



## **City Council Meeting Number 2015-13**

The Regular Meeting of Kingston City Council was held on Tuesday, April 21, 2015, and was called to order at 5:10 pm in the Council Chamber, City Hall. Regular business commenced at 7:50 pm. His Worship Mayor Bryan Paterson presided.

There was a "Closed Meeting" of the Committee of the Whole from 5:15 pm to 7:25 pm in the Councillors' Lounge.

### **(Council Chamber)**

#### **Roll Call**

Present: Mayor Paterson, Councillor Allen, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Councillor Schell, Councillor Stroud, Councillor Turner (12)

Absent: Deputy Mayor Boehme (1)

### **(Councillors' Lounge)**

#### **Administrative Staff Present:**

Ms. P. Agnew, Director of Planning  
Mr. K. Arjoon, Deputy City Clerk  
Mr. J. Bolognone, City Clerk  
Mr. G. Hunt, Chief Administrative Officer  
Ms. L. Hurdle, Commissioner of Community Services  
Mr. M. McLaughlin, Senior Legal Counsel  
Ms. S. Nicholson, Director, Legal Services and City Solicitor

### **Committee of the Whole "Closed Meeting"**

- 1) Moved by Councillor Turner  
Seconded by Councillor Osanic

**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 and – Mile Square;

- b) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board - Cataraqui West Open Space Lands;
- c) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Casino Gaming Facility;
- d) Personal matters about an identifiable individual, including municipal or local board employees – 2014 CAO Performance Review & 2015 goals.

**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Councillor Allen, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: Deputy Mayor Boehme (1)

**(Council Chamber)**

**Administrative Staff Present:**

Ms. P. Agnew, Director of Planning  
 Mr. K. Arjoon, Deputy City Clerk  
 Ms. C. Beach, Commissioner of Corporate and Strategic Initiatives  
 Mr. J. Bolognone, City Clerk  
 Mr. L. Coleman, Information Systems and Technology  
 Mr. S. Davis, Community Emergency Management Coordinator  
 Ms. C. Gareau, Director, Strategic Communications  
 Mr. J. Giles, Manager, Solid Waste  
 Mr. G. Hunt, Chief Administrative Officer  
 Ms. L. Hurdle, Commissioner of Community Services  
 Mr. D. Johnston, Chief Information Officer  
 Mr. J. Keech, President and CEO, Utilities Kingston  
 Ms. D. Kennedy, CFO and City Treasurer  
 Mr. D. Leger, Commissioner of Transportation, Facilities and Emergency Services  
 Ms. K. Leonard, Manager, Licensing & Enforcement  
 Ms. S. Nicholson, Director, Legal Services and City Solicitor  
 Mr. P. Robertson, City Curator  
 Mr. C. Wiginton, Director, Cultural Services

## **Report of the Committee of the Whole “Closed Meeting”**

- 2) Moved by Councillor Holland  
Seconded by Councillor Candon

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

**Carried (12:0)**  
**(See Recorded Vote)**

- YEAS: Councillor Allen, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)
- NAYS: (0)
- ABSENT: Deputy Mayor Boehme (1)

### **Approval of Addeds**

Moved by Councillor Neill  
Seconded by Councillor Schell

**That** the addeds be approved.

**Carried (12:0)**  
**(A 2/3 Vote of Council was Received)**  
**(See Recorded Vote)**

- YEAS: Councillor Allen, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)
- NAYS: (0)
- ABSENT: Deputy Mayor Boehme (1)

### **Disclosure of Pecuniary Interest**

- 1) Councillor Schell declared a possible pecuniary interest in the matter of clause (c), Committee of the Whole closed session with respect to OLG Gaming Facility as her son works for the Ontario Lottery and Gaming Corporation in Gananoque.
- 2) Councillor George declared a possible pecuniary interest in the matter of clause (b), Committee of the Whole closed session with respect to Cataraqui West Open Space Lands, as the applicant has retained my company for services in the area.

### **Presentations**

- 1) Helen Humphreys, City of Kingston poet laureate, presented a poem in recognition of national poetry month.

## Delegations

Council consented to the addition of Delegation Number 2.

- 1) Mr. Kelly Pender, CAO, County of Frontenac, appeared before Council to speak to Clause (2) Report Number 38: Received from the Chief Administrative Officer (Recommend) – 2015 Budget Update – Agency and Board Request.
- 2) Patty Pekovick, Co-chair for the Board of Director of the Tett Centre for Creativity and Learning, appeared before Council to speak to Clause (c) Report Number 37: Received from the Chief Administrative Office (Consent) – Approval to Amend the Scope of the Business Plan for the Tett Centre for Creativity and Learning to Allow for the Inclusion of a Café-style Food Service as Part of the Facility Operations.

## Briefings

None

## Petitions

- (1) A petition bearing 8 signatures was presented at the Planning Committee on April 2, 2015 and received in the City Clerk's Department on April 9, 2015 and reads as follows:

We the undersigned oppose the amendment to Propose Zoning By-Law Application regarding Mackenzie Crescent in Kingston Ontario.

### **Referred to Commissioner of Community Services**

- (2) A petition bearing 46 signatures was presented by Councillor M<sup>c</sup>Laren and referred to Jim Keech, President and CEO, Utilities Kingston, and reads as follows:

We the undersigned oppose the cutting down of the trees in Balsom Grove Park and surrounding area.

### **Referred to President & CEO of Utilities Kingston**

- (3) A petition bearing 47 signatures was presented by Councillor Allen and referred to Commissioner of Community Services, and reads as follows:

"We the undersigned concerned citizens urge Kingston's City Council to:

- Not approve the application for a new license
- Not approve the Official Plan Amendment
- Not approve the Zoning By-Law Amendment
- An injunction to stop the quarry operation from its continued expansion and below the water table extraction."

### **Referred to Commissioner of Community Services**

## **Motions of Congratulations, Recognition, Sympathy, Condolences and Speedy Recovery**

None

## **Deferred Motions**

None

## **Reports**

### **Report Number 37: Received from the Chief Administrative Officer (Consent)**

Moved by Councillor Turner  
Seconded by Councillor Allen

**That** Report Number 37: Received from the Chief Administrative Officer (Consent) be received and adopted.

Council consented to the separation of Clause (b).

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

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

**a)     **Kingston Transit License Agreement with Cataraqui Holdings Inc. for the Cataraqui Centre****

**That** Council authorize the Mayor and Clerk to enter into a license agreement with Cataraqui Holdings Inc., in a form satisfactory to the Director of Legal Services, to formalize the operation of Kingston Transit at and through the Cataraqui Centre property and to allow for the reconfiguration, reconstruction, and expansion of the Cataraqui Centre transfer point, based on the key proposed terms and conditions outlined in Council Report 15-209.

(The Report of the Commissioner of Transportation, Facilities and Emergency Services (15-209) was attached to the agenda as Schedule Pages 1-5)  
(File Number CSU-T03-000-2015)

**b)     **Award of Contract - Pet Registration and Identification Service for the City of Kingston****

**That** Docupet Inc. be awarded a five year contract (RFP Number F31-CS-BL-2014-01), with the option of further one to five year renewals at the sole discretion of the City of Kingston; and

**That** the Mayor and Clerk be authorized to execute the contract in a form satisfactory to the Director of Legal Services; and

**That** the Commissioner, Community Services Group, be granted delegated authority to enter into any renewals with Docupet Inc. after the initial five year contract; and

**That** upon implementation of the on-line system, pet registrations will be valid for one year from the date they are issued; and

**That** By-Law Number 2004-144, being a By-Law to Regulate Animals, be amended to replace the requirement for renewal of pet registrations by April 1<sup>st</sup> of each year with the requirement for renewal on the anniversary of the initial registration date, or last renewal date, as applicable; and

**That** staff will provide Council with an update of the on-line pet registration, identification and rewards program by December 31, 2016.

(The Report of the Commissioner of Community Services (15-222) was attached to the agenda as Schedule Pages 6-14)

(File Number CSU-P14-000-2015)

**(See By-Law No. (1), 2015-76)**

**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Councillor Allen, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: Deputy Mayor Boehme (1)

**c) Approval to Amend the Scope of the Business Plan for the Tett Centre for Creativity and Learning to Allow for the Inclusion of a Café-style Food Service as Part of the Facility Operations**

**That** the Mayor and City Clerk be authorized to execute an amendment to the Master Lease Agreement with the Tett Centre for Creativity and Learning, dated May 30, 2014, on terms and conditions satisfactory to the Director of Legal Services and the Commissioner, Corporate Services & Strategic Initiatives to amend the scope of the business plan for the Tett Centre for Creativity and Learning to include café-style food service as part of the facility operations; and

**That** Council direct staff to prepare an amendment to By-Law No. 2012-115, "A By-Law to Authorize an Agreement for the Provision of a Municipal Capital Facility at 370 King Street West, Kingston, Ontario" to allow for the café space to be deemed as separate from the rest of the facility and therefore subject to taxation; and

**That** Council direct staff to prepare an amendment to the Municipal Alcohol Policy to allow for a café-style food service to be operated as part of the J.K. Tett Centre subject to approval of an application of the Tett Centre for Creativity and Learning to the Alcohol and Gaming Commission of Ontario for a liquor sales licence as well as the undertaking of all required processes, including server training certification; and

**That** subject to the provisions of the Master Lease Agreement and on terms and conditions satisfactory to the Director of Legal Services and the Manager of Real Estate & Land Development, the Commissioner, Corporate Services & Strategic Initiatives be delegated the authority to approve an agreement between the Tett

Centre for Creativity and Learning and a prospective vendor for the operation of a café style food service subject to the following conditions:

- a. **That** the Tett Centre for Creativity and Learning submit a detailed business plan to the satisfaction of the Cultural Director that articulates how the combination of space rentals and food services will generate revenue while, at the same time, support the mission and mandate of the Tett Centre as a municipal facility for cultural purposes;
- b. **That** the agreement with the prospective vendor be required to align with the terms of the Master Lease Agreement;
- c. **That** the Tett Centre for Creativity and Learning only be allowed to proceed with the fit-out necessary only when it has been determined by the City that the space is no longer under the control of the project Contractor and the Director, Facilities Management & Construction Services and the Director, Legal Services, have confirmed that the warranties that exist would not be impacted by the work required to achieve all building and health permits and approvals;
- d. **That** the Tett Centre for Creativity and Learning submit detailed working drawings to the City for approval prior to the commencement of the construction in accordance with Section 11 of the Master Lease Agreement; and
- e. **That** the Tett Centre for Creativity and Learning be wholly responsible for all costs and risks, including insurance, associated with establishing a café-style food service and that the Tett Board be required to report back to Council through City staff as to the status of this endeavor each year as part of the annual reporting requirements.

(The Report of the Commissioner of Corporate & Strategic Initiatives (15-241) was attached to the agenda as Schedule Pages 15-28)  
(File Number CSU-R05-000-2015)

**Carried (12:0)**  
**(Clauses a) and c))**  
**(See Recorded Vote)**

YEAS: Councillor Allen, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: Deputy Mayor Boehme (1)

**Report Number 38: Received from the Chief Administrative Officer (Recommend)**

Moved by Councillor Turner  
Seconded by Councillor Holland

**That** Report Number 38: Received from the Chief Administrative Officer (Recommend) be received and adopted, clause by clause.

Report Number 38

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

**1. Fourth Quarter Operating Budget Report for 2014**

**That** Council receive the 2014 fourth quarter operating budget status report.

**That** the surplus generated from municipal operations in the amount of \$1,278,664 be allocated as follows:

- |   |            |
|---|------------|
| a. Police Equipment Capital Reserve Fund            | \$ 202,233 |
| b. Library Capital Reserve Fund                     | \$ 195,103 |
| c. Working Fund Reserve (in accordance with policy) | \$ 881,328 |

**That** the surplus generated from the municipal utilities operations in the amount of \$2,440,208 be allocated as follows:

- |                                    |              |
|------------------------------------|--------------|
| a. Water Capital Reserve Fund      | \$ 49,086    |
| b. Wastewater Capital Reserve Fund | \$ 308,286   |
| c. Municipal Capital Reserve Fund  | \$ 2,082,837 |

(The Report of the Chief Financial Officer and City Treasurer (15-203) was attached to the agenda as Schedule Pages 29-49)  
(File Number CSU-F05-000-2015)

**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Councillor Allen, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: Deputy Mayor Boehme (1)

**2. 2015 Budget Update – Agency and Board Requests**

**That** the final 2015 budget requests for County of Frontenac – Fairmount Home for the Aged, County of Frontenac – Land Ambulance Services and Cataraqui Region Conservation Authority, as reported herein, be received and approved; and

**That** the projected 2014 surplus associated with services provided by the County of Frontenac be allocated to the 2015 operating budget to close the budget gap of \$30,509.

(The Report of the Chief Financial Officer and City Treasurer (15-219) was attached to the agenda as Schedule Pages 50-58)  
(File Number CSU-F05-000-2015)



**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Councillor Allen, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)  
NAYS: (0)  
ABSENT: Deputy Mayor Boehme (1)

**3. Service Level Agreement with the Kingston Arts Council and Council Participation in the 2015 City of Kingston Arts Fund**

**That** the Mayor and Clerk be authorized to enter into a Service Level Agreement, in a form satisfactory to the Director of Legal Services, providing for administration of the City of Kingston Arts Fund in 2015 by the Kingston Arts Council; and

**That** Councillor Stroud and Councillor Neill (alternate) be appointed to participate in the jury Review Committee meeting scheduled for May 23 for the Operating Grants Review Committee for arts organizations; and

**That** Councillor Neill and Councillor Allen (alternate) be appointed to participate in the jury Review Committee meeting scheduled for May 24 for the Project Grants Review Committee for arts projects; and

**That** Annalee Adair, Manager, Community Engagement and Education, be appointed as the City staff member to participate in the two jury Review Committees as the designate for Colin Wiginton, Cultural Director.

(The Report of the Commissioner of Corporate & Strategic Initiatives (15-228) was attached to the agenda as Schedule Pages 59-99)

(File Number CSU-C12-000-2015)

**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Councillor Allen, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)  
NAYS: (0)  
ABSENT: Deputy Mayor Boehme (1)

**Report Number 39: Received from the Planning Committee**

Moved by Councillor Schell  
Seconded by Councillor George

**That** Report Number 39: Received from the Planning Committee be received and adopted.

Report Number 39

Council consented to the separation of Clause (1).

To the Mayor and Members of Council:

The Planning Committee reports and recommends as follows:

**1. Comprehensive Report Amenity Area Review Study - Final Report**

**That** Council receive the Kingston Amenity Area Review Study Final Report, dated January 2015, prepared by Dillon Consulting, attached as Exhibit A to Report PC-15-027; and

**That** the Kingston Amenity Area Review Study Final Report be forwarded to the 5 year Official Plan Update project team, and Comprehensive Zoning By-law review project team for consideration.

**Carried as Amended (12:0)**  
**(See Motion to Amend Which Was Carried)**  
**(See Recorded Vote)**

YEAS: Councillor Allen, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: Deputy Mayor Boehme (1)

Moved by Councillor M<sup>c</sup>Laren  
Seconded by Councillor Hutchison

**That** paragraph 1 be amended by deleting the word “endorse” and inserting the word “receive”.

**Carried (7:5)**  
**(See Recorded Vote)**

YEAS: Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Councillor Schell, Councillor Stroud (7)

NAYS: Councillor Allen, Councillor Candon, Councillor George, Mayor Paterson, Councillor Turner (5)

ABSENT: Deputy Mayor Boehme (1)

**2. Comprehensive Report Application for Zoning By-Law Amendment 771 Montreal Street**

**Whereas** Council having considered the matter, hereby determines that the changes in the applications as reflected in the amending Zoning By-Law as presented at the Public Meeting of January 15, 2015, are minor; and

**Whereas** Section 34(17) of the *Planning Act* provides for Council to determine if further notice is required when a change is made in a proposed by-law after the holding of a Public Meeting;

**Therefore Be It Resolved That** Council hereby determines that the giving of further notice is not required for the Zoning By-Law Amendment application for 771 Montreal Street, File Number D14-098-2014; and

**That** the application for Zoning By-Law Amendment (File Number D14-098-2014) submitted by the John Howard Society of Kingston, for the property municipally known as 771 Montreal Street, be approved; and

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

1. That the by-law be amended by **deleting** in its entirety Part VIII – Exception to the Various Zone Classifications (390), and **replacing** with a new Part VIII – Exceptions to the Various Zone Classifications (390) thereto as follows:

**“390. 771 Montreal Street**

Notwithstanding the provisions of Sections 5 and 14 hereof to the contrary, the lands designated ‘B1.390’ on Schedule ‘A’ hereto, the following regulations shall apply:

(a) Definitions:

For the purpose of the ‘B1.390’ zone, the following definitions shall apply:

(i) Transitional House:

A residential building containing a maximum of 15 dwelling units or habitation units within a facility where the individual is participating in assistance or counselling programs in a training and counselling centre located on the subject property. The residential building is subject to 24 hour supervision. A transitional house does not include a community home, recovery home or boarding house as defined in Zoning By-Law Number 8499.

(ii) Training And Counseling Centre:

A place where an individual can obtain assistance through the application of mental health, psychological or human development principles, through cognitive, affective, behavioural or systematic intervention strategies that address wellness, personal growth or career development and includes programs that are designed to bring an individual to an agreed standard of proficiency in a prescribed skill or trade.

(b) Additional Permitted Uses:

(i) Office use

(ii) Transitional house

(iii) Training and counselling centre

(c) Parking:

(i) The minimum required aggregate parking for a combined office, transitional house and training and

counselling centre shall be 13 parking spaces. For all other permitted uses the regulations of Section 5.3 shall apply.

(ii) Front yard parking is permitted for a combined office, transitional house and training and counselling centre.

(d) Bicycle Parking:

(i) A minimum of ten bicycle parking spaces in accordance with Section 4.7A shall be provided for a combined office, transitional house, and training and counselling centre.

(ii) A bicycle parking structure shall be located a minimum of 1.2 metres from a side lot line.

(e) Loading Facilities:

A loading bay is not required for a combined office, transitional house, and training and counselling centre. For all other permitted uses the regulations of Section 5.4 shall apply.

(f) Play Space:

There shall be no play space requirement for a combined office, transitional house, and training and counselling centre. For all other permitted uses the regulation of Section 5.27 shall apply.

(g) Minimum Floor Area:

The minimum floor area for a transitional house unit shall be 18.5 square metres.

(h) Minimum Rear Yard:

4.7 metres for an office, transitional house, and training and counselling centre.”

**That** the Amending By-Law be presented to City Council for all three readings. (By-Law Number (4), 2015-79 was attached to the agenda as schedule pages 100-103)

### **3. Comprehensive Report Application for Zoning By-Law Amendment 2192 - 2196 Swanfield Street**

**That** the application for Zoning By-Law Amendment, File Number D14-088-2014, submitted by Shannon Green, for the properties located at 2192 and 2196 Swanfield Street, be approved; and

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

1. Map 5 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from R2-27 to R2-43, as shown on Schedule “A” attached to and forming part of By-Law Number 2015-80.
2. By **Adding** a new subsection 13(3)(qq) thereto as follows:

**“(qq) R2-43 (2192 and 2196 Swanfield Street)**

Notwithstanding the provisions of Section 13 hereof to the contrary, the lands designated ‘R2-43’ on Schedule ‘A’ hereto, the following regulations shall apply:

**(a) Residential Uses:**

Single Detached Dwelling House;  
Semi Detached Dwelling House;  
Row Dwelling House;

**(b) Additional Permitted Uses:**

A Second Residential Unit.

**(c) Prohibited Uses:**

Garden Suite;  
Boarding House;  
Lodging House.

**(d) Lot Area (minimum):**

Single Detached Dwelling House	278 square metres
Semi Detached Dwelling House	557 square metres
Row Dwelling House	210 square metres

**(e) Lot Frontage (minimum):**

Single Detached Dwelling House	9.0 metres
Semi Detached Dwelling House	18.0 metres
Row Dwelling House	6.1 metres

**(f) Front Yard (minimum):**

6.0 metres

**(g) Interior Side Yard (minimum):**

Single Family Dwelling House	1.2 metres on one side and 0.6 metres on the other. The 0.6 metre side yard shall be required to about a 1.2 metre side yard on an adjacent property.
Semi Detached Dwelling House	1.2 metres
Row Dwelling House	1.2 metres

**(h) Rear Yard (minimum):**

6.0 metres

**(i) Dwelling Unit Area (minimum):**

80 square metres

**(j) Lot Coverage (maximum):** 50 percent

**(k) Driveways:**

Maximum driveway width shall be 6.0 metres or 60 percent of lot frontage, whichever is less.

**(l) Parking:**

(i) Required Parking Spaces: 1

(ii) Parking Space Requirements:

Minimum width of a parking space shall be 2.5 metres and the minimum length of a parking space shall be 6.0 metres.

**(m) Setback From Centre Line Of Road:**

Any building or structure shall be setback the minimum front yard depth or exterior side yard depth required for such use plus 9 metres to the centre line of the road.

**(n) Second Residential Unit**

(i) Second Residential Unit Area:

A second residential unit shall have a gross floor area not exceeding 40 percent of the gross floor area of the principal residential unit or 90 square metres, whichever is lesser. For the purposes of this provision, calculations for gross floor area shall refer to the total area of each floor, including finished attic spaces, whether located above, at, or below grade, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:

- (a) floor area occupied by mechanical, service and electrical equipment that serve the building;
- (b) an open porch or balcony; and
- (c) areas internal to the building that are intended for the storage of vehicles.

(ii) Second Residential Units Per Dwelling House

(maximum): 1 only

(iii) Access:

The second residential unit shall have separate access from that of the principal residential unit. Access shall be provided at the front of the building, or at the side or rear of the building where a minimum 1.2 metre wide unobstructed walkway from the front of the building to the access is provided.

(iv) Accessory Uses, Parking, Etc.:

(a) In addition to any other parking requirements, 1 parking space shall be provided for the second residential unit.

Notwithstanding anything to the contrary in this By-Law, the required parking may be provided through a tandem or stacked parking arrangement. The parking space location for the second residential unit shall meet the yard and driveway provisions of the zone;

- (b) An additional driveway shall not be permitted for a second residential unit; and

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

(By-Law Number (5), 2015-80) was attached to the agenda as schedule pages 104-109)

#### **4. Comprehensive Report Application for Zoning By-Law Amendment 705 King Street West**

**Whereas** Council having considered the matter, hereby determines that the changes in the application as reflected in the amending Zoning By-Law as presented at the Public Meeting of September 18, 2014, are minor; and

**Whereas** Section 34(17) of the *Planning Act* provides for Council to determine if further notice is required when a change is made in a proposed by-law after the holding of a Public Meeting; and

**Therefore Be It Resolved That** Council hereby determines that giving of further notice is not required for the Zoning By-Law amendment application for 705 King Street West, File Number D14-085-2014; and

**That** the application for Zoning By-Law amendment, File Number D14-085-2014, submitted by FoTenn Consultants Incorporated, on behalf of 1881401 Ontario Incorporated, for the property located at 705 King Street West, be approved; and

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

1.1. Map 28 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from A5 to A5.461, as shown on Schedule "A" attached to and forming part of By-Law Number 2015-81.

1.2. By **Adding** the following section 461 in Part VIII – Exceptions To Various Zone Classifications as follows:

**"461. 705 King Street West and 707 King Street West**

Notwithstanding the provisions of this By-Law hereof to the contrary, the lands designated 'A5.461' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Maximum Number of Dwelling Units Per Property: 3;
- (b) Minimum Lot Area: 450 square metres;
- (c) Minimum Lot Width: 10 metres;
- (d) Minimum Front Yard Setback
  - (i) 705 King Street West: 13.8 metres;

- (ii) 707 King Street West: 15.6 metres;
- (e) Minimum Aggregate Side Yard: 2.7 metres;
- (f) Minimum Setback for Accessory Buildings: 0 metres from side or rear lot line;
- (g) Access and Parking
  - (i) The minimum dimensions of the parking spaces shall be 2.6 metres by 5.2 metres;
  - (ii) The minimum width of a drive aisle is 6 metres; and
  - (iii) The minimum width for a driveway is 3.0 metres; and

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

(By-Law Number (6), 2015-81 was attached to the agenda as schedule pages 110-112)

## **5. Comprehensive Report Administrative Amendment to the Official Plan**

**That** the administrative amendment to the Official Plan (Our File Number PLA-D09-018-2014) be approved; and

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

1. The Official Plan for the City of Kingston is hereby amended by the following amendments, which shall constitute part of Amendment Number 29 to the Official Plan for the City of Kingston.
  - 1) Amend Section 2.4.2. by deleting the first sentence and replacing it with the following: "It is the intent of this Plan to be consistent with the policies of the Provincial Policy Statement."
  - 2) Amend Section 3.3.A.2. by deleting the words 'land uses include' and replace them with the words 'shall permit residential land uses such as but not limited to' in the policy so that it reads as follows: "Low density residential shall permit residential land uses such as but not limited to single detached dwellings, semi-detached dwellings, duplexes, triplexes and converted dwellings that have a density up to 30 units per net hectare of land, unless an approved secondary plan establishes alternative provisions."
  - 3) Relocate Section 3.4.A.6. and insert as a new Section 3.4.6.
  - 4) Renumber original Sections 3.4.6. to 3.4.17., inclusive to 3.4.7. to 3.4.18., inclusive.
  - 5) Amend Section 3.4.A.5. by adding an (s) to the word "Section" and referencing 3.4.G.7. Adding a comma after the word 'Plan' and adding the words 'where applicable' after the comma so that it now reads as: "New drive-through facilities are subject to the policies of Sections 3.4.G.7. and 10A.3.6. of this Plan, where applicable."
  - 6) Re-number Section 3.4.A.7. to Section 3.4.A.6.
  - 7) Amend Section 3.4.B.3. by replacing the section reference "3.4.10" in the last sentence with the section reference "3.4.11."



- 8) Amend Section 3.4.C.12. by replacing the section reference “3.4.10” in the last sentence with the section reference “3.4.11.”
- 9) Amend Section 3.4.D.3. by replacing the section reference “3.4.10” in the last sentence with the section reference “3.4.11.”
- 10) Amend Section 3.4.D.4. by replacing the section reference “3.4.10” in the second last sentence with the section reference “3.4.11.”
- 11) Amend Section 3.4.D.5.e. by replacing the section reference “3.4.17” with the section reference “3.4.18.”
- 12) Amend Section 3.4.D.9.c. by replacing the section reference “3.4.10” in the first sentence with the section reference “3.4.11.”
- 13) Amend Section 3.4.E.8. by replacing the section references to “3.4.10” and “3.4.11” in the first sentence with the section references “3.4.11.” and “3.4.12.”
- 14) Delete Section 3.4.G.1.b. in its entirety.
- 15) Renumber Sections “3.4.G.1.c. and 3.4.G.1.d.” as “3.4.G.1.b. and 3.4.G.1.c.”
- 16) Amend Section 3.4.G.7. by adding the reference “as per Section 2.7 of this Plan” following the word “compatibility” in the third sentence to read as follows: “Land use compatibility as per Section 2.7. of this Plan, parking, signage, landscaping and impacts on the streetscape and the pedestrian and vehicle environments will be key considerations in the review of new or expanding drive-through facilities.”
- 17) Amend Section 3.6.5. by adding the following: “c. In addition to subsections a. and b. above, if the proposed re-designation is to a commercial designation, then the following applies:
  - a Commercial Inventory Assessment, as described in Section 3.4.8. of this Plan, must be undertaken by the applicant to the satisfaction of the City; and
  - If the proposed commercial development is greater than 5,000 square metres and is outside the Central Business District, the applicant must satisfy the provisions of Section 3.4.9. of this Plan.”
- 18) Amend Section 3.13.2. by replacing the section reference “3.13.11” with the section reference “3.13.10.”
- 19) Amend Section 3.18.12. by replacing “Southwest” to “Northeast” in the margin notes.
- 20) Amend Section 3.18.47. by replacing the section reference “3.4.E” with the section reference “3.4.E.1.”
- 21) Amend Section 4.6.60. by replacing “an” to “a” in the second bullet to read: “the lack of parking space has a negative impact on the neighbourhood;”
- 22) Amend Section 10A.3.6. in the last sentence add an ‘s’ to Section and remove the word “Section” before 10A.6.4. and to read: “...policies of Sections 3.4.G.7., 3.4.17, 9 and 10A.6.4 of the Plan.”

2. The Official Plan for the City of Kingston is hereby amended by the following map changes, which shall also constitute part of Amendment Number 29 to the Official Plan for the City of Kingston.
  - 1) Amend Schedule 2, 'City Structure', Schedules 3-A, 'Land Use', and 3-D, 'Site Specific Policies' of the City of Kingston Official Plan to remove the railway symbol from the lands presently occupied by the K&P Trail, as shown on Schedules 'A', 'B' and 'C' to By-Law Number 2015-82.
  - 2) Amend Schedule 3-D, 'Site Specific Policies', of the City Official Plan to amend the Notes of the schedule by adding, "The Site Specific Policies associated with the Site Specific Policy Areas can be found within Section 3.18. For example, the Site Specific Policies for Site Specific Area 47 can be found in Section 3.18.47", as shown on Schedule 'C' to By-Law Number 2015-82.
  - 3) Amend Schedule 13, 'Detailed Planning Areas', of the City Official Plan to change the Schedule by changing the inset of Schedule 13 to amend the reference '11' to '12' and '10' to '11', as shown on Schedule 'D' to By-Law Number 2015-82
  - 4) Amend Schedule CN-1, 'Cataraqui North Neighbourhood', of the City Official Plan to identify Atkinson Street as a 'Major Road', as shown on Schedule 'E' to By-Law Number 2015-82.
  - 5) Amend Schedule RC-1, 'Rideau Community Secondary Plan', of the Official Plan to change the references in the Official Plan Amendments matrix by changing 'Baxter Farm' to '217 Gore Road' and the first 'Administrative Amendment' to 'Baxter Farm', as shown on Schedule 'F' to By-Law Number 2015-82.
  - 6) Amend Schedule RC-1, Rideau Community, of the City Official Plan to change the matrix and add the following note, "The Site Specific Policies associated with the Site Specific Policy Areas can be found within Section 10B.14. For example, the Site Specific Policies Area RC-1-2 can be found in Section 10B.14.2.", as shown on Schedule 'F' to By-Law Number 2015-82.
3. **That** the Official Plan Amendment be presented to City Council for all three readings.

(By-Law Number (7), 2015-82 was attached to the agenda as schedule pages 113-122)

**Carried (12:0)**  
**(Clauses (2) through (5))**  
**(See Recorded Vote)**

YEAS: Councillor Allen, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>o</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: Deputy Mayor Boehme (1)

## **Report Number 40: Received from the Municipal Heritage Committee**

Moved by Councillor Stroud  
Seconded by Councillor Schell

**That** Report Number 40: Received from the Municipal Heritage Committee be received and adopted.

Report Number 40

To the Mayor and Members of Council:

The Municipal Heritage Committee reports and recommends as follows:

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

### **1. Application for Heritage Permit under the Ontario Heritage Act - 155 Wellington Street**

**That** alterations to a designated property at 155 Wellington Street, be approved in accordance with details described in Application P18-393-012-2015, which was deemed complete on March 17, 2015, with the alterations to include the removal of the existing projecting sign, the installation of a new rectangular sign measuring a maximum of 2 feet by 9 feet with a dark green background and white lettering, centred above the stone archway which encircles the main entrance and located approximately 10 feet above the sidewalk; and

**That** the approval be subject to the following conditions:

1. The sign be positioned above the stone voussoir detailing around the archway entrance;
2. All installation work be completed in accordance with the City's Policy on Masonry Restoration in Heritage Buildings;
3. A building permit and sign permit is required;
4. That the applicant considers removing the multiple window signs currently within the archway entrance windows; and
5. The proposed sign may require an encroachment permit, which should be confirmed with the City's Engineering Department. The encroachment permit application can be found on the City website at [http://cityofkingston.ca/pdf/engineering/app\\_encroachment.pdf](http://cityofkingston.ca/pdf/engineering/app_encroachment.pdf)

### **2. Application for Heritage Permit under the Ontario Heritage Act - 74 Alwington Avenue**

**That** the proposed renovations of the designated property at 74 Alwington Avenue be approved, in accordance with details described in application P18-011-010-2015, which was deemed complete on March 24, 2015. The approval will include:

1. The demolition of the newer, rear one-storey addition;
2. The conversion of the existing west facing wall into an interior wall;

3. Construction of a new one-storey addition on the southwest corner of the existing house to extend the garage and living space, including;
  - a south-facing single hung sash window with four-over-four glazing pattern with wood frames and muntins;
  - a rear exit door to match colouring of windows and include matching wood muntins;
  - a four panelled door with 2 fixed panels and 2 sliding centre panels with a grille pattern similar to the existing first-storey windows on the Alwington Avenue façade;
  - conversion of a portion of the exterior west facing wall into an interior wall;
4. Covering and filling in the existing cellar steps underneath the proposed addition;
5. A rear yard wood deck measuring approximately 10 feet deep by 27 feet wide; and

**That** the approval be subject to the following ten conditions:

1. The applicant considers salvaging the west-facing rear window on the first storey of the building, to be removed as part of the addition, and incorporating this feature into the proposed addition;
2. That the applicant consider incorporating the existing rear, west-facing stone window sill, to be removed as part of the proposed demolition, into the new addition as a window sill or as an interior door threshold between flooring;
3. That the process of converting a portion of the rear west-facing wall into an interior wall and removing and converting the existing window into an interior door opening be documented photographically and submitted to heritage planning staff;
4. That any masonry repairs required as a result of the proposed demolition be conducted in accordance with the City's Policy on Masonry Restoration in Heritage Buildings;
5. Should the demolition or construction require the use of the City Right-of-Way, that an encroachment permit be obtained;
6. The exterior cladding be stucco in a subtly different finish texture and painted to match the olive green colour of existing trim and window frames;
7. All required building permits be obtained;
8. Any required *Planning Act* approval be obtained;
9. Should the side yard setback be less than 0.6 metres, the exterior siding on the west facing side of the addition must be a non-combustible material; and
10. The owners are to ensure that lot drainage does not adversely affect any neighboring properties during and post construction.

**3. Application for Heritage Permit under the Ontario Heritage Act - 155-159 Princess Street**

**That** alterations to a designated property at 155-159 Princess Street, be approved in accordance with details described in Application P18-290-017-2015, which was deemed complete on March 20, 2015, with said alterations to include the following:

1. Removal of the existing entrance door and large fixed display window (corner of Princess Street and Bagot Street) and replacement with the existing large fixed display window relocated from the centre of the Princess Street façade and new stone clad base to match existing;
2. Relocation of the existing large fixed display window at the centre of the Princess Street façade and replacement with a new metal frame entrance system with barrier free operator and new stone clad base to match existing;
3. Replacement of the existing painted wood access door and frame on Bagot Street; and
4. New second storey addition/enclosure at the rear of the building, constructed of fibre cement clad wood; and

**That** the approval of the alterations be subject to the following two conditions:

1. Any required building permits be obtained; and
2. An encroachment permit be obtained if the applicant needs to occupy the sidewalk (i.e. for scaffolding, ladders, garbage bins, etc.).

**4. Application for Heritage Permit and Grant - 48 Earl Street**

**That** alterations to the property at 48 Earl Street, be approved in accordance with the details described in Application P18-119-014-2015, which was deemed complete on March 20, 2015, with said alterations to include the following:

1. Deconstruction, reconstruction, repair and repointing of the rear yard stone wall, where needed along the property boundary between 48 Earl Street and 46 Earl Street; and
2. Addition of water protection through a cap/coping; and

**That** the approval of the alteration be subject to the following two conditions:

1. All masonry work shall be completed in accordance with the City's Policy on Masonry Restoration in Heritage Buildings; and
2. Any alterations to the existing drainage shall not adversely affect neighbouring properties; and

**That** Heritage Property Grant Application HG-03-2015 be provisionally approved, subject to the standard requirements pertaining to the completion of the works and the release of funding.

**5. Application for Heritage Permit and Grant - 46 Earl Street**

**That** alterations to the property at 46 Earl Street, be approved in accordance with the details described in Application P18-117-013-2015, which was deemed complete on March 20, 2015, with said alterations to include the following:

1. Deconstruction, reconstruction, repair and repointing of the rear yard stone wall, where needed; and
2. Renovation of exterior rear yard wooden shed in a similar size, design and colour; and

**That** the approval of the alteration be subject to the following two conditions:

1. All masonry work shall be completed in accordance with the City's Policy on Masonry Restoration in Heritage Buildings; and
2. Any alterations to the existing drainage shall not adversely affect neighbouring properties; and

**That** Heritage Property Grant Application HG-02-2015 be provisionally approved, subject to the standard requirements pertaining to the completion of the works and the release of funding.

**6. Application for Heritage Property Grant - 176 Mowat Avenue**

**That** the Heritage Property Grant application for the designated property at 176 Mowat Avenue, specifically with respect to the replacement of downspouts on the main dwelling only, be provisionally approved, subject to the standard requirements pertaining to the completion of the works and the release of funding, in accordance with details described in *Ontario Heritage Act* Permit Application P18-022-011-2015DA and Heritage Property Grant Application HG-01-2015.

**7. Application for Heritage Property Grant - 110 Collingwood Street**

**That** the Heritage Property Grant application for the designated property at 110 Collingwood Street be provisionally approved, subject to the standard requirements pertaining to the completion of the works and the release of funding, in accordance with details described in *Ontario Heritage Act* Permit Application P18-537-015-2015DA and Heritage Property Grant Application HG-04-2015.

**8. Application for Heritage Property Grant - 30 Sydenham Street**

**That** the Heritage Property Grant application for the designated property at 30 Sydenham Street, be provisionally approved, subject to the standard requirements pertaining to the completion of the works and the release of funding, in accordance with details described in *Ontario Heritage Act* Permit Application P18-359-016-2015DA and Heritage Property Grant Application HG-05-2015.

**9. Notice of Intention to Designate - 135 Clergy Street East**

**That** Council serve a Notice of Intention to Designate the property located at 135 Clergy Street East, as a property of cultural heritage value or interest pursuant to Section 29 of the *Ontario Heritage Act*, attached as Exhibit A to Report Number MHC-15-014; and

**That** should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within 30 days of the serving of the Notice of Intention to Designate, that Council approve the designation by-law for 135 Clergy Street East, attached as Exhibit B to Report Number MHC-15-014.

(Note: A copy of Exhibit A and B were attached to the agenda as Schedule Pages 123-127)

**(See By-Law Number (2), 2015-77)**

**10. Notice of Intention to Designate - 291-297 Princess Street**

**That** Council serve a Notice of Intention to Designate the property located at 291-297 Princess Street, as a property of cultural heritage value or interest pursuant to Section 29 of the *Ontario Heritage Act*, attached as Exhibit A to Report Number MHC-15-013; and

**That** should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within 30 days of the serving of the Notice of Intention to Designate, that Council approve the Designation By-Law for 291-297 Princess Street, attached as Exhibit B to Report Number MHC-15-013.

(Note: A copy of Exhibit A and B were attached to the agenda as Schedule Pages 128-132)

**(See By-Law Number (3), 2015-78)**

**11. Application for Heritage Permit under the Ontario Heritage Act - 232 King Street East, Proposed Old Sydenham HCD**

**That** alterations to the rear yard Coach House of the designated property at 232 King Street East, be approved in accordance with details described in Application P18-202-001-2015, which was deemed complete on January 23, 2015, with said alterations to include the following:

1. Repair of the large wooden double door (historic hay-loading door) on the upper floor;
2. Repair, as required, to the wooden sash windows on the second storey;
3. Replacement of the existing wooden garage doors on the first storey with tongue and groove vertical board face doors painted to match existing (three garage doors and one “person door”);
4. Creation of a new brick support column to the left of the “person door”;
5. Repair of brick masonry on the exterior walls as needed; and
6. Installation of two skylights in the roof and installation of roof vents as required.

**That** the approval of the alteration be subject to the following six conditions:

1. All required building permits be obtained;
2. Any required *Planning Act* approval be obtained;
3. That prior to replacement, the first level garage doors be documented photographically on the inside and out;
4. All masonry work shall be completed in accordance with the City's Policy on Masonry Restoration in Heritage Buildings;
5. The new brick support column match the existing brick in colour and profile to the extent possible; and

6. All window repairs shall be completed in accordance with the City's Policy on Window Renovations in Heritage Buildings.

**Carried (12:0)**  
**(Clauses (1) through (11))**  
**(See Recorded Vote)**

YEAS: Councillor Allen, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: Deputy Mayor Boehme (1)

**Report Number 41: Received from the Administrative Policies Committee**

Moved by Councillor Stroud

Seconded by Councillor Candon

**That** Report Number 41: Received from the Administrative Policies Committee be received and adopted.

Report Number 41

To the Mayor and Members of Council:

The Administrative Policies Committee reports and recommends as follows:

**1. Tax Write Offs Pursuant to the Municipal Act, 2001**

**That** Council approve the cancellation, reduction or refund of taxes pursuant to applications made under Sections 357 and 358 of the *Municipal Act, 2001* totaling \$80,662.32 of which \$45,749.91 is the City's portion and the amounts charged back to the school boards and Downtown Kingston! BIA are \$30,065.59 and \$4,846.82 respectively, as listed in Exhibit A attached to Report AP-15-010.

(Note: A copy of Exhibit A to Report AP-15-010 was attached to the agenda as Schedule Pages 133-135).

**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Councillor Allen, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: Deputy Mayor Boehme (1)



## **Report Number 42: Received from the Municipal Accessibility Advisory Committee**

Moved by Councillor Holland  
Seconded by Councillor Candon

**That** Report Number 42: Received from the Municipal Accessibility Advisory Committee be received and adopted.

Report Number 42

To the Mayor and Members of Council:

The Municipal Accessibility Advisory Committee reports and recommends as follows:

### **1. MAAC Working Groups**

**That** the Transportation Working Group and the Communication & Employment Working Group of the Municipal Accessibility Advisory Committee be disbanded; and

**That** the Built Environment Working Group mandate be updated as described in MAAC Report Number 15-007, as amended; and

**That** a new "Awareness and Education" Working Group be established with a mandate as described in MAAC Report Number 15-007, as amended.

(The Report of the Municipal Accessibility Advisory Committee (MAAC-15-007) was attached to the agenda as schedule pages 136-142).

**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Councillor Allen, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>o</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: Deputy Mayor Boehme (1)

### **Information Reports**

#### **1. Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of February 2015**

This information report provides Council with details of purchases greater than \$50,000 that meet the established criteria of delegated authority as well as contracts awarded by senior staff between the \$20,000 and \$50,000 level for the month of February, 2015.

(The Report of the Chief Financial Officer and City Treasurer (15-202) was attached to the agenda as Schedule Pages 143-150)  
(File Number CSU-F18-000-2015)

## 2. **Waste Recycling Strategy Update**

This information report provides a summary of the accomplishments in 2014, as well as an outline of goals and initiatives for 2015.

(The Report of the President and CEO of Utilities Kingston (15-227) was attached to the agenda as Schedule Pages 151-175)  
(File Number CSU-E07-001-000-2015)

## 3. **Heritage Resource Centre Pilot Project**

This information report is to provide Council with an update regarding the Heritage Resource Centre pilot project and to outline the move of the Centre to a more prominent and easily accessible location in the Marketview Wing, main level of Kingston City Hall, on a long term basis. The main purpose of the Heritage Resource Centre moving forward will be to make staff and resources available to improve education and customer services related to Kingston's cultural heritage.

(The Report of the Commissioner of Community Services (15-232) was attached to the agenda as Schedule Pages 176-181)  
(File Number CSU-A19-000-2015)

## 4. **Q1 Report on Agreements Executed under Delegated Approval and Signing Authority**

This information report will provide Council with a broader understanding of the type and number of agreements that are involved under delegated authority approval and execution process. It is staff's intent to report quarterly with this information with this report covering the first quarter of 2015.

(The Report of the Commissioner of Community Services (15-235) was attached to the agenda as Schedule Pages 182-197)  
(File Number CSU-L04-000-2015)

## **Information Reports from Members of Council**

None

## **Miscellaneous Business**

- 1) Moved by Councillor Schell  
Seconded by Councillor Turner

**That** the resignation of Ms. Anne Helsby-Scouten from the Appeals Committee be received with regret.

**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Councillor Allen, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: Deputy Mayor Boehme (1)

- 2) Moved by Councillor George  
Seconded by Councillor Osanic

**That** the resignation of Mr. Harry P. Cleghorn, from the CRCA-Lemoine Point Advisory Committee be received with regret.

**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Councillor Allen, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: Deputy Mayor Boehme (1)

- 3) Moved by Councillor Allen  
Seconded by Councillor Neill

**That** as requested by The Rotary Club, The Canadian Dental Association and The Khan Foundation for Children, Council proclaim April 2015 as “Oral Health Month” in the City of Kingston

**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Councillor Allen, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: Deputy Mayor Boehme (1)

### **New Motions**

1. Moved by Councillor Osanic  
Seconded by Councillor Turner

**Whereas** residents in the City of Kingston have expressed concerns regarding the transportation of crude oil in rail cars travelling on the CN major rail line through the city due to the recent derailments of trains carrying crude oil in 2015 in Canada and the U.S. that sparked major fires, polluted waterways, and forced evacuations in some towns; and

**Whereas** the Transportation Safety Board in Canada has announced concerns about Transport Canada’s planned implementation timeline of a 10-year phased-in retrofit replacement schedule (by 2025) for the existing tank cars on the rail lines today; and

**Whereas** the U.S. Department of Transportation is proposing enhanced tank car standards in half that time

**Therefore Be It Resolved That** the Kingston City Council respectfully requests that Transport Canada roll out the new tank car standards in Canada as

concurrent to the timeline of the U.S. Department of Transportation as possible;  
and

**That** Council requests that Transport Canada and the rail industry implement significant safety enhancements that address train speed and rail track infrastructure, inspections and maintenance to help avoid future derailments; and

**That** this Resolution be circulated to Kingston and the Islands MP, Ted Hsu; Federal Minister of Transportation, Lisa Raitt; Liberal transport critic David McGuinty; NDP transport critic Hoang Mai; Kingston and Islands MPP, Sophie Kiwala; the municipalities along the CN/CP railway corridor in Eastern Ontario: Cornwall, Township of South Stormont, Brockville, Front of Yonge, Gananoque, Loyalist Township, Greater Napanee, Belleville, Quinte West, Brighton, Cobourg, Port Hope, Oshawa, Pickering, Ajax, and Toronto; and the Association of Municipalities of Ontario, Senior Advisor, Craig Reid.

**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Councillor Allen, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: Deputy Mayor Boehme (1)

### **Notices of Motion**

1. Moved by Councillor Holland  
Seconded by Councillor Osanic

**Whereas** Fort Henry Investments Limited has applied for a zoning by-law amendment for the purpose of developing a business park and commercial development at 1122 John Counter Boulevard (File #D14-093-2014); and

**Whereas** concern was expressed by residents at the Public Meeting conducted December 4, 2014 in respect to numerous site plan issues such as noise, fencing, separation distance, garbage placement, lighting, and landscaping; and

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

**Whereas** this procedure will provide transparency and allow the details to be debated in a public forum;

**Therefore Be It Resolved That** the site plan control application for 1122 John Counter Boulevard by Fort Henry Investments Limited be “bumped up” to the Planning Committee.

## Minutes

Moved by Councillor Turner  
Seconded by Councillor George

**That** the Minutes of City Council Meeting Number 2015-11 held Tuesday March 24, 2015 and Wednesday March 25, 2015 and 2015-12 held Tuesday April 7, 2015 be confirmed.

**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Councillor Allen, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)  
NAYS: (0)  
ABSENT: Deputy Mayor Boehme (1)

## Tabling of Documents

- 2015-73 Kingston Police Services Board  
Meeting Agenda – April 16, 2015 & Minutes – March 19, 2015  
(File Number CSU-P17-000-2015)
- 2015-74 Downtown Kingston! BIA  
Meeting Minutes – March 11, 2015  
(File Number CSU-A01-001-2015)

## Communications

### Filed

Council consented to the addition of Communication Number 13-259.

- 13-250 From Heather Morrison, Deputy Clerk, Records Manager, Grey County, acknowledging receipt of our correspondence with respect to the motion to amend legislation regarding new multi residential property tax classes.  
(File Number CSU-F22-000-2015)
- 13-252 From Kingston Brewing Company, application for retail store (brewery) authorization from the Alcohol and Gaming Commission of Ontario for an establishment located at 34 Clarence Street.  
(File Number CSU-P09-000-2015)
- 13-253 From Red House West, application for a liquor licence from the Alcohol and Gaming Commission of Ontario for an establishment located at 629 Fortune Crescent.  
(File Number CSU-P09-000-2015)

- 13-254 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 125 Hillendale Avenue, the Committee decided that the application **Should be Provisionally Approved**, subject to conditions. The final date for appeal is April 21, 2015.

#### Referred to All Members of Council

- 13-242 From Sharon Way, with respect to concerns regarding Valour District.  
(Distributed to all Members of Council on April 17, 2015)  
(File Number CSU-D18-000-2015)
- 13-245 From Frank Armstrong, Professor, St. Lawrence College, with respect to the proposed closure of current KCVI School.  
(Distributed to all Members of Council on April 17, 2015)  
(File Number CSU-R07-000-2015)
- 13-246 From Eleanor Beach, with respect to the fates of QECVI, KCVI, and a proposed new school.  
(Distributed to all Members of Council on April 17, 2015)  
(File Number CSU-R07-000-2015)
- 13-248 From Krista Fazackerley, Communications Coordinator, Cataraqui Region Conservation Authority (CRCA), with respect to CRCA Watershed Conditions Statement – Flood Outlook.  
(Distributed to all Members of Council on April 17, 2015)  
(File Number CSU-R07-000-2015)
- 13-249 From Krista Fazackerley, Communications Coordinator, Cataraqui Region Conservation Authority (CRCA), with respect to CRCA Issues - Flood Watch - Upper Beverley Lake & Singleton Lake  
(Distributed to all Members of Council on April 17, 2015)  
(File Number CSU-R07-000-2015)
- 13-251 From Angela Bischoff and Jack Gibbons, Ontario Clean Air Alliance, regarding an open letter to Premiers Couillard and Wynne.  
(Distributed to all Members of Council on April 17, 2015)  
(File Number CSU-R07-000-2015)
- 13-255 From the Rotary Club, The Canadian Dental Association and The Khan Foundation for Children, asking that Council proclaim April 2015 as “Oral Health Month” in the City of Kingston.  
(File Number CSU-M10-000-2015)  
(See Miscellaneous Business Item Number (3)  
(Distributed to all Members of Council on April 17, 2015)
- 13-256 From the Association of Municipalities Ontario (AMO) regarding an upcoming AMO Councillor Training Session.  
(File Number CSU-C00-000-2015)  
(Distributed to all Members of Council on April 17, 2015)

- 13-257 From the Association of Municipalities Ontario (AMO) regarding Cap and Trade System to Reduce Greenhouse Gases.  
(File Number CSU-E11-000-2015)  
(Distributed to all Members of Council on April 17, 2015)
- 13-259 From Lorie and Tim Rendell, with respect to the Proposed Zoning By-Law Amendment – 1122 John Counter Boulevard (D14-093-2014)  
(Distributed to all Members of Council on April 21, 2015)  
(File Number CSU-D14-000-2015)

### Referred to City Clerk

- 13-258 From The Ontario Lung Association, asking that Council proclaim May 5 2015 as “World Asthma Day” in the City of Kingston.  
(File Number CSU-M10-000-2015)  
(Distributed to all Members of Council on April 17, 2015)

### Other Business

None

### By-Laws

- a) Moved by Councillor Turner  
Seconded by Councillor Allen

**That** By-Laws (1) through (7) and (9) be given their first and second reading.

**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Councillor Allen, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: Deputy Mayor Boehme (1)

- b) Moved by Councillor Turner  
Seconded by Councillor Candon

**That** By-Laws (4) through (9) be given their third reading.

**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Councillor Allen, Councillor Candon, Councillor George, Councillor Holland, Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic, Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: Deputy Mayor Boehme (1)

- (1) A By-Law to Amend By-Law 2004-144, "A By-Law to Regulate Animals".  
First and Second Readings Proposed Number 2015-76  
**(See Clause (b), Report Number 37)**
- (2) A By-Law to Designate 135 Clergy Street East to be of Cultural Heritage Value and Interest pursuant to the Provisions of the *Ontario Heritage Act* (R.S.O. 1990, 0.18)  
First and Second Readings Proposed Number 2015-77  
**(See Clause (9), Report Number 40)**
- (3) A By-Law To Designate 291-297 Princess Street to be of Cultural Heritage Value and Interest pursuant to the Provisions of the *Ontario Heritage Act* (R.S.O. 1990, 0.18)  
First and Second Readings Proposed Number 2015-78  
**(See Clause (10), Report Number 40)**
- (4) A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Zone Changes to Special Multiple Family Dwelling Zone 'B1.390', 771 Montreal Street)  
Three Readings Proposed Number 2015-79  
**(See Clause (2), Report Number 39)**
- (5) A By-Law to Amend By-Law Number 76-26, "A By-Law to Regulate the use of lands and the Character, Location and use of Buildings and Structures in The Township of Kingston" (Zone Change from R2-27 to R2-43, 2192 and 2196 Swanfield Street)  
Three Readings Proposed Number 2015-80  
**(See Clause (3), Report Number 39)**
- (6) A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Zone Change from A5 to A5.461, 705 King Street West)  
Three Readings Proposed Number 2015-81  
**(See Clause (4), Report Number 39)**
- (7) A By-Law to Amend the Official Plan for the City of Kingston Planning Area (Amendment Number 29, known municipally as the City of Kingston)  
Three Readings Proposed Number 2015-82  
**(See Clause (5), Report Number 39)**
- (8) A By-Law to Approve the Renaming of an Existing Public Road from Douglas Avenue (Southern Portion) to Newton Place, City of Kingston, County of Frontenac.  
Third Reading Proposed Number 2015-71  
**(See Report (33), Clause (a))**  
**(City Council Meeting Number 2015-12)**
- (9) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, April 21, 2015  
Three Readings Proposed Number 2015-83  
**(City Council Meeting Number 2015-13)**



## Adjournment

Moved by Councillor George  
Seconded by Councillor Hutchison

**That** Council do now adjourn.

**Carried (12:0)**  
**(See Recorded Vote)**

YEAS: Councillor Allen, Councillor Candon, Councillor George, Councillor Holland,  
Councillor Hutchison, Councillor M<sup>c</sup>Laren, Councillor Neill, Councillor Osanic,  
Mayor Paterson, Councillor Schell, Councillor Stroud, Councillor Turner (12)

NAYS: (0)

ABSENT: Deputy Mayor Boehme (1)

Council adjourned at 8:33 pm.

(Signed)

John Bolognone  
City Clerk

Bryan Paterson  
Mayor