on Schedule "A" attached hereto and forming part of amending By-Law No. 2012-86.

**REPORTS (CONTINUED)**

**REPORT NO. 61: RECEIVED FROM THE PLANNING COMMITTEE**

2. That the following be added as Section 7(3)(j) of the By-Law:

**“7(3)(j) 1264 Channelview Road**

Notwithstanding any provisions of Section 5 and 7 hereof to the contrary, on the lands zoned ‘ER-10’ on Schedule “A” attached hereto, the following provisions shall apply:

- a) PERMITTED USE: detached single family dwelling house
- b) MAXIMUM NUMBER OF DWELLINGS PER LOT: 1
- c) LOT FRONTAGE (minimum): 19.2 metres
- d) WATER SETBACK:
  - i) The required setback for all buildings or structures is 75 metres from the high water mark or 15 metres from the regulatory flood plain elevation of 76.3m GSC, whichever is the greater
  - ii) The required setback for septic systems is 45 metres from the high water mark or 15 metres from the regulatory flood plain elevation of 76.3m GSC, whichever is the greater
  - iii) The natural vegetation within 30 metres of the shoreline of the St. Lawrence River must be maintained in order to dissipate waves, filter runoff, prevent soil erosion and provide wildlife habitat. Selective trimming or removal of vegetation and creation of a walking path (not hardened or paved) to the shoreline would be acceptable in this area.
- e) REAR YARD DEPTH (minimum): 6.0 metres”

3. That the following be added as Section 7(3)(k) of the By-Law:

**“7(3)(k) 1264 Channelview Road**

Notwithstanding any provisions of Section 5 and 7 hereof to the contrary, on the lands zoned ‘ER-11’ on Schedule “A” attached hereto, the following provisions shall apply:

- a) PERMITTED USE: detached single family dwelling house
- b) MAXIMUM NUMBER OF DWELLINGS PER LOT: 1
- c) LOT FRONTAGE (minimum): 19.2 metres
- d) WATER SETBACK:

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**REPORTS (CONTINUED)**

**REPORT NO. 61: RECEIVED FROM THE PLANNING COMMITTEE**

- i) The required setback for all buildings or structures is 75 metres from the high water mark or 15 metres from the regulatory flood plain elevation of 76.3m GSC, whichever is the greater
- ii) The required setback for septic systems is 45 metres from the high water mark or 15 metres from the regulatory flood plain elevation of 76.3m GSC, whichever is the greater
- iii) The natural vegetation within 30 metres of the shoreline of the St. Lawrence River must be maintained in order to dissipate waves, filter runoff, prevent soil erosion and provide wildlife habitat. Selective trimming or removal of vegetation and creation of a walking path (not hardened or paved) to the shoreline would be acceptable in this area"; 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-12-033) was attached to the April 19, 2012 Planning Committee agenda as Pages 150-174.

**(See By-Law No. (3), 2012-86)**





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**REPORTS (CONTINUED)**

**REPORT NO. 62: RECEIVED FROM THE ARTS, RECREATION AND COMMUNITY POLICIES COMMITTEE**

**Report No. 62**

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 April 17, 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. 62: 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.)



**REPORTS (CONTINUED)**

**REPORT NO. 63: RECEIVED FROM THE ENVIRONMENT, INFRASTRUCTURE AND TRANSPORTATION POLICIES COMMITTEE**

**Report No. 63**

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.**

**Note: Item No. (1) was deferred from the April 17, 2012 Council Meeting.**

**1) Lowering posted speed limits on Queen's campus**

**WHEREAS** pedestrian safety is a concern in and around the area of Queen's University;

**THEREFORE BE IT RECOMMENDED THAT** City staff investigate the lowering of posted speed limits on the Queen's campus to the lowest speeds allowable under Ontario Law, and report back to Environment, Infrastructure and Transportation Policies Committee by September 2012.

**2) North Block – Replacement Parking Analysis & Recommendations**

**WHEREAS** the Environment, Infrastructure & Transportation Policies Committee received the consultant report titled "NORTH BLOCK DISTRICT, Parking Supply Requirements" prepared by BA Group Transportation Consultants, March 2012;

**THEREFORE BE IT RESOLVED THAT** staff be directed to implement a program to regularly monitor parking occupancy in the North Block area to determine if the projected number of parking spaces can be further reduced prior to the issuance of a Request for Proposal for the development of City-owned lands; and

**THAT** a By-Law be presented to Council to amend *By-Law 2005-10 Fees and Charges*, as amended, as follows:

1. Increase the monthly parking prices (taxes included) as follows:
  - a) Barrack, Drury and Frontenac Lots from \$66.80 to \$89.08
  - b) Anglin Lot from \$51.21 to \$68.25; and
2. Remove the \$5.00 daytime maximum in the Drury Parking Lot; and

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**REPORTS (CONTINUED)**

**REPORT NO. 63: RECEIVED FROM THE EITP COMMITTEE**

**THAT** these amendments to the by-law come into effect September 1, 2012.

(Exhibit "B" to Report EITP-12-007 is attached as Schedule Page (163). Schedule "A" was distributed separately with the April 10, 2012 EITP agenda)

**(See By-Law No. (1), 2012-84)**

**3) Electric and Electric-Hybrid Vehicle and Systems**

**WHEREAS** the City of Kingston endeavours to supply reliable, cost-effective and sustainable energy opportunities to its citizens as a foundation for an economically and environmentally sound future, and

**WHEREAS** part of this endeavor involves exploring sustainable options such as electric vehicles and supporting electrical systems,

**THEREFORE BE IT RESOLVED THAT** Utilities Kingston and/or Kingston Hydro be requested to report to the Environment, Infrastructure and Transportation Policies Committee (EITP) with information on the need/demand for public charging stations associated with electric vehicles, potential revenue, capital costs and operating costs associated with stations, the logistics and timing in time for consideration in the 2013 budget, and

**THAT** Utilities Kingston and/or Kingston Hydro be requested to report back to the Environment, Infrastructure and Transportation Policies Committee (EITP) on the benefits and costs of purchasing an electric vehicle or electric-hybrid as a working demonstration model for electric and electric-hybrid vehicles and as one of the foundational elements for research into electric vehicle systems in time for consideration in the 2013 budget.



**REPORTS (CONTINUED)**

**REPORT NO. 64: RECEIVED FROM THE MUNICIPAL ACCESSIBILITY ADVISORY COMMITTEE**

**Report No. 64**

To the Mayor and Members of Council:

The Municipal Accessibility Advisory 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 April 17, 2012 Council Meeting.**

**1) Municipal Accessibility Advisory Committee – Appointment Term**

**THAT** Ms. Lorraine Farrar be appointed to a one year term to expire November 30<sup>TH</sup>, 2012.

**2) Motion Pertaining To Visual Fire Alarms**

**THAT** the City of Kingston support the Canadian Hearing Society's request that the Government of Ontario implement the following two measures in the name of fire safety, accessibility and equity:

1. The Ministry of Health and Long-Term Care to include visual fire alarm devices under the Ministry's Assistive Devices Program (ADP) in the ADP expansion
2. The Ministry of Community Safety and Correctional Services amend the Ontario Fire Code to incorporate visual fire alarms and duty of landlords, owners of rental housing and long-term care facilities, and home builders to comply not only for public spaces but also in residents' dwellings.



**REPORTS (CONTINUED)**

**REPORT NO. 65: RECEIVED FROM THE SENIORS ADVISORY COMMITTEE**

**Report No. 65**

To the Mayor and Members of Council:

The Seniors Advisory 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 April 17, 2012 Council Meeting.**

**1) Age-Friendly Focus Group Summary**

**THAT** the Seniors Advisory Committee Age-Friendly Kingston Focus Group Summary Report be received; and

**THAT** it be understood that the final report, inclusive of this report, will be brought forward at a future date, and no action is required at this time.

The Report of the Commissioner, Sustainability and Growth and Commissioner, Community Services (SAC-12-01) was attached to the April 4, 2012 Seniors Advisory Committee agenda as Schedule Pages 1-25. The report can also be viewed on the City website at: <http://www.cityofkingston.ca/cityhall/committees/seniors/agendas.asp>

(Report SAC-12-01 was distributed separately from the Council agenda.)



**REPORTS (CONTINUED)**

**REPORT NO. 66: RECEIVED FROM THE RURAL ADVISORY COMMITTEE**

**Report No. 66**

To the Mayor and Members of Council:

The Rural Advisory 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) Landscaping and Site Design Guidelines for Large-Scale, Ground-Oriented Solar Energy Facilities**

**THAT** the draft Landscaping and Site Design Guidelines for Large-Scale, Ground-Oriented Solar Energy Facilities, as amended by the Rural Advisory Committee as its meeting held April 11<sup>th</sup>, 2012, as outlined in RAC-12-001, Exhibit "C", be included in the municipality's review process for renewable energy projects

**THAT** the Introduction to the Policy, 3<sup>rd</sup> paragraph be amended to add at end of the 1<sup>st</sup> sentence, "excluding micro fit projects"; and

**THAT** Section 2, Setbacks a) be amended to add "fencing" after "structures and panels"; and

**THAT** Section 2, Setbacks be amended to add c) A 100 m setback for fencing and solar arrays be required from any residence unless otherwise negotiated by the property owner; and

**THAT** Section 7 Landscaping n) be amended to add "heritage species" after native vegetation; and

**THAT** a copy of the Landscaping and Site Design Guidelines for Large-Scale, Ground-Oriented Solar Energy Facilities, as amended, be forwarded to the Honourable Jim Bradley, Minister of the Environment and The Honourable John Gerretsen, Attorney General and M.P.P. for Kingston and the Islands.

(A copy of the draft Landscaping and Site Design Guidelines for Large-Scale, Ground-Oriented Solar Energy Facilities Guidelines is attached as Schedule Pages 164 - 169)



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## COMMITTEE OF THE WHOLE

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## INFORMATION REPORTS

**Note: Information Reports (1) through (6) were deferred from the April 17, 2012 Council Meeting.**

### 1) 2012 Municipal Debt Limits

The report on Municipal Debt Limits, based on the latest Annual Repayment Limit (ARL) provided by the Ministry of Municipal Affairs and Housing (MMAH), is presented to Council annually. This report provides Council with information with respect to the municipality's existing levels of long-term debt as well as the additional long term borrowings that could be available as per the provincial guidelines.

(The Report of the City Treasurer (12-110) was distributed separately on the April 17, 2012 Council Meeting Agenda)  
(File No. CSU-F11-000-2012)

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

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 February 2012.
2. Report additional information on contracts awarded by senior staff between the \$20,000 and \$50,000 level for the month of February 2012.

(The Report of the City Treasurer (12-129) was distributed separately on the April 17, 2012 Council Meeting Agenda)  
(File No. CSU-F18-000-2012)

### 3) An Update Regarding the Relocation and Restoration of Engine 1095, "the Spirit of Sir John A."

The purpose of this report is to provide an update with regard to the relocation and restoration of Engine 1095, "The Spirit of Sir John A." While the worksite within Confederation Park has been quiet over the winter months, a significant amount of work has been progressing off-site at various locations around Kingston, as well as further afield.



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## **INFORMATION REPORTS (continued)**

(The Report of the Commissioner of Sustainability and Growth (12-057) was distributed separately on the April 17, 2012 Council Meeting Agenda)  
(File No. CSU-R01-000-2012)

### **4) Joint Services County of Frontenac / City of Kingston**

This report provides information on the terms and conditions found in the amalgamation order and the subsequent agreements between the City and the County that continue to have implications for the City and the County. Included is a summary of each service, the relevant section of the amalgamation order (in italics), and other information from the updated agreements. If no additional agreement details have been provided, this indicates that information in the original amalgamation order is still valid. The most recent agreement August 24, 2005, remains in effect.

(The Report of the Chief Administrative Officer (12-128) was distributed separately on the April 17, 2012 Council Meeting Agenda)  
(File No. CSU-L04-000-2012)

### **5) Central Kingston Program and Accommodation Review Committee (PARC) – Response to Council Motion of March 6**

On March 6, 2012 Council passed a motion directing staff to prepare a report to provide information related to the Limestone District School Board Central Kingston Program and Accommodation Review Committee (PARC). The report was to provide information about:

- a) the mandate of the Program and Accommodation Review Committee (PARC);
- b) the optimum times in the review process where the City might provide input;
- c) the role of schools in safe and sustainable neighbourhoods and the impacts of school closures on those neighbourhoods; and,
- d) options of interest to the City for sharing space in schools.

(The Report of the Chief Administrative Officer (12-150) was distributed separately on the April 17, 2012 Council Meeting Agenda)  
(File No. CSU-R07-000-2012)

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**INFORMATION REPORTS (continued)**

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**6) Supplementary Report - Central Kingston Program and Accommodation Review Committee (PARC) – Response to Council Motion of March 6**

The report includes revised and additional information provided by the LDSB.

(The Report of the Chief Administrative Officer (12-157) was distributed separately on the April 17, 2012 Council Meeting Addendum)  
(File No. CSU-R07-000-2012)

**7) Supplemental Information – Third-Party Advertising on Kingston Transit Benches**

The purpose of this report is to provide the information requested, to supplement Report 12-124.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-163) is attached as Schedule Pages 170 - 174)  
(File No. CSU-T03-000-2012)

**(See Clause (a), Report No. (59))**

**8) K-Rock Centre –Audited Financial Statements as at December 31, 2011**

The purpose of this report is to provide Council with a copy of the Audited Financial Statements for the K-Rock Centre as at December 31, 2011. The audit was completed by Collins Blay LLP Chartered Accountants.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-142) is attached as Schedule Pages 175 - 186)  
(File No. CSU-R05-001-2004/03)

**9) 2011 Development Charges Reserve Fund Statement 2011 Impost Reserve Fund Statement**

The purpose of this report is to provide Council with a status report of the City's Development Charges (DC) Reserve Funds and Impost Reserve Funds as at December 31, 2011.

(The Report of the City Treasurer (12-144) is attached as Schedule Pages 187 - 194)  
(File No. CSU-F20-000-2012)

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## INFORMATION REPORTS (continued)

### 10) 2012 Priority Matrix – Q1 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 March 31, 2012.

(The Report of the Chief Administrative Officer (12-152) is attached as Schedule Pages 195 - 208)

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



## MISCELLANEOUS BUSINESS

Motions of Council are required:

- (1) **THAT**, as requested by Kingston Youth Arts Council, Council proclaim May 1 – 7 as “National Youth Week” in the City of Kingston.

**(See Communication No. 13-230)**

**(See Delegation No. (1))**



## NEW MOTIONS

- 1) Moved by Councillor Osanic  
Seconded by Councillor Scott

**WHEREAS** the City of Kingston is a rural-urban city with many residents involved in the horse racing industry

**THEREFORE BE IT RESOLVED THAT** the Council of the City of Kingston endorse the following resolution from the Municipality of Clarington:

“Whereas Ontario Slots at Racetracks program has, for over a decade, provided mutual benefit to the Province of Ontario and the horse racing industry; and

Whereas the Government has announced the cancellation of the Slots at Racetracks Program, jeopardizing the future of the horse racing and breeding industry in Ontario at the cost of thousands of jobs and \$2 billion in economic activity; and

Whereas Clarington Council supports the various sectors of agriculture with regard to policies that affect the health, economic viability, and sustainability of agriculture; and

**NEW MOTIONS (continued)**

Whereas the horse breeding, rearing, and training industry in Clarington, plus the spin-off jobs for farmers that grow the feed, veterinarians, blacksmiths, tack industry, mechanics, drivers, and racetrack employees;

Now Be It Resolved That Clarington Council request the Government of Ontario work with the horse racing industry to reinstate and improve the Slots at Racetracks Program with its revenue sharing agreement to sustain and grow the horse racing industry to the benefit of our communities; and

**THAT** this resolution be circulated to the Municipality of Clarington the Honourable John Gerretsen, Attorney General and M.P.P. for Kingston and the Islands.

- 2) Moved by Councillor Hutchison  
Seconded by Councillor Glover

**THAT** City Council request that the Limestone District School Board (LDSB) delay any decisions concerning school closings covered by the Central Kingston (secondary school) PARC and the North Kingston (elementary school) PARC pending discussions between the LDSB, the City and other identifiable stakeholders including other PARCs and the Algonquin and Lakeshore Roman Catholic District School Board on possible ways and means to avoid school closings, or mitigate the effects of school closings to the benefit of neighbourhood communities and the City as a whole, through initiatives related to systemic operational and capital funding efficiencies related to the City and the school boards, in areas of space and program development and sharing including, but not limited to, recreation (eg., fields), housing, cultural hubs, government and agency services, business and economic development (such as space for micro-businesses, artisans, artists, and alternative business in health, food and furniture), home care and senior care.

- 3) Moved by Councillor Hector  
Seconded by Councillor Berg

**WHEREAS** from time to time Council receives updates from major employers in the City,

**THEREFORE BE IT RESOLVED THAT** Kingston City Council welcome the Commander of CFB Kingston to provide an update about the Base in the form of a briefing at the second meeting of Council in May 2012.



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## NOTICES OF MOTION



## MINUTES

**THAT** the Minutes of City Council Meeting No. 2012-13, held Tuesday, April 17, 2012 be confirmed.

**(Distributed to all Members of Council on Friday, April 27, 2012)**



## TABLING OF DOCUMENTS

2012-39 Cataraqui Region Conservation Authority  
Agenda – April 25, 2012  
(File No. CSU-D03-000-2012)

2012-40 KFL&A Public Health  
Agenda – April 25, 2012  
(File No. CSU-S08-001-2012)



## COMMUNICATIONS

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

### Filed

14-220 From the Committee of Adjustment, a Notice of Decision for the following application:

CONSENT – In respect of an application for consent to sever a lot addition to an abutting parcel of land addressed 2493 Highway 2 East, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is May 8, 2012.  
(File No. CSU-D19-000-2012)

14-221 From the Committee of Adjustment, a Notice of Decision for the following application:

CONSENT – In respect of an application for consent to sever a lot addition to an abutting parcel of land addressed 3497 Sand Hill Road, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is May 8, 2012.  
(File No. CSU-D19-000-2012)

Kingston City Council Meeting No. 2012-14

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Tuesday, May 1, 2012

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- 14-222 From the Municipality of Meaford, acknowledging receipt of Kingston City Council's resolution regarding Provincial payment in lieu of taxes, and advising that the Municipality's Council passed a resolution in support to this resolution.  
(File No. CSU-F22-000-2012)
- 14-223 From the City of Brantford, 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)
- 14-224 From the Municipality of Sioux Lookout, acknowledging receipt of Kingston City Council's resolution regarding Provincial payment in lieu of taxes, and advising that the Municipality's Council passed a resolution in support to this resolution.  
(File No. CSU-F22-000-2012)
- 13-225 From the City of Port Colborne, 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)
- 14-228 From K-Rock Centre, an application for a liquor licence from the Alcohol and Gaming Commission of Ontario for an establishment located at 1 The Tragically Hip Way.  
(File No. CSU-P09-000-2012)
- 14-233 From The United Way KFL&A, an application for a Special Occasion Permit from the Alcohol and Gaming Commission of Ontario for the Next Gen Cabinet event, HopScotch, on Saturday, May 19, 2012 from 3:00 pm to 7:00 pm at the Grand Theatre.  
(File No. CSU-P09-000-2012)
- 14-234 From the Town of Perth, 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)
- 14-235 From the Town of Kapuskasing, 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)
- 14-239 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 Highway 2 East, the Committee decided that the application **SHOULD BE**

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**PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is May 15, 2012.

LEGAL NON-CONFORMING USE – In respect of an application for an enlargement or extension of an existing legal non-conforming use at the property 36 Simcoe Steet, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is May 14, 2012.

MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 8499 for the property at 1 Kensington Avenue, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is May 14, 2012.

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

**Referred to All Members of Council**

- 14-226 From the Town of Caledon, providing a resolution that the Town of Caledon's Council passed regarding the Aggregate Resources Act Review.  
(File No. CSU-C10-000-2012)  
**(Distributed to all Members of Council on April 20, 2012)**
- 14-227 From the Limestone District School Board, acknowledging the foresight and commitment of City Councillors and Staff on the completion of the Kingston Community Outdoor Athletic Park, specifically the track and sports field.  
(File No. CSU-R05-000-2012)  
**(Distributed to all Members of Council on April 20, 2012)**
- 14-229 From Daniel R. Woolf, Principal and Vice-Chancellor, Queen's University, expressing their support for the progress and direction of the Williamsville Main Street Study.  
(File No. CSU-D18-000-2012)  
**(Distributed to all Members of Council on April 20, 2012)**
- 14-230 From The Kingston Youth Arts Council and City of Kingston Cultural Services, asking that Council proclaim May 1 - 7 as "National Youth Arts Week" in the City of Kingston.  
(File No. CSU-M10-000-2012)  
**(See Miscellaneous Business Item No. (1))**  
**(Distributed to all Members of Council on April 23, 2012)**
- 14-231 From Ms. Irene Watt, providing comments on Clause (1), Report No. (61), Received from the Planning Committee , regarding the Secondary Residential Suites.  
(File No. CSU-S18-000-2011)  
**(Distributed to all Members of Council on April 24, 2012)**

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- 14-232 From the City of Toronto, providing a resolution that the City of Toronto passed regarding the Canada-European Union (EU) Comprehensive Economic and Trade Agreement (CETA).  
(File No. CSU-F00-000-2011)  
**(Distributed to all Members of Council on April 24, 2012)**
- 14-238 From Ed Smith, Chair, Downtown Kingston! Board of Management, expressing concerns regarding the Environment, Infrastructure, and Transportation Policies report which recommends increases to monthly parking rates.  
(File No. CSU-M10-000-2012)  
**(Distributed to all Members of Council on April 25, 2012)**  
**(See Clause (2), Report No. 63)**

### Referred to the City Clerk

- 14-236 From the Kingston Association of Museums, Galleries and Historic Sites, Inc., asking that Council proclaim the month of May as "May is Museum Month" in the City of Kingston.  
(File No. CSU-M10-000-2012)  
**(Distributed to all Members of Council on April 24, 2012)**
- 14-237 From The Royal Military College of Canada, asking that Council proclaim May 6, 2012 as "The Royal Military College of Canada Freedom of the City" in the City of Kingston.  
(File No. CSU-M10-000-2012)  
**(Distributed to all Members of Council on April 25, 2012)**



## OTHER BUSINESS



## BY-LAWS

- (A) **THAT** By-Laws (1) through (3) and (5) 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 (1) through (5) be given their third reading.





Kingston City Council Meeting No. 2012-14

Agenda

Tuesday, May 1, 2012

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- (1) A By-Law to Amend By-Law No. 2005-10, "A By-Law to Establish Fees and Charges to be Collected by the Corporation of the City of Kingston, as amended."  
FIRST AND SECOND READINGS PROPOSED NO. 2012-84  
**(See Clause (2), Report No. 63)**
  - (2) A By-Law to Establish General Municipal, Fire, Garbage, and Special Tax Rates for the Year 2012 to Provide for a Final Tax Levy; to Provide for Late Payment Charges to be Charged on Unpaid Taxes; and to Provide for Payment of Taxes by Instalment  
THREE READINGS PROPOSED NO. 2012-85  
**(See Clause (g), Report No. 59)**
  - (3) A By-Law to Amend By-Law No. 32-74, "A By-Law to Regulate the Use of Lands and the Character, Location and Use of Buildings and Structures in the Township of Pittsburgh" (Zone Change from 'A1' to 'ER-10' and 'ER-11', 1264 Channelview Road)  
THREE READINGS PROPOSED NO. 2012-86  
**(See Clause (2), Report No. 61)**
  - (4) A By-Law to Amend By-Law No. 2005-10 "A By-Law to Establish Fees and Charges to be Collected by the Corporation of the City of Kingston", as amended  
THIRD READING PROPOSED NO. 2012-75  
**(See Clause (e), Report No. 50)**
  - (5) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, May 1, 2012  
THREE READINGS PROPOSED NO. 2012-87  
**(City Council Meeting No. 2012-14)**



**ADJOURNMENT**