



## City Council Meeting

Tuesday, January 27, 2015 at 6:30 pm  
in the Council Chamber at City Hall.

Council will resolve into the Committee of the Whole  
“Closed Meeting” and will reconvene  
as regular Council at 7:30 p.m.

## Contents

|   |    |
|---|----|
| Call Meeting to Order   | 2  |
| Roll Call   | 2  |
| The Committee Of The Whole “Closed Meeting”   | 2  |
| Approval of Addeds  | 2  |
| Disclosure of Potential Pecuniary Interest  | 2  |
| Presentations   | 2  |
| Delegations   | 2  |
| Briefings   | 3  |
| Petitions   | 3  |
| Motions of Congratulations, Recognition, Sympathy, Condolences and Speedy Recovery                    | 3  |
| Motions of Congratulations  | 3  |
| Deferred Motions  | 3  |
| Reports   | 4  |
| Report Number 10: Received from the Chief Administrative Officer (Consent)                            | 4  |
| Report Number 11: Received from the Chief Administrative Officer (Recommend)                          | 7  |
| Report Number 12: Received from the Planning Committee  | 9  |
| Report Number 13: Received from the Environment, Infrastructure and Transportation Policies Committee | 28 |
| Report Number 14: Received from the Municipal Heritage Committee                                      | 29 |
| Information Reports   | 31 |
| Information Reports from Members of Council   | 31 |
| Miscellaneous Business  | 31 |
| New Motions   | 32 |
| Notices of Motion   | 33 |
| Minutes   | 33 |
| Tabling of Documents  | 34 |
| Other Business  | 36 |
| By-Laws   | 36 |

(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 “In Camera” to consider the following items:
  - a) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – OMB Appeal – 495-513 Frontenac Street.
  - 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 – OMB Appeal - Casino

**Approval of Addeds**

**Disclosure of Potential Pecuniary Interest**

**Presentations**

**Delegations**

- 1) Jana Mareckova will appear before Council to speak to Motion 2, with respect to the Inclusion of all Permanent Residents who have resided in Kingston as eligible for appointment to City Committees.
- 2) Sabah Jalam and Farah Coppee will appear before Council to speak to Motion 3, with respect to the City of Kingston encourages the Province of Ontario expanding the rights of permanent residents to vote in Ontario Municipal Elections.
- 3) Stephanie Abrams, ATS Project Lead/Recruitment Advisor with Kingston General Hospital will appear before Council to speak to Report Number 15-152 – Kingston Transit – Employer Group Pass – 250+ Employee Rate.

## **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 Paterson  
Seconded by Councillor Holland

**That** the congratulations of Kingston City Council be extended to Anthony Agostino on being sworn in as the 2015 Chair of the Board for the Kingston Chamber of Commerce. Anthony is the President and CEO of Viva Productions and has been a member of the Chamber and its board for several years. We wish Anthony the best of luck in his term as chair.

- 2) Moved by Mayor Paterson  
Seconded by Councillor Boehme

**That** the congratulations of Kingston City Council be extended to Arthur Milnes, the City's Official Sir John A. Macdonald Bicentennial Ambassador, on being elected to the College of Fellows of the Royal Canadian Geographical Society (RCGS). The RCGS was established in 1929 with a mandate to make Canada better known to Canadians and to the world. Congratulations Arthur!

### **Motion of Condolences**

- 3) Moved by Mayor Paterson  
Seconded by Councillor Allen

**That** the condolences of Kingston City Council be extended to the friends and family of Vince Garofalo, who passed away on January 7, 2015. Vince was a long time business owner in Kingston and will be greatly missed by his many family and friends.

## **Deferred Motions**

## Reports

### **Report Number 10: Received from the Chief Administrative Officer (Consent)**

Report Number 10

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

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

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

**a) Amending Agreement to the New Municipal Hazardous or Special Waste Services Agreement with Stewardship Ontario**

**That** the City of Kingston enter into an Amending Agreement concerning the New Municipal Hazardous or Special Waste Services Agreement with Stewardship Ontario; and

**That** Council authorize the Mayor and Clerk to execute the Amending Agreement in a form satisfactory to the Director of Legal Services.

(The Report of the President and CEO of Utilities Kingston (15-146) is attached as Schedule Pages 1-4)

(File Number CSU-P04-000-2015)

**b) Cartegraph Unlimited Licence Agreement**

**That** the Engineering Department be authorized to sole source, pursuant to Purchasing By-Law 2000-134, software licensing and annual support and maintenance with Applied Geologies Inc., the sole Canadian vendor of Cartegraph software, in the average amount of \$92,647 per year for four years covering 2015-2018, plus applicable taxes.

**That** Council direct the Mayor and Clerk to execute any agreement in a form to the satisfaction of the Legal Services Department and any other documentation with Applied Geologies Inc. required to finalize this procurement.

(The Report of the President and CEO of Utilities Kingston (15-154) is attached as Schedule Pages 5-9)

(File Number CSU-A23-000-2015)

**c) Award of Contract – One Multifunctional Compact Urban Sweeper**

**That** Cubex Limited be awarded the contract for the purchase of one 2014 model year, multifunctional compact urban sweeper (RFP F31-TPES-TS-FL-2014-19) for the total purchase price of \$185,726 plus applicable taxes; and

**That** the Commissioner of Transportation, Facilities, and Emergency Services be authorized to execute the required agreements, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Transportation, Facilities and Emergency Services (15-147) is attached as Schedule Pages 10-13)

(File Number CSU-V00-000-2015)

**d) Award of Contract – Two Half-Ton Extended Cap Pickup Trucks**

**That** Humberview Trucks be awarded the contract for the purchase of two half-ton extended cab pickups (RFP F31-TPES-TS-FL-2014-20) for the total purchase price of \$44,150 plus applicable taxes; and

**That** the Commissioner of Transportation, Facilities, and Emergency Services be authorized to execute the required agreements, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Transportation, Facilities and Emergency Services (15-149) is attached as Schedule Pages 14-17)

(File Number CSU-V00-000-2015)

**e) Award of Contract – One Three Quarter Ton Cargo Van**

**That** Petrie Ford be awarded the contract for the purchase of one three-quarter-ton cargo van (RFP F31-TPES-TS-FL-2014-22) for the total purchase price of \$27,177 plus applicable taxes; and

**That** the Commissioner of Transportation, Facilities, and Emergency Services be authorized to execute the required agreements, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Transportation, Facilities and Emergency Services (15-150) is attached as Schedule Pages 18-21)

(File Number CSU-V00-000-2015)

**f) Award of Contract – One Midsize Hybrid Hatchback Car**

**That** Petrie Ford be awarded the contract for the purchase of one midsize hybrid hatchback car (RFP F31-TPES-TS-FL-2014-21) for the total purchase price of \$25,114 plus applicable taxes; and

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**That** the Commissioner of Transportation, Facilities, and Emergency Services be authorized to execute the required agreements, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Transportation, Facilities and Emergency Services (15-151) is attached as Schedule Pages 22-25)

(File Number CSU-V00-000-2015)

**g) Kingston Transit – Employer Group Pass – 250+ Employee Rate**

**That** a by-law be presented to amend By-Law 2005-10 “A By-Law to Establish Fees and Charges to be Collected by the Corporation of the City of Kingston”, as amended, in order to establish an Employer Group Pass rate of \$50 per month for employers with more than 250 employees participating in the Employer Group Pass program; and

**That** the by-law be given three readings to ensure the new rate is available for February 1, 2015.

**(See By-Law Number (3), 2015-21)**

(The Report of the Commissioner of Transportation, Facilities and Emergency Services (15-152) is attached as Schedule Pages 26-31)

(File Number CSU-T03-000-2015)

**h) Brownfield Property Tax Financial Assistance - 1880551 Ontario Inc - 720 Princess Street**

**That** Council approve the application by 720 Princess Street for Tax Increment-Based Rehabilitation Grant Program (TIRGP) assistance to an upset limit of \$360,000 as described within Report to Council 15-155; and

**That** staff be directed to negotiate a Brownfields Site Agreement with the developer in a form satisfactory to the Director of Legal Services; and

**That** the Mayor and Clerk be authorized to execute the Agreement.

(The Report of the Commissioner of Corporate & Strategic Initiatives (15-155) is attached as Schedule Pages 32-40)

(File Number CSU-E05-001-2015)

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**Report Number 11: Received from the Chief Administrative Officer (Recommend)**

Report Number 11

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

**1) Options to Assist the Marine Museum of the Great Lakes with the Federal Divestiture of Property by Public Works and Government Services Canada (PWGSC)**

1. **That** City staff be directed to research and prepare options that would assist the Marine Museum on a long term basis including:
  - a. supporting any future development to allow the Museum to remain in the current location through:
    - i. application of the City's Brownfield Community Improvement Plan;
    - ii. provision of an information package for potential developers to provide information regarding the existing zoning, official plan and heritage designations on the property; and
    - iii. negotiation of bonusing rights under the site plan process such as allowing enhanced building height in exchange for aspects of community benefit.
  - b. use of other benefits incentives to allow the Museum to remain in the current location including through to the Municipal Capital Facility regulation under the Municipal Act, 2001 in the form of tax deferrals, rebates, development charges or other criteria.
  - c. identification of alternate sites for the Marine Museum to operate if it is required to relocate.
  
2. **That** the City prepare a letter to PWGSC formally requesting:
  - a. postponement of the 31 January 2015 deadline;
  - b. that the Marine Museum be provided longer notice to vacate the site given the national significance of the archives and collections and that the notice extend beyond December 31, 2015;
  - c. consideration for the property sale process that would give preference to a developer/purchaser who will remediate the property or other conditions as outlined in Report 15-141 that would assist the Marine Museum of the Great Lakes to continue operations;
  - d. that, if the Marine Museum is required to relocate, PWGSC provide costs of relocation or disposition of the Alexander Henry;
  - e. that, if the Marine Museum is required to relocate, PWGSC provide costs for transfer of archival resources;
  - f. assurances that any potential purchaser will undertake shoreline restoration and environmental remediation;

- g. assurances that any potential purchaser will undertake development of the site within a reasonable timeframe and in accordance with the City's goals for waterfront development including providing public access; and
    - h. that the Marine Museum of the Great Lakes be consulted regarding these and any other considerations.
- 3. **That** Council approve:
  - a. emergency funding of up to \$50,000 to be funded from the Working Fund Reserve to assist the Marine Museum with the preparation of a plan in the event they are required to vacate their current location within the 120 days' notice provided by Public Works and Government Services Canada or at the end of December 2015 and that City staff work with the Marine Museum Board to identify alternatives for relocating the Museum; and
  - b. That, if required pursuant to 3a above, the Mayor and Clerk be authorized to sign an emergency funding agreement with the Marine Museum Board to the satisfaction of the Director of Legal Services and Commissioner of Corporate and Strategic Initiatives.

(The Report of the Commissioner of Corporate & Strategic Initiatives (15-141) is attached as Schedule Pages 41-68)  
(File Number CSU-L18-000-2015)



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**Report Number 12: Received from the Planning Committee**

Report Number 12

To the Mayor and Members of Council:

The Planning Committee reports and recommends as follows:

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

**1. Comprehensive Report Application for Zoning By-Law Amendment 94-96 College Street File Number: D14-090-2014 Applicant: Michael and Mary Ellen Greenwood**

**That**, the application for Zoning By-Law Amendment (Our File Number D14-090-2014) submitted by Michael and Mary Ellen Greenwood, for the properties located at 94 and 96 College Street, **Be Approved**; and

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

1.1. Map 26 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from 'A' to 'A.459', as shown on Schedule "A" attached to and forming part of By-Law Number 2015-22.

1.2. Map 26 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from 'A' to 'A.460', as shown on Schedule "A" attached to and forming part of By-Law Number 2015-22.

1.3. By **Adding** a new subsection 459 to Part VIII - Exceptions To Various Zone Classifications thereto as follows:

**"459. (94 College Street)**

Notwithstanding any provisions of Sections 5 and 6 hereof to the contrary, the lands designated 'A.459' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Existing Six Unit Multiple Family Dwelling:
  - (i) Minimum Lot Area: 1,270 square metres;
- (b) Existing Accessory Building:
  - (i) Minimum Rear Yard: 0 metres;
  - (ii) Maximum Floor Area: 135 square metres."

1.4. By **Adding** a new subsection 460 to Part VIII - Exceptions To Various Zone Classifications thereto as follows:

**"460. (96 College Street)**

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Notwithstanding any provisions of Sections 5 hereof to the contrary, the lands designated 'A.460' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Existing Accessory Building:
  - (i) Minimum Side Yard: 0 metres;
  - (ii) Maximum Floor Area: 35 square metres."

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

(Note: A copy of the draft by-law is attached as Schedule Pages 69-71)

**(See By-Law Number (4), 2015-22)**

**2. Comprehensive Report Application for Zoning By-Law Amendment and Draft Plan of Subdivision 2700 Delmar Street File Number: D14-064-2014 Applicant: 976653 Ontario Inc.**

**That** the application for Zoning By-Law Amendment (File: D14-064-2014), submitted by McIntosh Perry Consulting Engineers Ltd., on behalf of 976653 Ontario Inc., for the property municipally known as 2700 Delmar Street, **Be Approved**; and

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

- 1.0. Map 3 of Schedule "A", as amended, is hereby further amended by deleting the Development 'D' Zone symbol of the subject site, as shown on Schedule "A" attached to and forming part of By-Law No. 2015-23; and

**That** it be recommended to Council that the Cataraqui North Zoning By-Law No. 97-102, as amended, be further amended as follows:

- 2.0. Map 1 of Schedule "A", as amended, is hereby further amended by adding the Low Density Residential 'LDR' Zone symbol to the subject site, as shown on Schedule "A" attached to and forming part of By-Law No. 2015-23.

**That** the Amending By-Law be presented to City Council for all three Readings; and

**That** it be recommended to Council that the application for Draft Plan of Subdivision (file: D12-016-2014), submitted by McIntosh Perry Consulting Engineers Ltd., on behalf of 976653 Ontario Inc., for the property municipally known as 2700 Delmar Street, **Be Approved**; and

**1. Approved Draft Plan:**

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That this approval applies to the Draft Plan of Subdivision, prepared by Leslie M. Higginson Surveying Ltd., dated November 24, 2014 which shows the following:

- 44 residential lots (Lots 1-44)
- 1 block for parkland dedication (Block 45);
- 2 residential blocks (Blocks 46-47);
- 4 0.3 metre reserves (Blocks 48-51); and
- 3 new roadways (Delmar Street, Augusta Drive, Celeste Drive).

**2. Streets and Civic Addressing:**

- (a) **That prior to Final Plan Approval**, access to the subdivision must be obtained from a public highway.
- (b) That the road allowances included in this Plan shall be shown and dedicated as public highways.
- (c) That the road allowances within the Plan shall be designed in accordance with the City's engineering standards and shall be dedicated to the City free of all charge and encumbrances. The streets, lots and blocks shall be designed to coincide with the development pattern on adjacent properties.
- (d) **That prior to Final Plan Approval**, the Owner shall provide confirmation that civic addresses have been assigned to the proposed lots and blocks by the City's Planning and Development Division, in accordance with the City's Civic Addressing and Road Naming By-Law. The Owner shall be advised that the civic addresses are tentative until such time that the final plan is registered and the final lot layout has been confirmed.
- (e) That for lots with more than one road frontage, the lots will be addressed on the road frontage on which primary vehicular access is situated. Prior to applying for a building permit the Owner shall confirm with the Planning and Development Division the appropriate road frontage where primary vehicular access is to be provided and shall confirm the approved civic address in order to comply with the City's Civic Addressing and Road Naming By-Law and emergency response requirements.
- (f) That the Owner shall agree that the location and design of any construction access shall be approved by the City and/or the appropriate authority.

**3. Reserves and Easements:**

- (a) That any dead end or open side of a road allowance within the Plan shall be terminated in a 0.3 m reserve to be conveyed to the City free of all charges and encumbrances.
- (b) **That prior to Final Plan Approval**, any required daylighting triangles shall be conveyed to the City free of all charges and encumbrances.
- (c) That a parkland block shall be conveyed to the City of Kingston for park purposes, in a condition satisfactory to the City of Kingston and at no cost to the City of Kingston, and shall be fenced to the satisfaction of the City. **Prior to Final Plan Approval**, the City of Kingston will confirm parkland conveyance.

**4. Financial Requirements:**

- (a) That the Owner agrees in writing to satisfy all the requirements, financial and otherwise, of the Municipality concerning all provisions of municipal services but not limited to including fencing, lighting, landscaping, sidewalks, roads, installation of underground services, provisions of drainage and noise mitigation where required.
- (b) **That prior to Final Plan Approval**, the Owner shall submit for the Municipality's approval a detailed breakdown of the construction costs for the works associated with the development of this Plan, including any cash surcharges or special levies. The construction costs shall be prepared and stamped by a professional engineer. The cost estimate shall be submitted in the Municipality's standard format for incorporation into both the Pre-Servicing and Subdivision Agreements.
- (c) That the Owner shall bear the expense of all off site works resulting from the approved public works design where such works are not subsidized under the Policies and By-Laws of the Municipality.
- (d) That the Owner agrees to reimburse the Municipality for the cost of any Peer Reviews of the Studies / Reports submitted in support of the proposed Plan of Subdivision.

**5. Subdivision Agreement:**

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

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

**6. Engineering Drawings:**

- (a) **That prior to Final Plan Approval**, the Owner shall submit for approval, subdivision design drawings, including design plans for all public works and services, prepared and certified by a Professional Engineer and designed pursuant to the Municipality's Subdivision Design Guidelines and to the satisfaction of the Municipality. Such plans are to form part of the Subdivision Agreement.
- (b) **That prior to Final Plan Approval**, the Owner shall submit a digital listing of the approved subdivision design drawings in the Municipality's standard format for incorporation into the Pre-Servicing and Subdivision Agreement.

**7. Revisions to Draft Plan:**

- (a) That any further subdivision of Blocks or additional road patterns on the Plan shall be completed to the satisfaction of the City.
- (b) **That prior to Final Plan Approval** of any part of the Plan, the Owner shall submit a revised Plan, if required, to reflect any significant alterations caused from this Draft Plan Approval.
- (c) That where final engineering design(s) result in minor variations to the Plan (e.g., in the configuration of road allowances and lotting, number of lots, etc.), these may be reflected in the Final Plan to the satisfaction of the Municipality.

**8. Phasing:**

- (a) That Final Plan Approval for registration may be issued in phases to the satisfaction of the Municipality, subject to all applicable fees.
- (b) That the phasing of the development shall be reflected in the Subdivision Agreement and on the approved subdivision design drawings to the satisfaction of the City, taking into account the temporary termination of underground services, interim grading, interim stormwater management, operations and maintenance vehicle access and access for emergency vehicles.

- (c) That the phasing of the development shall be proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, schools and other essential services.
- (d) That all agencies agree to registration by phases and provide clearances, as required, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.

**9. Final Approval**

Final Approval will not be issued until the municipality has confirmed that Public road access is provided to the property from Andersen Drive or Celeste Drive and that all works associated with the proposed stormwater management facility on adjacent lands are operational, including any required works on lands outside of the draft plan of subdivision.

**10. Zoning By-Law Compliance:**

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

**11. Geotechnical Study**

**That prior to Final Plan Approval**, the Owner shall submit a Geotechnical Study, certified by a Professional Engineer, to the satisfaction of the Municipality. The recommendations of the Geotechnical Study shall be incorporated into the Subdivision Agreement and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the Municipality.

**12. Environmental Site Assessment**

- (a) Provisions shall be included in the Subdivision Agreement that should site remediation be required to meet the applicable soil and ground water criteria made under Part XV.1 of the Environmental Protection Act (MOECC, as amended), the Owner shall submit to the City, prior to Final Plan Approval, a copy of the Record of Site Condition acknowledged by a Provincial Officer of the Ministry of the Environment and to the satisfaction of the City.

- (b) Provisions shall be included in the Subdivision Agreement that the Owner shall provide a report or Record of Site condition prepared by a qualified professional that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City, meet the applicable soil and ground water criteria made under Part XV.1 of the Environmental Protection Act (MOECC, as amended).

**13. Archaeological Assessment:**

- (a) That the Subdivision Agreement shall contain provisions that in the event that deeply buried or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, all work must immediately cease and the site must be secured. The Cultural Program Branch of the Ministry of Tourism Culture & Sport (416-314-7132) and the City of Kingston Planning and Development Division (613-546-4291 ext. 3180) must be immediately contacted.
- (b) That the Subdivision Agreement shall contain provisions that in the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police 613-549-4660, the Registrar of Cemeteries Regulation Section of the Ontario Ministry of Consumer Business Services 416-326-8404, the Cultural Program Branch of the Ministry of Tourism Culture and Sport 416-314-7132, and the Planning and Development Division 613-546-4291 ext. 3180 must be immediately contacted.

**14. Stormwater Management:**

- (a) **That prior to Final Plan Approval**, the Owner shall submit lot grading and drainage plans, and erosion and sediment control plans prepared by a qualified Professional Engineer for the Owner, to the satisfaction of the Municipality and the Cataraqui Region Conservation Authority (CRCA). The approved plans shall be included in the Subdivision Agreement between the Owner and Municipality.
- (b) **That prior to Final Plan Approval**, a Stormwater Management Report and implementing plans for the development shall be prepared by a qualified Professional Engineer, to the satisfaction of the Municipality and Cataraqui Region Conservation Authority. Such plans shall be included in the Subdivision Agreement. The Owner shall carry out the recommendations of the report, at his

expense, to the satisfaction of the Municipality and the Cataraqui Region Conservation Authority.

- (c) **That prior to Final Plan Approval**, text shall be included in the Subdivision Agreement between the Owner and Municipality, to the satisfaction of the Cataraqui Region Conservation Authority, to advise the Owner of the requirement to obtain a permit under Ontario Regulation 148/06: Development Interference with Wetlands and Alterations to Shorelines and Watercourses from the Cataraqui Region Conservation Authority where applicable.

**15. Noise Study**

- (a) **That prior to Final Plan Approval**, the Owner shall submit a detailed noise study prepared by a qualified Professional Engineer for the Owner, to the satisfaction of the Municipality. Recommendations from the noise study are required to be implemented within the final plans and included in the Subdivision Agreement to the satisfaction of the municipality.

**16. Parkland Conveyance:**

- (a) **That prior to Final Plan Approval**, the Owner and the City shall finalize parkland conveyance for this subdivision including, but not limited to the following options to be determined at the sole discretion of the City:
  - i) Conveyance to the City of Block 45; or
  - ii) Conveyance of other lands, in proximity to the subject lands if possible, to the satisfaction of the Municipality.
- (b) **That prior to final approval**, the Owner/subdivider shall provide a grading plan for the parkland. The Owner shall neither deposit nor permit deposit of fill on parkland beyond that identified on the approved grading plan.
- (c) That no above ground public utilities such as Bell pedestals or transformers shall be situated within the parkland to be conveyed to the City of Kingston.
- (d) The storage of materials and equipment before, during or after construction shall not be permitted within the identified parkland without written consent of the City's Parks Development, Recreation and Leisure Services Department.



- (e) That prior to assumption of the park, the Manager of Parks Development shall be in receipt of a clearance memo from the Manager of Environment indicating that the park site is environmentally clean.
- (f) That prior to the transfer of deeds for the parkland to the City, the Manager, Parks Development or designate shall inspect the park site to ensure that the park is in a clean/natural state. Should the parkland to be conveyed be in an unsatisfactory state, the Owner shall be held responsible for restoring the site to the City's satisfaction.

**17. Landscaping and Tree Preservation:**

- (a) **That prior to Final Plan Approval**, a Landscape Plan shall be prepared to the satisfaction of the Municipality.
- (b) **That Prior to Final Plan Approval**, the Owner shall submit a Street Tree Planting Plan prepared by a Landscape Architect to the satisfaction of the Municipality.
- (c) **That prior to Final Plan Approval**, the Owner shall submit a Tree Inventory and Tree Preservation Plan prepared by an ISA Certified Arborist to the satisfaction of the Municipality and the Cataraqui Region Conservation Authority.
- (d) Replacement trees and / or compensation amounts shall be addressed **prior to Final Subdivision approval**.

**18. Fire and Rescue**

The following clause will be included in the Final Subdivision Agreement:

“Construction of homes shall be phased as to permit a firebreak every seventh lot. This is to be designated by the developer with the final submission being approved by the Chief Fire Official. No building permits shall be issued for the designated fire break lots until such time in which the exterior finish cladding, roofing, and windows are complete on the abutting lots, unless otherwise approved by the Chief Fire Official.”

**19. Canada Post – Community Mail Boxes**

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

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- (b) **That prior to Final Plan Approval**, the Owner shall, in consultation with and to the satisfaction of the City, provide detailed design plans for the community mail boxes including a landscape plan showing street furniture and complimentary architectural features.
  - (c) That the Owner shall provide a suitable temporary community mailbox location(s) until the curbs, sidewalks and final grading have been completed at the permanent location(s).
  - (d) **That prior to Final Plan Approval**, the Owner shall enter into a Community Mailbox Developer Agreement and pay the Address Activation Fee with Canada Post Corporation for the installation of Community Mail Boxes as required by Canada Post.
  - (e) That the Owner shall identify in all offers of purchase and sale, or lease for all lots and blocks within this Plan that mail delivery will be provided via a community mail box, provided that the Owner has paid for the activation and equipment installation of the community mail box, and the locations of all community mail boxes within this Plan. A Notice to Purchasers shall also be included in the Subdivision Agreement to this effect.

**20. Hydro One Requirements:**

- (a) **That prior to Final Plan Approval**, the Owner/Subdivider shall submit in triplicate to Hydro One Networks Inc. (HONI) the lot grading and drainage plan, showing existing and final grades, for review and approval.
- (b) Any development in conjunction with the subdivision must not block vehicular access to any HONI facilities located on the right-of-way. During construction, there will be no storage of materials or mounding of earth, snow or other debris on the right-of-way.
- (c) That temporary fencing must be installed along the easement corridor during construction. Permanent fencing must be erected where subdivision lots directly about the HONI easement at the Owner's expense.
- (d) The Owner shall make arrangements satisfactory to HONI for the crossing of the hydro right-of-way by any proposed roads. Separate proposals including detailed lighting and site servicing plans shall be submitted in triplicate to HONI for future road crossings. The Owner must contact Roman Dorfman, HONI Senior Real Estate Coordinator 905-946-6243 to begin the process of acquiring a Construction and Encroachment Agreement.

- (f) The costs of any relocations or revisions to Hydro One facilities that are necessary to accommodate this subdivision shall be borne by the Owner.
- (g) The easement rights of HONI and its legal predecessors are to be protected and maintained.
- (h) If the proposed development is within close proximity to a Transmission or Distribution station the following applies:
  - i. The Owner hereby confirms and agrees that every agreement of purchase and sale heretofore and hereafter entered into by the Owner with any purchaser(s) of any unit or proposed unit in the Development contains the following notice / warning provisions (or clauses substantially similar thereto in all respects), namely: "Each unit purchaser and / or lessee specifically acknowledges and agrees that the development of the Lands upon which this Development is being (or has been) constructed, will be (or has been) undertaken and completed in accordance with any requirements that may be imposed from time to time by any Governmental Authorities, and that the proximity of this Development to facilities, installations, and /o r equipment owned and / or operated by HONI may result in noise, vibration, electro-magnetic interference and stray current transmissions (hereinafter collectively referred to as the "Interferences") to this Development, and despite the inclusion of control features within this Development, Interferences from this aforementioned sources may, occasionally interfere with some activities of the occupants in this Development. Notwithstanding the above, each unit purchaser and / or lessee agrees to indemnify and save HONI and harmless, from and against all claims, losses, judgments or actions arising or resulting from any and all of the Interferences. In addition, it is expressly acknowledged and agreed that HONI does not, and will not, accept any responsibility or liability from any of the Interferences in respect of this Development and /or its occupants. Furthermore, there may be alterations and / or expansions by HONI to its facilities and / or transformer station which may be temporarily affect the living environment of the residents, notwithstanding the inclusion of any noise and

vibration attenuating measures in the design of the Development. HONI will not be responsible for any complaints or claims or any kind howsoever arising from use, expansion and / or alterations of such facilities and / r operations on, over or under its transformer station. Furthermore, each unit purchaser and / or lessee acknowledges and agrees that an electro-magnetic, stray current and noise-warning / vibration clause similar to the foregoing shall be inserted into any succeeding or subsequent sales agreement, lease or sublease, and that this requirement shall be binding not only on the Purchaser hereunder but also upon the Purchaser's respective heirs, estate trustees, successors and permitted assigns, and shall not cease or terminate on the closing of this purchase and sale transaction with the Vendor / Declarant."

- ii. The Owner covenants and agrees that so long as the City does not object thereto, the language set out in Section 3.1 (d) hereof (or language substantially similar thereto) shall also be included in the subdivision Agreement entered into by the Developer with the City of Kingston to be registered on title to the Development.
  - (i) The transmission lines abutting this subdivision operate at 500,000, 230,000 or 115,000 volts. Section 188 – Proximity – of the Regulations for the Construction Projects in the *Occupational Health and Safety Act*, require that no object be brought closer than 6 metres (20 feet) to an energized 500 kV conductor. The distance for 230 kV conductors is 4.5 metres (15 feet), and for 115 KV conductors it is 3 metres (10 feet). It is the proponent's responsibility to be aware and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the *Act*. They should also be aware that the conductors can raise or lower without warning, depending on the electrical demand placed on the line.

**21. Union Gas Requirements:**

- (a) **That prior to Final Plan Approval**, the Owner shall provide to Union Gas Limited the necessary easements and/or agreements

required for the provision of gas services for this project, in a form satisfactory to Union Gas Limited.

**22. Warning Clauses:**

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

- (a) Within the entire subdivision plan:
  - i. "Purchasers and/or tenants are advised that Kingston Transit may operate on any of the streets within this area and that accessible bus stops, including those with benches, shelters, or other amenities may be installed within the right-of-way."
  - ii. "Purchasers and/or tenants are advised that noise levels, including from construction activities, may be of concern and occasionally interfere with some activities of the dwelling occupants."
  - iii. "Purchasers and/or tenants are advised that the proposed finished lot grading may not meet Municipality of Kingston lot grading criteria in certain areas to facilitate preservation of existing vegetation and to maintain existing adjacent topographical conditions".
  - iv. "Purchasers and/or tenants are advised that traffic calming measures may be incorporated into the road allowances."
  - v. "Purchasers and/or tenants are advised that the planting of trees on Municipal boulevards in front of residential units is a requirement of the Municipality and a street tree location Plan is included in the Subdivision Agreement. While every attempt will be made to plant trees as shown, the Municipality reserves the right to relocate or delete any boulevard tree without further notice."
  - vi. "Purchasers and/or tenants are advised that mail delivery will be to a designated community mailbox, the location of which will be identified by the Owner prior to final approval of the subdivision and any home closings."
- (b) Lots 1 to 21 and Block 46:

The following clause shall be registered on title and included in all Development Agreements and Offers of Sale and Purchase or Lease of these properties:

“This dwelling is fitted with a forced air heating system and the fan, ducts, etc. are sized to accommodate the installation of a central air conditioning system if it is found necessary by the owner / occupant at any time in the future. If the air conditioning is to be provided at a later date, the outdoor unit shall be located in a noise insensitive location. The final installation shall meet the Ministry of Environment criteria in Publication NPC-216 and other applicable levels specified by the municipality.”

**23. Bell Canada Requirements:**

- (a) That the Owner shall agree in the Subdivision Agreement, in words satisfactory to Bell Canada, to grant Bell Canada any easements that may be required for telecommunications services; and
- (b) That the Owner shall be requested to enter into an Agreement (Letter of Understanding) with Bell Canada complying with any underground servicing conditions imposed by the City, or if no such conditions are imposed, the Owner shall advise the City of the arrangements for servicing.
- (c) That the Developer is hereby advised that prior to commencing any work within the Plan, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the Developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Developer shall be required to demonstrate to the City that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).

**24. Utilities Kingston**

- (a) **That prior to Final Plan Approval**, the Owner shall satisfy all technical, financial and other requirements of Utilities Kingston

regarding the design, installation, connection and/or expansion of water distribution services and sanitary sewer distribution services, or any other related matters.

- (b) That the Owner shall agree to design, purchase materials, and install a buried hydro distribution system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with the latest standards and specifications of Utilities Kingston and the City.
- (c) That the Owner shall agree to design, purchase materials and install a street lighting system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with Municipal standards and specifications.
- (d) **That prior to Final Plan Approval**, the Owner shall agree to provide a cost estimate for oversizing of the sanitary main on Augusta Drive to the satisfaction of the municipality.

**25. Builder's Plan**

That prior to Final Approval of the Plan of Subdivision the Owner shall prepare a Builder's Plan to the satisfaction of the Municipality that includes the location of all driveways, all above ground infrastructure including street tree planting, and on street parking and snow storage throughout the plan of subdivision.

**26. Model Homes**

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

**27. General Conditions:**

- (a) **That Prior to Final Plan Approval**, the Applicant will submit a detailed account of how each Condition of Draft Plan Approval has been satisfied.
- (b) That the Owner shall pay any and all outstanding application fees to the Planning and Development Division, in accordance with the Municipality's Tariff of Fees By-Law.
- (c) That when requesting Final Approval from the Municipality, the Owner shall accompany such request with the required number of originals and copies of the Final Plan, together with a surveyor's certificate stating that the lots/blocks thereon conform to the frontage and area to the requirements of the Zoning By-Law.

- (d) That the Owner agrees to remove any driveways and buildings on site, which are not approved to be maintained as part of the Plan; any modification to off-site driveways required to accommodate this Plan shall be coordinated and completed at the cost of the Owner.
- (e) That the Owner shall agree that all lots or blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing prior to assumption of the works by the municipality.
- (f) **That Prior to Final Plan Approval**, the Owner shall pay the proportionate share of the cost of any external municipal services, temporary and/or permanent, built or proposed, that have been designed and oversized by others to accommodate the subject plan.
- (g) That the Owner shall agree to erect fencing in the locations and of the types as shown on the approved subdivision works drawings and as required by the Municipality.
- (h) That the Owner shall agree that no building permits, with the exception of model homes, will be applied for until the City is satisfied that adequate access, municipal water, sanitary and storm services are available.

**28. Clearance Letters:**

- (a) **That Prior to Final Plan Approval**, the approval authority shall advise that all Conditions of Draft Plan Approval have been satisfied; the clearance memorandum shall include a brief statement detailing how each Condition has been met.
- (b) **That Prior to Final Plan Approval**, the Municipality is to be advised in writing by the Cataraqui Region Conservation Authority the method by which Conditions 14 and 17 (c) have been satisfied.
- (c) **That Prior to Final Plan Approval**, the Municipality is to be advised in writing by Canada Post the method by which Condition 19 has been satisfied.
- (d) **That Prior to Final Plan Approval**, the Municipality is to be advised in writing by Hydro One the method by which Condition 20 has been satisfied.



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- (e) **That Prior to Final Plan Approval**, the Municipality is to be advised in writing by Union Gas the method by which Condition 21 has been satisfied.
  - (f) **That Prior to Final Plan Approval**, the Municipality is to be advised in writing by Bell Canada the method by which Condition 23 has been satisfied.

**29. Lapsing Provisions:**

- (a) That pursuant to Section 51(32) of the *Planning Act*, this Draft Plan Approval shall lapse at the expiration of **three (3) years from the date of issuance of Draft Plan Approval** if final approval has not been given, unless an extension is requested by the Owner and, subject to review, granted by the approval authority.
- (b) That pursuant to Section 51(33) of the *Planning Act*, the Owner may submit a request to the approval authority for an extension to this Draft Plan Approval. The extension period shall be for a maximum of two (2) years and must be submitted prior to the lapsing of Draft Plan Approval. Further extensions may be considered at the discretion of the approval authority where there are extenuating circumstances.

(Note: A copy of the draft by-law is attached as Schedule Pages 72-74)

**(See By-Law Number (5), 2015-23)**

**3. Comprehensive Report Application for Final Plan of Condominium – 689 and 695 Innovation Drive Applicant: Greycliff Homes Ltd.**

**That** the application for Final Approval of a Plan of Condominium submitted by Greycliff Homes Ltd. for the properties located at 689 and 695 Innovation Drive for two mixed use commercial and industrial buildings each containing 11 units, with a combined total of 22 condominium units, **Be Approved**; and

**That** Final Approval be subject to the Owner providing condominium plans to the City that identify the exclusive use and common elements of the site and the Owner entering into a Condominium Agreement with the City which Agreement shall provide further notice to the Condominium Corporation and present and future purchasers of the conditions contained within the registered Site Plan Control Agreement and that the Condominium Corporation will be responsible for maintaining the approved site works and fulfilling any conditions of the Agreement; and

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**That** subject to the satisfaction of the Legal Services Department, the Mayor and Clerk be authorized to execute the Condominium Agreement, and the Director of Legal Services be authorized to forward the necessary signed and stamped originals and required copies of the Final Plan of Condominium to the Land Registry Office for registration.

**4. Comprehensive Report Application for Site Plan Control Approval 745 Highway 15 File Number: D11-077-2014 Applicant: Homestead Land Holding Ltd.**

**That** the application for Site Plan Control Approval (File Number D11-077-2014) submitted by Homestead Land Holdings Limited with respect to 745 Highway 15, requesting approval for the construction of a 14 storey, 116-unit residential building, be approved in principle; and

**That** the application be referred back to staff and that the Director of Planning, Building and Licensing Services be authorized to issue final approval subject to:

- (a) All outstanding technical issues being resolved to the satisfaction of the City;
- (b) The Owner entering into a Site Plan Control Agreement with the City which shall list the approved plans and any special municipal conditions pertaining to the development; and
- (c) The Owner submitting the required financial security.

**5. Comprehensive Report Application for Zoning By-Law Amendment 1292 Highway 15 File Number: D14-091-2014 Applicant: Great Oak Montessori**

**That** the application for Zoning By-Law Amendment (File Number D14-091-2014) submitted by Great Oak Montessori, for the property located at 1292 Highway 15, be approved; and

**That** the City of Kingston Zoning By-Law Number 32-74, as amended, be further amended as follows:

1. Map 4 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from 'RR' to 'RR-13-H', as shown on Schedule "A" attached to and forming part of By-Law Number 2015-24.

1.1. By adding the following Section 8(3)(m) as follows:

"(m) Special Requirements (RR-13) (1292 Highway 15)

Notwithstanding any provisions of Section 5 and Section 8 to the contrary, the lands zoned 'RR-13' on Schedule 'A' hereto, the following regulations shall apply:

- (i) Additional Permitted Uses:
  - Private School;

Day Nursery;

(ii) Definition:

(a) Private School

Means a premises used as an academic school which secures the major part of its funding from sources other than government agencies and may include a day nursery as an accessory use.

(iii) Interior Side Yard Width

(A) Additional Permitted Uses

(i) Minimum: 9 metres

(iv) Primary Use Buildings

Only one primary use building is permitted on the subject property until such time as the holding symbol has been removed from the property.

(v) Accessory Buildings

Accessory buildings shall only be used for purposes that are secondary to the primary day nursery and private school use, such as storage or as a private garage and shall not be used as a classroom or related use until such time as the holding symbol has been removed from the property.

(vi) Removal Of '-H' Holding Zone Provisions

In addition to the provisions of Section 5(24) '-H' Holding Zone Provisions, the removal of a '-H' Holding Zone Symbol shall not be removed until such time as all necessary studies, as defined by City of Kingston staff, are completed to the satisfaction of City of Kingston staff."

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

(Note: A copy of the draft by-law is attached as Schedule Pages 75-79)

**(See By-Law Number (6), 2015-24)**

**Report Number 13: Received from the Environment, Infrastructure and Transportation Policies Committee**

Report Number 13

To the Mayor and Members of Council:

The Environment, Infrastructure & Transportation Policies Committee Reports and Recommends as follows:

**a) Water and Wastewater Cost Allocation and Revenue Collection**

**That** the water and wastewater rates shift over a ten year period toward a 1.00 to 1.00 revenue to cost ratio for all classes of rate payers; and

**That** the 2015-2018 Water and Wastewater Rates By-Law reflect the first 4 years of this shift.

**b) Residential Waste Diversion Rate**

**(Clerk's Note: Clause (a), Section 2.9 of By-Law 2010-205, "Committee By-Law" states that items rejected by any Committee must be reported to Council with a "negative recommendation", allowing Council the opportunity to discuss the item. The following recommendation LOST at the Environment, Infrastructure, and Transportation Policies Committee on Tuesday, January 13, 2015.)**

**That** the following recommendation not be approved:

**That** staff be directed to maintain the 65% diversion rate as the goal of the City's Integrated Waste Management system and, in doing so, pay particular attention to the utility of expanding the green bin program, white goods collection, clear garbage bags, and instituting less frequent garbage pick-up, such as in the City of Ottawa.

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**Report Number 14: Received from the Municipal Heritage Committee**

Report Number 14

To the Mayor and Members of Council:

The Kingston Municipal Heritage Committee reports and recommends as follows:

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

**1. Notice of Intention to Designate 305-323 Rideau Street, Bailey Broom Factory**

**That** Council serve a Notice of Intention to Designate the property located at 305-323 Rideau Street, known as the Bailey Broom Factory (Part of Lot 13, RP B3, now Part 2, Plan 13R-20924 City of Kingston), as a property of cultural heritage value or interest pursuant to Section 29 of the *Ontario Heritage Act*, attached as Exhibit B to Report Number MHC-15-003; 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, Council approve the designation by-law for 305-323 Rideau Street, now known as the Bailey Broom Factory, as attached as the amended Exhibit C to Report Number MHC-15-003 to reflect that the fourth bullet of the Cultural Heritage Attributes read as follows:

- “the visibility, legibility and symmetry of its heritage attributes from Rideau Street and Cataraqui Street, including the façade of the Rideau Street concrete structure;”

(Note: A copy of Exhibit B and Exhibit C are attached as Schedule Pages 80-85)

**(See By-Law Number (1), 2015-19)**

**2. Notice of Intention to Designate – Vaughn Terrace 426-436 Princess Street**

**That** Council serve a Notice of Intention to Designate the properties located at 426, 428, 430, 432, 434 and 436 Princess Street, known as Vaughn Terrace, 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-15-001; 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, Council approve the designation by-law for 426, 428, 430, 432, 434

and 436 Princess Street, known as Vaughn Terrace, attached as Exhibit 'B' to Report Number MHC-15-001.

(Note: A copy of the Exhibit A is attached as Schedule Pages 86-90)

**(See By-Law Number (2), 2015-20)**

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## Information Reports

1. **Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of November 2014**

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 November, 2014.

(The Report of the Chief Financial Officer and City Treasurer (15-018) is attached as Schedule Pages 91-95)

(File Number CSU-F18-000-2015)

2. **2014 Priority Status Matrix – Q4 Update**

This Information report provides a summary of the status of the priority matrix as of December 31, 2014. We will continue to use this tracking mechanism as we work in 2015. Initiatives will be added as an outcome of Council's Strategic Planning sessions to be held at the end of March 2015.

(The Report of the Chief Administrative Officer (15-159) is attached as Schedule Pages 96-112)

(File Number CSU-C08-000-2015)

3. **Integrity Commissioner – Update on RFP Process**

It is the intention of the Chief Administrative Officer and the Director of Legal Services and City Solicitor to restart the RFP process through a restatement of requirements which would be presented to the marketplace including the two proponents whose submissions were received.

(The Report of the Chief Administrative Officer (15-164) is attached as Schedule Pages 113-119)

(File Number CSU-A17-000-2015)

## Information Reports from Members of Council

### Miscellaneous Business

Motions of Council are required:

- (1) **That** the resignation of Emily Marshall from the Museums and Collections Advisory Committee be accepted with regret.

**(See Communication Number 05-053)**

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**New Motions**

1. Moved by Councillor Allen  
Seconded by Councillor Boehme

**Whereas** roads in Kingston's rural area are primarily arterial, lack in transit provisions, and offer few options for alternate routes to connect to the city as a whole;

**Whereas** recent years have seen significant increases in both the volume and speed of road users on these routes, increasing the level of risk for travelers along these routes, and at intersections along these routes;

**Whereas** Countryside contains smaller communities that would benefit from active modes of transportation, and require considerations and/or infrastructure to ensure safe, enjoyable routes;

**Therefore Be It Resolved That** staff evaluate opportunities in Kingston's rural area for increasing overall road safety, Pedestrian and vehicle safety at intersections, identify opportunities for active transportation connections within the smaller communities that comprise the rural area and report back to Rural Advisory Committee and Environment, Infrastructure, and Transportation Policies (EITP) Committee in Q3 2015.

2. Moved by Deputy Mayor Neill  
Seconded by Councillor Stroud

**Whereas**, students at Queen's University organize an annual Hockey Tournament, Hockey Helps the Homeless, that raises a substantial amount that is contributed to The Kingston Youth Shelter; and

**Whereas**, the February 2015 Tournament hopes to raise over \$30,000 for this most worthy cause, using the INVISTA Centre as a one day venue;

**Therefore be it resolved that** the ice rental fees of approximately \$4500 be waived and a donation of these fees be accepted for the City's Pro Kids Program.

3. Moved by Deputy Mayor Neill  
Seconded by Councillor McLaren

**Whereas**, the City of Kingston values and encourages new residents of Kingston and appreciates their involvement in our community; and

**Whereas**, our current Committee Bylaw precludes them from joining City Committees;



**Therefore be it resolved that** City staff be requested to bring a report to Administrative Policies Committee, no later than the end of Q2, to amend the By-Law to include all permanent residents who have resided in Kingston for at least one (1) year, as eligible for appointment to City Committees, with the intent to allow for such eligibility for the 2015/2016 appointments.

4. Moved by Deputy Mayor Neill  
Seconded by Councillor Holland

**Whereas**, the Ontario Provincial Government is now considering Municipal Electoral Reform, proposing preferential balloting; which our previous Kingston City Council endorsed unanimously; and

**Whereas**, permanent residents are valued and active participants in our communities, civically engaged and participating in our municipalities; and

**Whereas**, many democracies around the world have lowered the voting age to sixteen; which has further increased electoral participation; and

**Whereas**, during the Provincial Electoral Review there is an excellent opportunity to expand the electoral franchise in municipal elections;

**Therefore, be it resolved that** the City of Kingston reaffirms its support for Preferential Balloting in Ontario Municipal Elections; and

**That** the City of Kingston encourages the Province of Ontario consider expanding the rights of permanent residents to vote in Ontario Municipal Elections; and

**That** the Province of Ontario also consider granting election rights to those who are sixteen years old or older.

**That** copies of this motion be sent to the Ontario Premier's Office, the Leaders of both Opposition Parties, AMO, FCM, and all Ontario Municipalities over 30,000 residents.

## Notices of Motion

## Minutes

**That** the Minutes of City Council Meeting Number 2015-03, held Tuesday, December 16, 2015 and the Minutes of City Council Meeting Number 2015-04, held Tuesday January 6, 2015 be confirmed.

(Distributed to all Members of Council on Friday January 23, 2015)

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**Tabling of Documents**

- 2015-16 Cataraqui Source Protection Committee Meeting  
Public Agenda – January 22, 2015  
(File Number CSU-D03-000-2015)
- 2015-17 Downtown Kingston BIA  
Winter Newsletter, 2015  
(File Number CSU-A01-001-2015)
- 2015-18 Downtown Kingston! BIA  
Meeting Minutes - December 10, 2014  
  
(File Number CSU-A01-001-2015)

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

**Filed**

- 05-049 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 2023 Highway 2, the Committee decided that the application **Should be Provisionally Approved**, subject to conditions. The final date for appeal is January 27, 2015.  
  
CONSENT – In respect of an application for consent to sever the property at 2990 4<sup>th</sup> Concession Road, the Committee decided that the application **Should be Provisionally Approved**, subject to conditions. The final date for appeal is January 27, 2015.  
  
(File Number CSU-D19-000-2015)
- 05-050 From Honourable Steven Del Duca, Ministry of Transportation, acknowledging receipt of our correspondence regarding the motion with respect to speed limit reductions.  
(File Number CSU-T08-000-2015)
- 05-058 From Sophie Kiwala, MPP of Kingston and the Islands, acknowledging receipt of our correspondence regarding the motion resolving that the City of Kingston does not support the location of a casino in Kingston.  
(File Number CSU-P09-000-2015)

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**Referred to All Members of Council**

- 05-051 From Howard Stone, regarding Council's decision with respect to the Marine Museum.  
(File Number CSU-L18-000-2015)  
(Distributed to all Members of Council on January 16, 2015)
- 05-052 From Association of Municipalities of Ontario (AMO), regarding AMO's 2015 Pre-Budget Submission Outline.  
(File Number CSU-F05-000-2015)  
(Distributed to all Members of Council on January 16, 2015)
- 05-053 From Emily Marshall, providing resignation from the Museums and Collections Advisory Committee.  
(See Miscellaneous Business Item Number 1)  
(File Number CSU-C12-000-2015)  
(Distributed to all Members of Council on January 16, 2015)
- 05-054 From Association of Municipalities of Ontario (AMO), regarding AMO's 2015 Councillor Training Programs.  
(File Number CSU-A01-000-2015)  
(Distributed to all Members of Council on January 16, 2015)
- 05-055 From Don and Brenda Campbell, residents of downtown Kingston regarding downtown opportunities.  
(File Number CSU-D18-000-2015)  
(Distributed to all Members of Council on January 23, 2015)
- 05-056 From Elizabeth Bates, resident of downtown Kingston, regarding possible location of New High School.  
(File Number CSU-R07-000-2015)  
(Distributed to all Members of Council on January 23, 2015)
- 05-057 From TransCanada Pipelines Limited, regarding the Eastern Mainline Project.  
(File Number CSU-E06-000-2015)  
(Distributed to all Members of Council on January 23, 2015)
- 05-059 From Association of Municipalities of Ontario (AMO), regarding AMO's Policy Update – Do Lower Gas Prices mean Lower Federal Gas Tax Fund Payments?  
(File Number CSU-F11-000-2015)  
(Distributed to all Members of Council on January 23, 2015)

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**Other Business**

**By-Laws**

- a) **That** By-Laws (1) through (6) and (8) be given their first and second reading.
  - b) **That** Clause 11.34 of By-Law Number 2010-1 be suspended for the purpose of giving By-Law (3) three readings.
  - c) **That** By-Laws (3) through (8) be given their third reading.
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- (1) A By-Law to Designate Bailey Broom Factory at 305-323 Rideau 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 2015-19  
**(See Clause (1), Report Number 14)**
  
  - (2) A By-Law to Designate Vaughn Terrace at 426, 428, 430, 432, 434 and 436 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 2015-20  
**(See Clause (2), Report Number 14)**
  
  - (3) A By-Law to amend By-Law 2005-10 "A By-Law to Establish Fees and Charges to be Collected by the Corporation of the City of Kingston", as amended, including Schedule "A".  
Three Readings Proposed Number 2015-21  
**(See Clause (g), Report Number 10)**
  
  - (4) A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Zone Change from 'A' to 'A.459' and from 'A' to 'A.460', 94 and 96 College Street)  
Three Readings Proposed Number 2015-22  
**(See Clause (1), Report Number 12)**
  
  - (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" and to Amend By-law Number 97-102, "The Cataraqui North Zoning By-Law", (Zone Change from D to LDR, 2700 Delmar Street)  
Three Readings Proposed Number 2015-23  
**(See Clause (2), Report Number 12)**

City Council Meeting 05-2015

Agenda

Tuesday, January 27, 2015

Page 37 of 37

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- (6) A By-Law to Amend By-Law Number 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 'RR' to 'RR-13', 1292 Highway 15)*  
Three Readings Proposed Number 2015-24  
**(See Clause (5), Report Number 12)**
- (7) A By-Law to Amend By-Law Number 2005-100 "A By-law for Prescribing Standards for the Maintenance and Occupancy of Property within The City of Kingston  
Third Reading Proposed Number 2015-15  
**(See Clause (a), Report Number 6)**
- (8) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, January 27, 2015  
Three Readings Proposed Number 2015-25  
**(City Council Meeting Number 2015-5)**

**Adjournment**