



City Council Meeting

Tuesday, March 24, 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 pm.

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City Council Meeting Number 2015-11

Agenda

Tuesday, March 24, 2015

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(Council Chamber)

Call Meeting to Order

Roll Call

The Committee Of The Whole “Closed Meeting”

1. **That** Council resolve itself into the Committee of the Whole “In Camera” to consider the following items:
 - a) A proposed or pending acquisition or disposition of land by the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Employment Lands, Cataraqui Estate Business Park, north east corner of Venture Drive and Resource Road;
 - b) A proposed or pending acquisition or disposition of land by the municipality or local board - 440 King Street West

Approval of Addeds

Disclosure of Potential Pecuniary Interest

Presentations

Delegations

- 1) Ed Smith, Chair, Downtown Kingston! BIA will appear before Council to speak to the Wellington Street Extension.
- 2) Ken Dantzer, Kingston Home Builders Association, will appear before Council to speak to the Wellington Street Extension.
- 3) Martin Sherris, CEO, Greater Kingston Chamber of Commerce, will appear before Council to speak to the Wellington Street Extension.

Briefings

Petitions

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

Reports

Report Number 26: Received from the Chief Administrative Officer (Consent)

Report Number 26

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) Road Renaming – Innovation Drive and John Marks Avenue

That the public road located between the two existing segments of Innovation Drive, now known as John Marks Avenue, be renamed to Innovation Drive shown as a portion of Part 1 on Reference Plan 13R11051; and

That a portion of the public road located east of Highway 15 and directly east of Pauline Tom Avenue, currently known as Innovation Drive, be renamed to John Marks Avenue, as shown as Part 3 on Reference Plan 13R11051; and

That Council approves the road renaming By-Laws attached as Exhibit C and Exhibit D to Report Number 15-185.

(See By-Law Number (1), 2015-48)

(See By-Law Number (2), 2015-49)

(The Report of the Commissioner of Community Services (15-185) is attached as Schedule Pages 1-13)

(File Number CSU-P03-000-2015)

b) Air Services Development at Kingston Airport

That Council approve entering into a single-sourcing contract for the 2015 calendar year with LPS AVIA Consulting for professional services in order to continue with the development and implementation of air services strategies for an amount of up to \$37,500 plus HST; and

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

(The Report of the Commissioner of Transportation, Facilities and Emergency Services (15-186) is attached as Schedule Pages 14-23)

(File Number CSU-F18-000-2015)

c) Award of Contract for Janitorial Services at 1211 John Counter Blvd., 85 Lappan's Lane, 91 Lappan's Lane, 95 Lappan's Lane

That Bubbles Cleaning Services Inc. be awarded a one year contract for janitorial services (RFP F31-TFES-FMCS-2014-16) commencing April 15, 2015 ending April 14, 2016 for buildings located at 1211 John Counter Blvd., 85 Lappan's Lane, 91 Lappan's Lane and 95 Lappan's Lane, in the amount of \$128,700 per year plus HST; and

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

(The Report of the Commissioner of Transportation, Facilities and Emergency Services (15-188) is attached as Schedule Pages 24-27)
(File Number CSU-E07-000-2015)

d) Corporate Purchasing Card Services

That Council authorize the Mayor and Clerk to sign amendments to the US Bank agreement to amend the volume rebate component of the US Bank Corporate Purchasing Card Services, effective for three years beginning March 31, 2015, in a form satisfactory to the Director of Legal Services.

(The Report of the Chief Financial Officer and City Treasurer (15-195) is attached as Schedule Pages 28-31)
(File Number CSU-F04-000-2015)

e) Award of Contract - Consulting Services for the Environmental Assessment of the Kingston Transit Downtown Transfer Point

That HDR Inc. be awarded the contract for the provision of consulting services to complete the environmental assessment of the Kingston Transit Downtown Transfer Point as per RFP F31-TFES-TS-TR-2015-01, for the total purchase price of \$122,866 plus applicable taxes; and

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

(The Report of the Commissioner of Transportation, Facilities and Emergency Services (15-198) is attached as Schedule Pages 32-43)
(File Number CSU-T03-000-2015)

f) Kingston Ribfest & Craft Beer Festival 2015

That Council designate the "Ribfest & Craft Beer Festival", being held from September 11 to 13, 2015, on the grounds of the Memorial Centre, as an event of municipal significance, to which Special Occasion Permits may be issued by the Alcohol and Gaming Commission of Ontario; and

That Council authorize an exemption to the City of Kingston Municipal Alcohol Policy to allow a souvenir glass to be used at the “Ribfest & Craft Beer Festival”.

(The Report of the Commissioner of Community Services (15-205) is attached as Schedule Pages 44-48)

(File Number CSU-R05-000-2015)

g) Provincially Funded Wage Enhancement Initiative

That Council approve an amendment in the amount of \$1,077,322 to the 2015 operating budget to reflect Provincial funding and related expenses with respect to the Provincial Wage Enhancement Initiative.

(The Report of the Commissioner of Community Services (15-206) is attached as Schedule Pages 49-53)

(File Number CSU-F05-000-2015)

h) Outdoor Aquatic Centre Naming Rights Amendment

That Council authorize the Mayor and City Clerk to enter into an amending agreement with the Tomlinson Group for the naming rights and sponsorship of the Outdoor Aquatic Centre, located at 303 York Street in Kingston, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Community Services (15-212) is attached as Schedule Pages 54-59)

(File Number CSU-R05-000-2015)

i) Rideau Heights Programming Plan and Recreation Programming Update

That Council endorse the community hub model at the Rideau Heights Community Centre which will enable organizations, which have partnerships with the City, to deliver programs at Rideau Heights Community Centre and to utilize the space at no cost; and

That Council authorize the Mayor and Clerk to execute all documents related to the partnerships for the delivery of programs at the Rideau Heights Community Centre in a form satisfactory to the Legal Services Department; and

That surplus equipment from the former Wally Elmer Arena be auctioned using MaxSold auction services under the administration of the Recreation & Leisure Services Department, with all proceeds of the auction going to PROkids Kingston; and

That Council authorize staff to execute all documents related to the retention of online auction services in a form satisfactory to the Legal Services Department; and

That Council direct staff to continue discussions with the Boys and Girls Club, Seniors Association, the YMCA and the Westbrook Golf Course to develop potential partnerships and report back to Council on outcome of discussions.

(The Report of the Commissioner of Community Services (15-215) is attached as Schedule Pages 60-66)
(File Number CSU-R06-000-2015)

j) Award of Contract for the Provision of Refrigeration Maintenance Programs for City of Kingston Arenas

That Cimco Refrigeration be awarded a two year contract (F31-CSG-RLS-2015-01) commencing April 1, 2015 ending March 31, 2017, with the option of two further one year renewals, at the sole discretion of the City, in the amount of \$23,922 per year plus HST; and

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

(The Report of the Commissioner of Community Services (15-217) is attached as Schedule Pages 67-70)
(File Number CSU-R05-000-2015)

k) Canadian Heritage Contribution Agreement through the Canada Arts Presentation Fund: Grand Theatre Presents

That Council authorize the Mayor and Clerk to sign a Contribution Agreement issued by the Minister of Canadian Heritage, satisfactory to the Director of Legal Services, in the amount of up to \$60,000 through the Canada Arts Presentation Fund; and

That Council authorize the Commissioner of Corporate & Strategic Initiatives, or the Cultural Director as her delegate, to complete, sign and submit cash flow statements and other reports as required by Canadian Heritage as part of the Contribution Agreement.

(The Report of the Commissioner of Corporate & Strategic Initiatives (15-223) is attached as Schedule Pages 71-73)
(File Number CSU-F05-000-2015)

l) Pavement Markings

That Council authorize the Mayor and Clerk to enter into a contract (F31-PWS-PW-2015-01) in a form satisfactory to the Director of Legal Services with Metro Pavement Markings Ltd, for the service of Pavement Markings.

(The Report of the President and CEO, Utilities Kingston (15-200) is attached as Schedule Pages 74-77)
(File Number CSU-R05-000-2015)

Report Number 27: Received from the Chief Administrative Officer (Recommend)

Report Number 27

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

1 Kingston East Community Centres

That Council approve Grenadier Park as the location for a future east end community centre; and

That the Mayor and Clerk be authorized to enter into an agreement to provide for access on Limestone District School Board Property at La Salle High School to the satisfaction of the Director of Legal Services and the Commissioner of Community Services; and

That Council direct staff to proceed with the demolition of Meadowcrest Community Centre in the spring of 2015 and to allocate \$100,000 for this work to be funded from the Municipal Capital Reserve Fund; and

That Council direct staff to proceed with the demolition of Madoma Community Centre once all current users have been accommodated in other facilities and to allocate \$130,000 for this work to be funded from the Municipal Capital Reserve Fund; and

That Council direct staff to consult with the public on park amenity improvements for both park sites and to include funding in the 2016 capital budget for construction.

(The Report of the Commissioner of Community Services (15-017) is attached as Schedule Pages 78-90)

(File Number CSU-L18-000-2015 and CSU-A19-000-2015)

2. Federal Notice of Surplus 440-442 King Street West (Time Sensitive)

That Council direct staff to provide this report to Public Works and Government Services Canada as the City's initial response respecting public purpose interests in the properties known as St. Helen's (460 King Street West) and Stone Gables (462 King Street West).

(The Report of the Commissioner of Corporate & Strategic Initiatives (15-213) is attached as Schedule Pages 91-97)

(File Number CSU-R03-000-2015)

3. Land Exchange Proposal for the Potential Relocation of the CN Train Station to Douglas R. Fluhrer Park

That staff be directed to enter into discussions with ABNA Investments Limited for the proposed land exchange and report back to Council with their findings; and

That in order to ensure public transparency, staff be directed to conduct appropriate consultation and make information available to the public including the concept plans submitted by ABNA Investments Limited for the relocation of the Grand Trunk Outer Station to Douglas R. Fluhrer Park to the City of Kingston.

(The Report of the Commissioner of Community Services (15-197) is attached as Schedule Pages 98-112)

(File Number CSU-D27-000-2015)

4a Cherie Mills, Manager, Policy Planning, Erik Karvinen, Senior Project Coordinator, Watson & Associates Economists Ltd, and Rory Baksh, Associate, Dillon Consulting Ltd, will be providing the presentation to Council of key findings on the Employment Lands Strategy.

4b Employment Land Strategy Review Study- Final Report

That Council endorse the City of Kingston Employment Land Strategy Review Final Report, dated March 2015, prepared by Watson & Associates Economists Ltd., attached as Exhibit A to Report 15-199; and

That the Employment land Strategy Review Final Report be forwarded to the 5 year Official Plan Update project team and Comprehensive Zoning By-Law Review project team for consideration.

(The Report of the Commissioner of Community Services (15-199) is attached as Schedule Pages 113-118)

Clerk's Note: A hard copy of City of Kingston Employment Land Strategy Review Final Report has been circulated under separate cover to a limited distribution. An electronic copy of the report has been posted to the Council agenda webpage. Those requiring a hard copy of the report may contact the City Clerk's Department.

(File Number CSU-D22-000-2015)

5a Mark Van Buren, Director, Engineering and Valerie McGirr, AECOM Consultants, will be providing a briefing regarding the Kingston Transportation Master Plan (KTMP).

5b Kingston Transportation Master Plan (KTMP) Update

That Council endorse the 2015 Kingston Transportation Master Plan Update.

(The Report of the President and CEO, Utilities Kingston (15-175) is attached as Schedule Pages 119-261)
 (File Number CSU-T10-000-2015)

6. Wellington Street Extension – Comprehensive Report

That the scope details for work requested by Council in the motion passed at the March 3, 2015 meeting which will be presented by staff in May 2015 and which is intended to explore other potential alternative transportation solutions in place of the Wellington Street Extension, proceed in accordance with standard process and public engagement requirements of an Environmental Assessment update, as recommended in the Transportation Master Plan Update (2015) and include specific requirements as detailed in Council motion dated March 3, 2015; and

That staff prepare a list projects that will be impacted by the direction of the March 3, 2015 motion and report back to council with an impact analysis summary for council’s information, consideration and direction, no later than the end of Q2, 2015.

(The Report of the Chief Administrative Officer (15-208) is attached as Schedule Pages 262-305)
 (File Number CSU- T04-000-2015)

7. Capital Project Status Report – Fourth Quarter 2014

That Council approve capital budget changes, as outlined in Exhibit A to Report 15-194, as well as financing of capital projects or (return of funds) as follows:

Source of Financing (Return of Funds): Amount

Municipal Capital Reserve Fund	(\$98,448)
Other Reserve Funds and Reserves:	
Fire Capital Reserve Fund	\$(47,801)
Municipal Equipment Reserve Fund	(15,273)
Transit Capital Reserve Fund	9,645
Solid Waste and Recycle Reserve Fund	(42,414)
Federal Gas Tax Reserve Fund	(4,745)
Facility Repair Capital Reserve Fund	(53,957)
Technology Equipment Reserve Fund	(28,282)
Grand Theatre Building Improvement Reserve Fund	2,013
Parking Reserve Fund	(559)
Marina Reserve Fund	(263)
Utilities Equipment Reserve Fund	(318,197)
Working Fund Reserve	5,198
Development Charges Reserve Fund	<u>(25,811)</u> \$(520,446)
Donations	<u>110,000</u>

Total Sources of Funding (Return of Funds) \$(508,894)

That Council approve the reduction of approved debenture financing with reference to specific projects as outlined in Exhibit A to Report 15-194 as follows:

Source of Financing (Return of Funds):	Amount
Municipal Capital Reserve Fund	\$(78,899)
Rideaucrest Capital Reserve Fund	(72,797)
Transit Capital Reserve Fund	(133,370)
Facility Repair Capital Reserve Fund	(6,007)
Environment Reserve Fund	<u>(150,000)</u>
Total Debenture Reduction	\$(441,073)

(The Report of the Chief Financial Officer and City Treasurer (15-194) is attached as Schedule Pages 306-338)
 (File Number CSU-F05-000-2015)

Report Number 28: Received from the Planning Committee

Report Number 28

To the Mayor and Members of Council:

The Planning Committee reports and recommends as follows from the Planning Committee Meeting held on February 5, 2015:

1. Approval of Administrative Amendments Zoning By-Law Numbers 76-26 and 97-102 File Number:D14-039-2013

That the administrative amendments submitted by the City of Kingston (File Number D14-034-2013), be approved; and

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

- 1.1 Section 4(16A): That Section 4, as amended, is hereby further amended by adding Section 4(16A) for the definition of "Bedroom" following the definition for "Basement" as follows:

"(16A) Bedroom: shall mean a room in a dwelling unit that does not include:

- (i) Common areas open to all occupants of the unit;
- (ii) Areas used for sanitary (such as a washroom) or cooking purposes such as a kitchen); and
- (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.

For the purposes of this definition, a bachelor, bachelorette or studio unit shall be calculated to contain one bedroom."

- 1.2 Section 4(134A): That Section 4, as amended, is hereby further amended by adding Section 4(134A) for the definition of "Service Shop, Small Engines" following the definition for "Service Shop, Personal" as follows:

"134(A) "Service Shop, Small Engines" means an establishment wherein small engines may be repaired or serviced. This definition may include the repair or service of lawnmowers, chain saws, snowblowers, rotor-tillers, and other similar machines and equipment. This definition shall not include any manufacturing operation or establishment used for the repair or service of vehicles, motorcycles or boats."

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- 1.3 Section 5(16)(a): That Section 16, as amended, is hereby further amended by deleting the Parking Area Regulations table in its entirety and replacing it with the following:

Residential Uses

Apartment Dwelling House	1.25 parking spaces per dwelling unit, except that for a senior citizens' apartment dwelling house, the minimum requirement shall be 0.5 parking spaces per dwelling unit.
Boarding or Lodging House	1 parking space per dwelling unit plus one parking space per guest room.
Maisonette Dwelling House	1 parking space per dwelling unit
Row Dwelling House	
(i) Freehold ownership with access to a public street	1 parking space per dwelling unit
(ii) Group Housing	1 parking space per dwelling unit consisting of 1 space for the resident and 0.1 space for visitors
Other Residential Uses permitted by this By-Law	1 parking space per dwelling unit

Non-Residential Uses

Assembly Hall, Community Centre, Theater, Cinema, Auditorium	The greater of: (a) 1 parking space per 6 fixed seats of fraction thereof, or (b) 10.76 parking spaces per 100 square metres of gross floor area (95-129)
Automatic Car Wash	
(i) Self-service Operation	5 parking spaces per wash stall
(ii) Mechanical Operation	10 parking spaces per wash stall
Bowling Alley or Curling Rink	2 parking spaces per bowling lane or curling sheet

Church	1 parking space per 4 seats; in the case of bench seating, 1 seat = 0.5 metres of bench space
Health or Fitness Club	3.1 parking spaces per 100 square metres of gross floor area
Industrial Establishment	2.69 parking spaces per 100 square metres of manufacturing floor area plus 1.66 parking spaces per 100 square metres of warehousing or storage floor area
Medical or Dental Clinic, Animal Hospital	5.0 parking spaces per 100 square metres of gross floor area
Nursing Home	0.25 parking spaces per bed
Office or Public Building	3.57 parking spaces per 100 square metres of gross floor area; or 3.2 parking spaces per 100 square metres of gross floor area where a site is situated on a public transit route and the approved site plan is supportive of public transit.
Recreation Establishments or Commercial Sports (other than listed separated herein)	The greater of: (a) 1 parking space per 14 square metres of gross floor area, or b) 1 parking space per 4 persons design capacity of the establishment.
Restaurant	10.0 parking spaces per 100 square metres of gross leasable area with a minimum of 20 parking spaces for a drive-in restaurant.
Retail Store, Merchandise Shop or Personal Service Shop	5.25 parking spaces per 100 square metres of gross floor area.
Schools	

(a) Elementary	2.1 parking spaces per classroom.
(b) Secondary	5.67 parking spaces per classroom.
Shopping Centre, Department Store, Supermarket or use located in a Highway Commercial Zone	5.4 parking spaces per 100 square metres of gross leasable area.

- 1.4 Section 5(16)(aa)(ii)(e): That Section 5, as amended, is hereby further amended by deleting Section 5(16)(aa)(ii)(e) in its entirety and replaced with the following:

“(e) Deleted”

- 1.5 Section 5(16)(c): That the table, Yard In Which Required Parking Area Permitted, in Section 5(16)(c), row 2 as amended, is hereby further amended by deleting it in its entirety.

- 1.6 Section 5(16)(c): That the table, Yard In Which Required Parking Area Permitted, in Section 5(16)(c), row 3, as amended, is hereby deleting it and replacing it with the following:

“Up to 40 square metres of parking in the rear yard and interior side yard only; except that this provision shall not apply to prevent the use of a garage or hard surfaced driveway leading to a parking space, provided the width of such driveway does not exceed 40% of the width of the lot or 6.0 metres, whichever is the lesser. For the purposes of calculating the maximum width of a driveway on a lot whose front lot line or rear lot line is shorter than the other the lot width shall be measured at the mid-point of a lot depth.”

- 1.7 Section 10(3)(b): That Section 10, as amended, is hereby further amended by deleting the text referred to by By-Law Number 89-29, By-Law Number 93-69 and By-Law Number 2007-14 in its entirety and replacing it with the following:

“(b) **A2-2 (2847 Bur Brook Road)**

Notwithstanding the provisions of 10(1) and 10(2) hereof to the contrary, the lands designated as A2-2 on Schedule "A" hereto may be used and developed in accordance with the following special provisions:

- (i) Uses Permitted:

a Small Engines Service Shop;
a retail outlet accessory to a permitted use;
a public use, in accordance with the provisions of Section
5(18) hereof.

(ii) Lot Area (minimum): 0.8 hectares

(iii) Lot Frontage (minimum): 65 metres

(iv) Rear Yard Depth (minimum): 65 metres

(v) Landscaped Open Space (minimum): 30 percent

(vi) Gross Floor Area (maximum):

The combined total gross floor area of all uses shall not exceed
670 square metres.

(vii) Open Storage:

No open storage of goods or materials shall be permitted.

(viii) Outside Activities:

No outside repair, service, display or sales of small engines and
related goods and materials shall be permitted.

(ix) Parking Area Regulations:

(a) Yards Where Permitted:

Front Yard and Interior Side Yard only, provided that no part
of any parking area, other than a driveway, is located closer
than 40 feet to any side lot line and no closer than 3 feet to
any street line."

1.8 Section 10(3)(i): That Section 10, as amended, is hereby further amended by
changing the section name from:

"A2-8, 3029 A/B Creekford Road" to "A2-9, 3029 A/B Creekford Road".

1.9 Section 10(3)(j): That Section 10, as amended, is hereby further amended by
changing the section name from:

"A2-9, 1371 Spooner Road" to "A2-10, 1371 Spooner Road".

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- 1.10 Section 14(3)(cc): That the title of the section be deleted and replaced with the following:

“R3-29 (2939 Creekford Road)”

- 1.11 Section 14(3)(cc): That the “Driveway Width (Maximum)” clause of Section 14(d)(cc) as amended is hereby further amended by deleting it entirely and replacing it with the following:

“Driveway Width (Maximum)

Single Detached Dwelling House 6.0 metres or 50 percent of the lot frontage, whichever is the lesser;

Semi Detached Dwelling Unit 6.0 metres or 50 percent of the lot frontage, whichever is the lesser, but not less than 4.0 metres;

Row Dwelling Unit 4 metres; and

Front Yard Parking is prohibited except on a driveway leading to a garage or parking area in the interior side yard or rear yard. The maximum parking surface provided shall be 4.0 metres wide by 6.0 metres deep.”

- 1.12 Section 18(3)(e)(iii): That Section 18, as amended, is hereby further amended by deleting it entirely and replacing it with the following:

“(iii) Holding Symbol ‘H’

That a Holding Symbol ‘-H’ shall be applied to the ‘C1-6’ Zone as indicated on Schedule “A” attached hereto. In addition to the provisions of Section 6(6) of this By-Law respecting the use and removal of ‘-H’ Symbols, the following shall be provided prior to the removal of the ‘-H’ Symbol:

- an approved site plan for the subject lands addressing ingress and egress to the property and traffic flows along Gardiners Road and Development Drive; and
- an executed Site Plan Control Agreement.

- 1.13 Section 24(2)(g)(ii): That Section 24, as amended, is hereby further amended by deleting Section 24(2)(g)(ii) entirely and replacing it with the following:

“(ii) 20 metres”

- 1.14 Section 28A(3)(w): That Section 28A, as amended, is hereby further amended by deleting the section heading of Section 28A(3)(w) entirely and replacing it with the following:

“(w) M6-23’ (Catarauqui Estates Business Park)

- 1.15 Section 30A(2)(a): That Section 30A, as amended, is hereby further amended by deleting the text and replacing it with the following:
- “Deleted”
- 1.16 Section 30A(2)(m): That Section 30A, as amended, is hereby further amended by deleting Section 30A(2)(m) in its entirety.
- 1.16 Map 1 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the property known as 2847 Bur Brook Road from 'A2' to 'A2-2', as shown on Schedule "A" attached to and forming part of By-Law Number 2015-____.
- 1.17 Map 1 of Schedule "A", as amended, is hereby further amended by establishing the zone symbol of the site known as 'McKendry Quarry' as 'M5', as shown on Schedule "B" attached to and forming part of By-Law Number 2015-____.
- 1.18 Map 1 of Schedule "A", as amended, is hereby further amended by establishing the zone symbol of 1248, 1254, 1258 and 1280 McAdoos Lane as 'M3', as shown on Schedule "C" attached to and forming part of By-Law Number 2015-____.
- 1.19 Map 2 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of 1180 Woodbine Road from 'D' to 'OS', as shown on Schedule "D" attached to and forming part of By-Law Number 2015-____.
- 1.20 Map 2 of Schedule "A", as amended, is hereby further amended by establishing the zone symbol of the property known as 3119 Princess Street as 'R1', as shown on Schedule "D" attached to and forming part of By-Law Number 2015-____.
- 1.21 Map 3 of Schedule "A", as amended, is hereby further amended by establishing the zone symbol of the properties known as 1046 and 1050 Woodbine Road as 'R1', as shown on Schedule "E" attached to and forming part of By-Law Number 2015-____.
- 1.22 Map 3 of Schedule "A", as amended, is hereby further amended by establishing the zone symbol of the property known as 1044 Wise Street as 'R1', as shown on Schedule "E" attached to and forming part of By-Law Number 2015-____.
- 1.23 Map 3 of Schedule "A", as amended, is hereby further amended by establishing the zone symbol of the property known as 2900 Princess Street

as 'I', as shown on Schedule "E" attached to and forming part of By-Law Number 2015-____.

- 1.24 Map 3 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from 'R2-28' to 'OS-3', as shown on Schedule "F" attached to and forming part of By-Law Number 2015-____.
- 1.25 Map 3 of Schedule "A", as amended, is hereby further amended by changing the zone symbol for the properties known as 790 to 822 Peachwood Street from 'R3-16-H' to 'R3-16', as shown on Schedule "F" attached to and forming part of By-Law Number 2015-____.
- 1.26 Map 3 of Schedule "A", as amended, is hereby further amended by establishing the zone symbol of 919 Sydenham Road as 'C2-37', as shown on Schedule "G" attached to and forming part of By-Law Number 2015-____.
- 1.27 Map 3 of Schedule "A", as amended, is hereby further amended by establishing the zone symbol of the properties known as 1017 to 1033 Sydenham Road as 'R1', as shown on Schedule "G" attached to and forming part of By-Law Number 2015-____.
- 1.28 Map 3 of Schedule "A", as amended, is hereby further amended by establishing the zone symbol of the subject sites known as 1110 Clyde Court, the properties between 2500 Princess Street and 1015 Centennial Drive, and a part of 2480 Princess Street as 'EPA', as shown on Schedule "G" attached to and forming part of By-Law Number 2015-____.
- 1.29 Map 4 of Schedule "A", as amended, is hereby further amended by changing the zone symbol for part of the properties known as 311 to 361 Coronation Boulevard from 'D' to 'R1', as shown on Schedule "H" attached to and forming part of By-Law Number 2015-____.
- 1.30 Map 4 of Schedule "A", as amended, is hereby further amended by establishing the zone symbol for the property known as 1270 Coverdale Drive as 'C4', as shown on Schedule "I" attached to and forming part of By-Law Number 2015-____.
- 1.31 Map 4 of Schedule "A", as amended, is hereby further amended by changing the zone symbol for the area north of the Kingston Airport from 'D' to 'AP', as shown on Schedule "I" attached to and forming part of By-Law Number 2015-____.
- 1.32 Map 4 of Schedule "A", as amended, is hereby further amended by changing the zone symbol for the property known as 1280 Coverdale Drive from 'D' to

'OS', as shown on Schedule "I" attached to and forming part of By-Law Number 2015-____.

- 1.33 Map 5 of Schedule "A", as amended, is hereby further amended by changing the zone symbol for the property adjacent to 1030 Coverdale Drive from 'C2-38-H' to 'C2-38', as shown on Schedule "J" attached to and forming part of By-Law Number 2015-____.
- 1.34 Map 5 of Schedule "A", as amended, is hereby further amended by changing the zone symbol for the properties known as 640 to 646 Millwood Drive from 'D' to 'R4-25', as shown on Schedule "J" attached to and forming part of By-Law Number 2015-____.
- 1.35 Map 5 of Schedule "A", as amended, is hereby further amended by changing the zone symbol for the property known as 355 Waterloo Drive from 'R2-17-H' to 'R2-17', as shown on Schedule "K" attached to and forming part of By-Law Number 2015-____; and

That the former Township of Kingston Zoning By-Law Number 97-102, "Cataraqui North Zoning By-Law", as amended, be amended as follows:

- 1.1 Section 6: That Section 6, as amended, is hereby further amended by adding the definition of "Bedroom" following the definition for "Basement" as follows:

"Bedroom: shall mean a room in a dwelling unit that does not include:

- (i) Common areas open to all occupants of the unit;
- (ii) Areas used for sanitary (such as a washroom) or cooking purposes such as a kitchen); and
- (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.

For the purposes of this definition, a bachelor, bachelorette or studio unit shall be calculated to contain one bedroom."

- 1.2 Section 5(17): That Section 5(17), as amended, is hereby further amended by deleting the entire text of the Section and replacing it with the following:

"No person shall use any land, *building* or *structure* in any *Zone* for any purpose permitted by this By-Law, unless *parking spaces* are provided on the same *lot* in accordance with the provisions of this Section. The number of *parking spaces* required shall be calculated in accordance with the standards set out in the Parking Standards Table. Where the minimum number of required *parking spaces* calculated results in a number containing a fraction,

that fraction may be dropped if it is less than one-half in value. A fraction of one-half or more in value shall be counted as one *parking space*.

(By-Law Number 97-102)

In a residential zone up to 40 square metres of the *rear yard* and *interior side yard* may be used for parking spaces; except that this provision shall not apply to prevent the use of a *garage* or hard surfaced *driveway*, provided the width of such *driveway* does not exceed the width of the *garage* walls.

(By-Law Number 2008-168; 2013-223)

Parking Standards Table

Residential Uses Listed

Parking Required

Single detached dwellings unit

1 parking spaces per dwelling

Semi-detached dwellings unit

1 parking spaces per dwelling

Duplex dwellings unit

1 parking spaces per dwelling

Townhouse dwellings unit

1 parking spaces per dwelling

Multiple dwellings unit

1.25 parking spaces per dwelling

Apartment dwellings unit

1.25 parking spaces per dwelling

(By-Law Number 97-102)

Second Residential Unit

1 parking space per dwelling unit

(By-Law Number 2013-44)

Retirement Home

0.5 parking spaces per unit plus 1 space for every four units for visitors

Non-Residential Uses Listed

Parking Required

Assembly Hall, Community Centre, Theatre,

The greater of:

Cinema, Auditorium	(a) 1 parking space per 6 fixed seats or fraction thereof, or (b) 1 parking space per 100 square metres of gross floor area
Bowling Alley or Curling Rink	2 parking spaces for each bowling lane or curling sheet (By-Law Number 97-102)
Business Office	3.57 parking spaces per 100 square metres of gross floor area; or 3.2 parking spaces per 100 square metres of gross floor area where the site is situated on a public transit route
Commercial Fitness Centre	3.1 parking spaces per 100 square metres of gross floor area (By-Law Number 97-102; 2013-223)
Financial Institution	1 parking space per 30 square metres of gross floor area (By-Law Number 97-102)
Medical or Dental Clinic, Veterinarian Clinic	5 parking spaces per 30 square metres of gross floor area (By-Law Number 97-102; 2013-223)
Places of Worship	1 parking space per 4 seats; in the case of bench seating, 1 seat equals 0.5 metres of bench space.
Recreation Use	The greater of: (a) 1 parking space per 14 square metres of gross floor area, or (b) 1 parking space per 4 persons design capacity of the establishment (By-Law Number 97-102)

Restaurant	10 parking spaces per 100 square metres of gross floor area with a minimum of 20 parking spaces for a drive-in restaurant
Retail Store, Personal Service Shop	5.25 parking spaces per 100 square metres of gross floor area
Schools, Elementary	2.1 <i>parking spaces</i> per classroom (By-Law Number 97-102; 2013-223)
Schools, Secondary classroom	5.67 parking spaces per (By-Law Number 97-102)
All other non-residential uses not listed in this table	2.5 <i>parking spaces</i> per 100 square metres of <i>gross floor area</i> (By-Law Number 97-102; 2013-223); and

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

(The draft by-laws are attached to the agenda as schedule pages 339-350)
(See By-Law Number (9), 2015-56)
(See By-Law Number (10), 2015-57)

2. Approval of Application for Official Plan Amendment, Zoning By-Law Amendment and Draft Plan of Subdivision 1163 Centennial Drive Applicant: Marilyn Taylor

That the application for Official Plan Amendment (File Number D09-011-2013) and Zoning By-Law Amendment (File Number D14-058-2013), and Draft Plan of Subdivision submitted by Cunningham Swan Carty Little and Bonham LLP, on behalf of Marilyn Taylor, for the property municipally known as 1163 Centennial Drive, be approved.

a) Official Plan Amendment – 1163 Centennial Drive

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

1. The Official Plan for the City of Kingston is hereby amended by the following map and text changes which shall constitute Amendment Number 33 to the Official Plan for the City of Kingston.

- (a) **Amend** 'Schedule 2, City Structure', of the City of Kingston Official Plan, so as to change the property located at 1163 Centennial Drive, as shown on Schedule 'A' to By-Law Number. 2015-___, from 'Business District' to 'Housing District';
- (b) **Amend** 'Schedule CN-1, Cataraqui North Neighbourhood Plan' of the City of Kingston Official Plan, so as to adjust the boundaries of the existing 'Commercial', 'Open Space' and 'Environmental Protection Area' designations for the lands located at 1163 Centennial Drive, as shown on Schedule 'B' to By-Law Number 2015-___;
- (c) **Add** a new Section 10C.3.34, High Density Residential Development
High density residential *development* may be located in the southwest corner of Centennial Drive and Cataraqui Woods, subject to the following restrictions:
 - a. the maximum density is 175 dwelling units per net hectare of land; and
 - b. the maximum building height is 14 storeys.
- (d) **Amend** Section 10C.3 of the Official Plan by re-numbering existing sections 10C.3.34, 10C.3.35, 10C.3.36, and 10C.3.37 to 10C.3.35, 10C.3.36, 10C.3.37 and 10C.3.38, respectively.
- (e) **Amend** Section 10C.4.17, Business Commercial by adding the sentence 'High density residential uses are permitted at the southwest corner of Centennial Drive and Cataraqui Woods Drive in accordance with Section 10C.3.34 of this Plan.' after the opening sentence 'The Business Commercial area is to be located at the northwest, southwest and northeast corners of Centennial Drive and Cataraqui Woods Drive.'

That the Official Plan Amendment By-Law be presented to City Council for all three readings.

b) Zoning By-law Amendment – 1163 Centennial Drive

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 March 20, 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 the giving of further notice is not required for the Zoning By-Law Amendment application for 1163 Centennial Drive, File Number D14-058-2013;

That the Cataraqui North Zoning By-Law Number 97-102, as amended, be further amended as follows:

- 1.1. Map 1 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from Mixed Use zone 'MU1*8-H' and 'Open Space' 'OS1' zone to Site-Specific Mixed Use 'MU1*20' zone and Site-Specific Open Space 'OS1-21' zone, as shown on Schedule "A" attached to and forming part of By-Law Number 2015-____.
- 1.2. By **Adding** a new subsection 7.20 thereto as follows:

"7.20 MU1*20 (1163 Centennial Drive)

Notwithstanding the provisions of this By-Law to the contrary, the lands designated 'MU1*20' on Schedule 'A' hereto, the following regulations shall apply:

(i) **Retirement Home Suite:**

Shall be defined as habitable space designed for living and sleeping consisting of studios, one or two bedrooms, private bathroom and separate entrance from a common hall, and a kitchenette which may include convenience facilities such as a bar fridge and microwave oven, but without full cooking facilities.

- (ii) For the purposes of zoning interpretation, all parcels within the 'MU1*20' zone shall be treated as one parcel.
- (iii) Two-unit townhouse dwellings are a permitted use on lands zoned 'MU1*20', in accordance with the provisions of the 'MDR' zone, with the exception that the minimum lot frontage shall be 7 metres for each parcel and the maximum height shall be 17 metres.
- (iv) A gas bar is a prohibited use on lands zoned 'MU1*20'.
- (v) The maximum number of residential dwelling units is 563, including a maximum of 22 townhouse dwelling units.

- (vi) With the exception of the townhouse building, a commercial use is permitted on the ground floor of any building on the lands zoned MU1*20. For buildings that abut Cataraqui Woods Drive, ground floor commercial is mandatory and shall comprise no less than 70% of the ground floor.
- (vii) A retirement home is a permitted use, subject to the following provisions:
 - a. The maximum permitted height of a retirement home is 17 metres at the required setback.
 - b. For the purpose of calculation of dwelling units, one (1) retirement home suite equals 0.5 dwelling units.
- (viii) Apartment Buildings and Multiple Unit Buildings with no non-residential uses, the following provisions shall apply per parcel:
 - a. The minimum required front yard is 3 metres.
 - b. The minimum required exterior side yard is 3 metres.
 - c. The minimum required interior side yard is 0 metres.
 - d. The minimum required rear yard is 0 metres.
 - e. The maximum height is 53 metres or 14 storeys, except for buildings abutting Centennial Drive, in which case the maximum height shall be 17 metres at the required setback.
- (ix) Apartment Buildings and Multiple Unit Buildings with non-residential uses in the first storey and non-residential buildings abutting Cataraqui Woods Drive, the following provisions shall apply per parcel:
 - a. The minimum required lot frontage is 50 metres
 - b. The minimum required rear yard is 5 metres
 - c. The maximum height is 26 metres.”

1.3 By **Adding** a new subsection 7.21 thereto as follows:

“7.21 OS1*21 (1163 Centennial Drive)

Notwithstanding the provisions of this By-Law to the contrary, the lands designated ‘OS1*21’ on Schedule ‘A’ hereto, the following regulations shall apply:

- (i) The permitted uses shall be restricted to public parks and stormwater management facilities.

- (ii) The stormwater management facility shall have a minimum setback from the top of slope of 6 metres and a minimum setback of 7.62 metres from the regulatory floodplain, as identified in the Draft Plan of Subdivision (Leslie M. Higginson Surveying Ltd., January 13, 2015)."

That the Amending By-Law be presented to City Council for all three Readings.

c) Draft Plan of Subdivision – 1163 Centennial Drive

That the application for Draft Plan of Subdivision (File Number D12-014-2013), submitted by Cunningham Swan Carty Little and Bonham LLP, on behalf of Marilyn Taylor, for the property municipally known as 1163 Centennial Drive be approved; and

1. Approved Draft Plan:

That this approval applies to the Draft Plan of Subdivision, prepared by Leslie M. Higginson Surveying Limited, dated January 13, 2015 which shows the following:

- 7 residential/commercial/mixed use blocks (Blocks 2-8);
- 3 blocks for natural open space (Blocks 11, 12 and 13);
- 1 block for parkland dedication (Block 10);
- 1 block for environmental protection (Block 14);
- 1 block for stormwater management pond (Block 9);
- 3 blocks for daylighting triangles (Blocks 15, 16 and 17); and
- 1 new roadway (Block 1: Jerome Way).

2. Streets and Civic Addressing:

- (a) That the road allowance included in this Plan shall be shown and dedicated as public highways.
- (b) That the road allowance within the Plan shall be designed in accordance with the Municipality's engineering standards and shall be dedicated to the Municipality free of all charge and encumbrances. The streets, lots and blocks shall be designed to coincide with the development pattern on adjacent properties.
- (c) That Prior to Final Approval, the Owner shall submit a proposed street name for approval by the Planning, Building & Licensing Services Department and shall be included on the first submission of the engineering drawings. The Streets within this Plan shall be named to the satisfaction of the City, in consultation with the Planning, Building &

Licensing Services Department, in accordance with the City's Civic Addressing and Road Naming By-Law.

- (d) That Prior to Final Plan Approval, the Owner shall provide confirmation that civic addresses have been assigned to the proposed lots and blocks by the City's Planning, Building & Licensing Services Department, in accordance with the City's Civic Addressing and Road Naming By-Law. The Owner shall be advised that the civic addresses are tentative until such time that the final plan is registered and the final lot layout has been confirmed.
- (e) For lots with more than one road frontage, the lots will be addressed on the road frontage on which primary vehicular access is situated. Prior to applying for a building permit the Owner shall confirm with the Planning, Building & Licensing Services Department the appropriate road frontage where primary vehicular access is to be provided and shall confirm the approved civic address in order to comply with the City's Civic Addressing and Road Naming By-Law and emergency response requirements.
- (e) **That Prior to Final Plan Approval**, the Owner shall deed to the Municipality Blocks 15, 16 and 17 as daylighting triangles.
- (f) Any dead end or open side of a road allowance within the Plan shall be terminated in a 0.3 metre reserve to be conveyed to the Municipality free of all charges and encumbrances.
- (g) That the Owner shall agree that the location and design of any **construction access** shall be approved by the Municipality and/or the appropriate authority.

3. Reserves and Easements:

- (a) 0.3 metre reserves are required along Cataraqwi Woods Drive on Blocks 1, 2, 3 and 11; and along Centennial Drive on Blocks 3, 5, and 7.
- (b) That any dead ends and open sides of the road allowances created by this Plan shall be terminated in 0.3 metre reserves to be conveyed to, and held in trust, by the Municipality.
- (c) That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority free of all charges and encumbrances.

4. Financial Requirements:

- (a) That the Owner agrees in writing through provisions of the subdivision agreement to satisfy all the requirements, financial and otherwise, of the

Municipality concerning all provisions of municipal services but not limited to including fencing, lighting, landscaping, sidewalks, roads, installation of underground services, provisions of drainage and noise mitigation where required.

- (b) **That Prior to Final Plan Approval**, the Owner shall submit for the Municipality's approval a detailed breakdown of the construction costs for the works associated with the development of this Plan, including any cash surcharges or special levies. The construction costs shall be prepared and stamped by a professional engineer. The cost estimate shall be submitted in the Municipality's standard format for incorporation into both the Pre-Servicing and Subdivision Agreements.
- (c) That the Owner shall bear the expense of all off site works resulting from the approved public works design where such works are not subsidized under the Policies and By-Laws of the Municipality.
- (d) That the Owner agrees to reimburse the Municipality for the cost of any Peer Reviews of the Studies/Reports submitted in support of the proposed Plan of Subdivision.

5. Subdivision Agreement:

- (a) That the Owner shall enter into the Municipality's standard Subdivision Agreement which shall list all approved plans and municipal conditions as required by the Municipality for the development of this Plan.
- (b) The Subdivision Agreement between the Owner and the Municipality be registered against the lands to which it applies once the Plan of Subdivision has been registered.
- (c) That the Subdivision Agreement shall contain all necessary warning clauses and notices to purchasers resulting from, but not necessarily restricted to, the design and provision of services, including the requirement to provide and maintain private site specific works as necessary.

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

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 Municipality, taking into account the temporary termination of underground services, interim grading, interim stormwater management, operations and maintenance vehicle access and access for emergency vehicles.
- (c) That the phasing of the development shall be proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, schools and other essential services.
- (d) That all agencies agree to registration by phases and provide clearances, as required, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.

9. 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.

10. Site Plan Control:

- (a) That a provision will be included in the Subdivision Agreement, or other applicable Agreement, indicating that development within the Blocks will be subject to Site Plan Control.
- (b) That the Owner is advised that all accesses will be approved through Site Plan Control applications.

11. Required Studies:

- (a) **That Prior to Final Plan Approval**, the Owner shall submit a **Geotechnical Study**, certified by a Professional Engineer, to the satisfaction of the Municipality. The recommendations of the Geotechnical Study shall be incorporated into the Subdivision Agreement and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the Municipality.
- (b) **That Prior to Final Plan Approval**, all recommendations of the **Servicing Study** shall be incorporated into the Subdivision Agreement and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the Municipality.
- (c) **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.
- (d) **That Prior to Final Plan Approval**, the Owner shall submit a detailed **Noise Impact Study** prepared to the satisfaction of the Municipality and the Ministry of Environment to address possible impacts on the proposed development as well as impacts on surrounding noise sensitive land uses from the proposed development. The recommendations of the Study shall be incorporated into the Subdivision Agreement and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the Municipality.

12. Archaeology:

- (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 Culture and Sport (416-314-7132) and the City of Kingston's Planning Division (613-546-4291 extension 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 City of Kingston's Planning Division (613-546-4291 extension 3180) must be immediately contacted.

13. Stormwater Management:

- (a) **That Prior to Final Plan Approval**, Block 9 shall be deeded to the Municipality for Stormwater Management purposes. The design of the pond's open space, including any connecting paths, shall be subject to approval by the Municipality.
- (b) **The Stormwater management pond shall be** landscaped and integrated into the site and being adjacent to a natural area, only native material will be accepted as plant stock. To preclude access to the waterbasin, low, dense or compact shrubbery should be used. The Landscape Plan for the Stormwater management pond is to be completed to the satisfaction of Parks Development and Cataraqui Region Conservation Authority.
- (c) The Engineer in his or her municipal design shall take into account any recommendations contained in the Final Storm Water Management Report.
- (d) **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, as well as a stormwater pond landscape plan by a qualified Landscape Architect to the satisfaction of the Municipality and the Cataraqui Region Conservation Authority. The approved plans shall be included in the Subdivision Agreement between the Owner and Municipality.

- (e) The subdivision agreement between the City and the Owner shall make provision for the owner to carry out the recommendations of the Final Storm Water Management Report, at his expense, to the satisfaction of the Municipality and the Cataraqui Region Conservation Authority.
- (f) That the Owner shall agree to maintain all storm water management and erosion and sedimentation control structures operating and in good repair during the construction period.

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

- (a) By-Law 2013-107 requires land to be conveyed to the municipality for parkland or other recreational purposes as a condition of development. When land is developed for commercial use, 2% of the gross land area shall be conveyed to the City. When land is developed for residential use, where the gross density of the land(s) included within the development application is greater than 30 dwelling units per hectare, as in this case, 1.2 hectares per 1000 people, not to exceed 1 hectare per 300 dwelling units, shall be conveyed to the City. Further, for residential development, the conveyance generated shall not exceed a maximum of 10 percent of the gross land area.
- (b) **That Prior to Final Plan Approval**, the Owner 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 0.41 ha of land for parkland purposes. This shall be comprised of Block 10 on the draft plan.
- (c) That lands to be conveyed to the Municipality for park and open space purposes shall be subject to the following conditions:
 - (i) That all lands shall be left in an untouched, natural state unless otherwise required. All existing vegetation is to remain within the limits of the park site, including any significant trees at the property line unless otherwise required. Existing grades/elevations are to be maintained within the park unless approval for site alteration is received in writing from the Manager, Parks Development, or designate. Any filling, rough grading and preparation of park block by the developer will be subject to approval by the City. The developer will be required to prepare the block so that a grade relationship is established between the park and the surrounding street frontages, such that accessibility may be expected to be reasonably achieved by the City during future park development.

- (ii) **That Prior to Assumption of the park**, the Manager, Parks Development, shall be in receipt of a clearance memo from the Manager of Environment indicating that the park site is environmentally clean.
- (iii) That the Owner shall enter into a Site Access Agreement with the Municipality to permit City staff to access the park site to complete pre-engineering, survey and design works for the park. This Agreement shall terminate once the Municipality is deeded the land as part of Final Plan Approval.
- (iv) **That Prior to the Commencement of any Clearing, Grubbing or Construction Work** within 10 metres of the park block defined on the Draft Plan, the Owner shall:
1. Install snow fencing around the periphery of the park site to protect the site.
 2. Post signage to Municipality specifications, on all accessible sides of each park block, which indicates:
 - the future use of the block as a park;
 - that no construction storage shall occur on this parcel of land nor shall any construction debris be dumped on this site; and
 - that all trees and other vegetation must not be disturbed.
- (v) **That Prior to the Transfer of Deeds for the Parkland to the Municipality**, the Manager, Parks Development, or designate, shall inspect the park site to ensure that the park is in a clean/natural state and any required grading, filling or clearing has been completed. The conditions on the site must be satisfactory to the Manager, Parks Development, prior to transfer of title and the removal of the snow fencing. Should the park blocks be in an unsatisfactory state, the Owner shall be held responsible for restoring the site to the Municipality's satisfaction.
- (d) That the Owner shall deed the lands described as Natural Open Space, to the Municipality, said lands being described as Blocks 11, 12 and 13 as natural areas. Text shall be included in the Subdivision Agreement between the Owner and Municipality, to advise all purchasers that these public lands are intended to remain in a naturalized condition and that only risk management practices will be done on the land as required by the Municipality. No regular or periodic maintenance will be done on the subject parcel.
- (e) That the Owner shall deed the lands described as Environmental Protection Area, without prejudice or compensation, to the Municipality, said land being

described as Block 14. Text shall be included in the Subdivision Agreement between the Owner and Municipality, to advise all purchasers that these public lands are intended to remain in a naturalized condition, for the purpose of providing fish and wildlife habitat and opportunities for passive recreation, and that the lands may be subject to flooding and erosion from time to time. Risk management practices only will only be done on the land. No regular or periodic maintenance will be done on the subject parcel.

15. Landscaping:

- (a) That Prior to Final Plan approval, the Owner shall submit a Landscape Plan prepared and stamped by a Certified Landscape Architect for review to the satisfaction of the Municipality. In doing so, please refer to please refer to the City of Kingston's 'Subdivision Development Guidelines & Technical Standards, Jan 30, 2014 – *Technical Schedule 3, Trees and Parkland Development*' for landscape development requirements.

16. Tree Inventory/Street Trees:

- (a) That prior to any grubbing/clearing or construction on parcels of land not defined as roadways or servicing easements on the draft plan, the Owner shall receive final approval from the Municipality for a Tree Preservation plan prepared for the subject lands. The final approved tree inventory plan shall be prepared by a certified arborist (ISA approved), and shall set out the surveyed locations of all trees on the site. The tree inventory shall list the species, caliper size, condition, crown radius and indicate whether the tree is to be retained or removed. If trees 6 inches (150 millimetres) or more in diameter are to be removed from the subject lands, the developer will abide by the conditions of the tree removal permit under the Tree Conservation By-Law which may, at the Supervisor of Forestry's discretion, include a tree preservation plan, a tree replacement plan or cash compensation for the value of the trees to be removed. If the tree is to be removed a rationale for this action must be noted. If significant trees or groups of trees are identified to be retained in the tree inventory, a tree preservation plan will be required prior to final approval at the discretion of the Municipality. This plan shall be reviewed and approved by the Municipality and be included as a schedule to the Subdivision Agreement. Requirements for the tree preservation plan are noted in the subdivision design guidelines produced by the Municipality.
- (b) **That Prior to Final Plan Approval**, the Owner shall have the identified Butternut Tree assessed by a Certified Butternut Health Assessor to determine if the tree is retainable or not. The Butternut Tree is protected under the Endangered Species Act. The owner shall contact the Species at Risk Biologist for the Ontario Ministry of Natural Resources to discuss the

process surrounding Species at Risk and to locate a certified assessor. The Butternut Tree Assessment Report shall be prepared to the satisfaction of the Municipality and the owner shall obtain any necessary approvals from the Ministry of Natural Resources related to the Butternut Tree.

- (c) **That Prior to Final Plan Approval**, the Owner shall update the Tree Inventory Report and Plan for the site to reflect which trees are to be removed and/or retained. The update to the Tree Inventory Report and Plan shall be prepared to the satisfaction of the Municipality.
- (d) **That Prior to Final Plan Approval**, a Tree Preservation Plan shall be prepared to the satisfaction of the Municipality, as per the Guidelines for Tree Preservation and Protection under the Tree By-law for the City of Kingston. Tree replacement/compensation will be determined as part of the review of the detailed design plans using the Greenfields Criteria.
- (e) **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.

17. Transit:

- (a) **That Prior to Final Plan Approval**, the location of two transit stops, one along the south side of Cataraqui Woods Drive and the other along the west side of Centennial Drive, be incorporated into the final design of the subdivision to the satisfaction of the Municipality. The final location of the transit stops is subject to the approval of the City's Transportation Services Department.
- (b) **That Prior to Final Plan Approval**, a condition will be included in the Subdivision Agreement specifying that the two transit stops adjacent to this site, one along the south side of Cataraqui Woods Drive and the other along the west side of Centennial Drive, be constructed to the City's accessible transit stop standards with appropriate connections to the existing or planned pedestrian network.

18. Cataraqui Region Conservation Authority (CRCA):

- (a) **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 and subsequent purchasers that permission under Ontario Regulation 148/06: Development Interference with Wetlands and Alterations to Shorelines and Watercourses from the Cataraqui Region Conservation Authority, is required prior to site alteration or construction (buildings, structures, filling or grading)

site alteration and construction (including but not limited to buildings, structures, filling and grading) on Blocks 9, 11, 12, 13 and 14.

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.
- (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. 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.
- (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 Municipality, or if no such conditions are imposed, the Owner shall advise the Municipality of the arrangements for servicing.
- (c) The Developer is hereby advised that prior to commencing any work within the Plan, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within

the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the Developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Developer shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e. 911 Emergency Services).

21. Union Gas Requirements:

- (i) **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. Hydro One Requirements:

- (a) **That Prior to Final Plan Approval**, the Owner/Subdivider shall submit to Hydro One the lot grading and drainage plan, showing existing and final grades, for review and approval. Drainage must be controlled and directed away from the Hydro One corridor.

23. Utilities Requirements:

- (a) **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) **Prior to Final Plan Approval**, the Owner shall submit a water supply analysis and overall site service plan drawing for review to the Municipality's satisfaction.
- (c) The Owner shall agree to design, purchase materials and install a street lighting system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with Municipal standards and specifications.

24. 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:

1. "Purchasers and/or tenants are advised that the proposed finished lot and/or block grading may not meet Municipality of Kingston lot grading criteria in certain areas to facilitate preservation of existing vegetation and to maintain existing adjacent topographical conditions".
2. "Purchasers and/or tenants are advised that traffic calming measures may have been incorporated into the road allowances."
3. "Purchasers and/or tenants are advised that the planting of trees on Municipality boulevards in front of residential units is a requirement of the Municipality and a conceptual location Plan is included in the Subdivision Agreement. While every attempt will be made to plant trees as shown, the Municipality reserves the right to relocate or delete any boulevard tree without further notice."
4. "Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox, the location of which will be identified by the Owner prior to any home closings."
5. "Purchasers and/or tenants are advised that any roads ending in a dead end or temporary turning circle may be extended in the future to facilitate development of adjacent lands, without further notice."

(b) Three different clauses are to be implemented, as per Table 4 of the Noise Feasibility Study (Valcoustics, November, 2013):

6. "Purchasers/occupants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound level may exceed the noise guidelines of the Municipality and the Ministry of Environment."

(c) Abutting any open space, woodlot or storm water facility:

7. "Purchasers and/or tenants are advised that the adjacent open space, woodlot or storm water management facility may be left in a naturally vegetated condition and receive minimal maintenance."

(d) Abutting a park block:

8. "Purchasers and/or tenants are advised that the lot abuts a Public Park, and that noise and lighting should be expected from the designed active use of the park."

25. Builder's Plan:

- (a) **That Prior to Final Plan Approval**, 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:

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

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, Building & Licensing Services Department, 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) The Owner shall agree that no building permits, with the exception of model homes, will be applied for until the Municipality is satisfied that adequate access, municipal water, sanitary and storm services are available.

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 11(c), 13(b), 13(d), 13(e) and 18 have been satisfied.
- (c) **That Prior to Final Plan Approval**, the City 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 Ontario Hydro the method by which Condition 22 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.

(The draft by-laws are attached to the agenda as schedule pages 351-354)

(See By-Law Number (11), 2015-58)

(See By-Law Number (12), 2015-28)

3. Approval of Application for Zoning By-Law Amendment 259-265 Princess Street Applicant: Joseph Abramsky and Sons Limited.

That the application for Zoning By-Law Amendment (File Number D14-099-2014) submitted by Colbourne and Kembel Architects Incorporated, on behalf of Joseph Abramsky and Sons Limited, for the property municipally known as 259-265 Princess Street, be approved; and

That the City of Kingston Zoning By-Law Number 96-259, as amended, be further amended as follows:

1.1 Map 1 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from 'C1-3' to '(H)C1-36', as shown on Schedule "A" attached to and forming part of By-Law Number 2015-____.

1.2. By **Adding** a new subsection 7.3.36 thereto as follows:

7.3.36 259-265 Princess Street (C1-36)

7.3.36.1 Requirements for Removal of Holding Symbol

The '(H)' Holding Symbol shall be removed in accordance with the provisions of Section 6.3 of this By-Law and subject to the following specific requirement:

- (a) Confirmation from Utilities Kingston of a contract being awarded and signed for the reconstruction of the sanitary servicing for the section of Princess Street abutting the subject property.

7.3.36.2 Permitted Interim Uses

Existing C1-3 uses

7.3.36.3 Zone Regulations When Holding Symbol Is Removed

- Notwithstanding any provisions hereof to the contrary, on the lands zoned 'C1-36' on Schedule 'A' hereto, the following regulations shall apply:

(a) Density

Notwithstanding Table 7.2 of this By-Law, the maximum permitted density shall be 292 residential units per net hectare of land.

(b) Equipped Children's Play Area

Notwithstanding Section 5.5.2 of this By-Law, no Children's Play Area shall be required.

(c) **Height at Build-to-Plane**

4 storeys, not to exceed 17 metres.

(d) **Maximum Building Height**

4 storeys, not to exceed 17 metres.

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

(The draft by-law is attached to the agenda as schedule pages 355-359)
(See By-Law Number (13), 2015-60)

Note: Councillor Schell declared a pecuniary interest regarding the Applications for Official Plan Amendment and Zoning By-Law Amendment Project Site One: 495 Princess Street and Project Site Two: 333 University Avenue as her son is part-owner of a nearby business.

4. Approval of Applications for Official Plan Amendment and Zoning By-Law Amendment Project, Site One: 495 Princess Street and Project Site Two: 333 University Avenue Applicant: PRK Developments

That the applications for Official Plan and Zoning By-Law Amendments (File Numbers D09-17-2014, D14-075-2014 and D14-076-2014) submitted by PRK Developments for the properties addressed as 212 Colborne Street (493 Princess Street), 19-23 Chatham Street, 2 and 10 Creighton Street and 495-497 Princess Street and 460-468 and 480 Princess Street and 327 University Avenue, be approved.

a) Official Plan Amendment – 495 Princess Street and 333 University Avenue

1. **That** the Official Plan for the City of Kingston is hereby amended by the following map change which shall constitute Amendment Number 33 to the Official Plan for the City of Kingston:

(a) **Amend** Schedule '3-A', 'Land Use', of the City of Kingston Official Plan, so as to redesignate the property located at 327 University Avenue, as shown on Schedule 'A' to By-Law Number 2015-____, from 'Residential' to 'Main Street Commercial'.

(b) **Amend** Schedule 'PS-1', 'Princess Street Corridor Special Policy Area: Williamsville Main Street', of the City of Kingston Official Plan, so as to include the property located at 327 University Avenue, as shown on

Schedule 'B' to By-Law Number 2015-____, within the 'Area 3- The Gateway'.

- (c) **Amend** Schedule '3D', 'Site Specific Policies', of the City of Kingston Official Plan, so as to designate the property located at 493-497 Princess Street, 2 and 10 Creighton Street, 460-468 and 480 Princess Street and 327 University Avenue, as shown on Schedule 'C' to By-Law Number 2015-____, as 'Site Specific Policy Area Number 51'; and

2. **That** the City of Kingston Official Plan, as amended, be further amended by adding the following new Site Specific Policy as Section 3.18.51:

"493-497
Princess
Street, 2 and
10 Creighton
Street, 460-468
and 480
Princess Street
and 327
University
Avenue

3.18.51 The properties located at 495 Princess Street and 333 University Avenue are intended to each accommodate an 11 storey mixed-use building. The sites may be developed subject to the following:

**Schedule 3-D,
SSP Number
51**

- a. A height map shall be introduced through the zoning by-law to define the form of the building traditionally addressed through angular plane requirements.
- b. The policies in Section 10E of the Official Plan with respect to Angular Plane shall not apply to the properties located in Special Policy Area 51; and

3. **That** this By-Law shall come into force and take effect on the day that is the day after the last day for filing an appeal pursuant to the *Planning Act*, provided that no Notice of Appeal is filed to this By-Law in accordance with the provisions of Section 17, Subsection 24 of the *Planning Act*, as amended; and where one or more appeals have been filed within the time period specified, at the conclusion of which, the By-Law shall be deemed to have come into force and take effect on the day the appeals are withdrawn or dismissed, as the case may be; and

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

b) Zoning By-Law Amendment – 495 Princess Street

Whereas the Council of The Corporation of the City of Kingston deems it advisable to amend By-Law Number 8499, as amended, of the former City of Kingston; and

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 May 15, 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 the giving of further notice is not required for the Zoning By-Law Amendment application for 202 Colborne Street (493 Princess Street), 495 Princess Street and 19-23 Chatham Street;

That the application for Zoning By-Law Amendment (Our File Number D14-075-2014) submitted by PRK Developments, *be approved*; and

That By-Law Number 8499 of The Corporation of the City of Kingston, entitled "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston", as amended, is hereby further amended as follows:

- 1.1 Map 19 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from C4-H to B3.462, as shown on Schedule "A" attached to and forming part of By-Law Number 2015-____.
- 1.2 Map 19 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from C4-H to C4.463, as shown on Schedule "A" attached to and forming part of By-Law Number 2015-____.
- 1.3 Map 19 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from C4-H to C4.464, as shown on Schedule "A" attached to and forming part of By-Law Number 2015-____.
- 1.4 By **Adding** the following section 462 in Part VIII – Exceptions To Various Zone Classifications as follows:

"462.212 Colborne Street (formerly 493 Princess Street)

Notwithstanding the provisions of Section 16 hereof to the contrary, the lands designated 'B3.462' on Schedule 'A' hereto, the following regulations shall apply:

- (i) Side Yard (minimum) 1 metre for the existing building as of the date of passing of this by-law;
- (ii) Aggregate Side Yard 7.0 metres;

- (iii) Maximum Density 130 units/hectare;
- (iv) Amenity Space 0 square metres;
- (v) Minimum number of Parking Spaces 14; and
- (vi) Any future additions or alterations to the building will be required to comply with the provisions of the B3 zone.

1.5 By **Adding** the following section 463 in Part VIII – Exceptions To Various Zone Classifications as follows:

“463.495 Princess Street

Notwithstanding the provisions of Section 23C hereof to the contrary, the lands designated ‘C4.463’ on Schedule ‘A’ hereto, the following regulations shall apply:

- (i) Building Height:
 - a. No part of the mixed use building shall exceed the height limits in metres specified by the numbers following the “H” as shown on the attached Schedule B forming part of this By-Law, this does not prevent the erection of:
 - b. Window washing equipment, lighting fixtures, ornamental elements, lightning rods, parapets, trellises, eaves, window sills, guardrails, balustrades, railings, stairs, stair enclosures, wheel chair ramps, vents, ventilating equipment, landscape and green roof elements, solar panels, partitions dividing outdoor recreation areas, wind mitigation, chimney stack, exhaust flues, garbage chute overrun and public art elements.
 - c. Height shall be measured from the finished floor grade of 98.85 metres geodetic.
 - d. Streetwall Height (maximum) 14.5 metres measured from 98.5 metres geodetic.
- (ii) The minimum angular plane shall not apply.
- (iii) For the purposes of this by-law all yards that are not front yards are deemed as side yards.
- (iv) Off Street Parking

- a. 0.5 spaces per residential unit.
 - b. 1 space per 150 square metres gross leaseable area for any permitted commercial use.
- (v) Parking spaces shall have minimum dimensions of 2.6 metres wide by 5.2 metres long.
- (vi) Barrier Free parking spaces shall have minimum dimensions of 3.7 metres wide by 5.2 metres long with a minimum required vertical clearance of 2.1 metres. If a 1.5 metres access aisle is provided beside a barrier free parking space the dimensions can be reduced to 3.2 metres wide by 5.2 metres long.
- (vii) Off-site residential parking shall be provided within 500 metres of the property zoned C4.463.
- (viii) Loading Spaces: A minimum of one loading space is required which shall have a minimum vertical clearance of 3.4 metres.
- (ix) Bicycle Parking
- Horizontal parking stalls shall have minimum dimensions of 1.8 metres by 0.3 metres.
- Vertical parking stalls shall have minimum dimensions of 1.5 metres by 0.3 metres.
- (x) Car Share Parking
- a. Car Share shall mean the practice where a number of people share the use of one or more motor vehicles that are owned by a profit or non-profit car sharing organization, such car-share vehicles to be made available for short term rental, including hourly rental.
 - b. Two Car Share parking spaces shall be provided and maintained on the site included within the required residential parking.
- (xi) Amenity Area (minimum) 4,390 square metres.
- (xii) Ground floor height shall mean the floor-to-next floor height as measured from the finished grade of 98.85 metres geodetic and shall not be less than 5 metres.

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- (xiii) Canopies may extend or project into a required yard not more than 1.0 metre.
 - (xiv) Residential Dwellings are not permitted on the 11th floor.
 - (xv) The maximum number of bedrooms per unit shall be 3.
 - (xvi) Bedroom shall mean any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
 - (i) Common areas open to all occupants of the unit;
 - (ii) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
 - (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters, and laundry equipment.
 - (xvii) City Owned Structures such as bus shelters are exempt from the provisions of this by-law and shall not impact the provisions of this by-law if lands are required to be conveyed to the municipality.

1.6. By **Adding** the following section 464 in Part VIII – Exceptions To Various Zone Classifications as follows:

“464. 19-23 Chatham Street

Notwithstanding the provisions of Section 23C hereof to the contrary, the lands designated ‘C4.464’ on Schedule ‘A’ hereto, the following regulations shall apply:

- (i) Rear Yard (minimum) 1.5 metres
- (ii) Interior Side Yard (minimum) 1.5 metres
- (iii) A minimum of 54 percent of the building frontage shall be built to the front property line.
- (iv) The property is not subject to a minimum ground floor height.
- (v) The property is not subject to a minimum streetwall height.
- (vi) Off Street Parking
 - a. Parking may be permitted in a yard abutting a streetline.

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- b. Parking spaces shall have minimum dimension of 2.6m wide and 5.2 metres long.

(vii) Bicycle Parking

- a. Horizontal parking stalls shall have minimum dimensions of 1.8 metres by 0.3 metres.
- b. Vertical parking stalls shall have minimum dimensions of 1.5 metres by 0.3 metres.

(viii) Amenity Area 65 square metres

(ix) This property is not subject to a rear yard angular plane"; and

That this By-Law shall come into force and take effect on its passing, provided that Official Plan Amendment Number 55 is approved and no Notice of Appeal is filed to this By-Law, and where one or more appeals have been filed within the time period specified, at the conclusion of which, Section 34, Subsection 30 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, applies and the By-Law shall be deemed to have come into force and take effect on the day it was passed; and

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

c) Zoning By-law Amendment – 333 University Avenue

Whereas the Council of The Corporation of the City of Kingston deems it advisable to amend By-Law Number 8499, as amended, of the former City of Kingston; and

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 May 15, 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 the giving of further notice is not required for the Zoning By-Law Amendment application for 333 University Avenue; and

That the application for Zoning By-Law Amendment (Our File Number D14-076-2014) submitted by PRK Developments, be *approved*; and

That the Council of the Corporation of the City of Kingston hereby enacts as follows:

By-Law Number 8499 of The Corporation of the City of Kingston, entitled “Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston”, as amended, is hereby further amended as follows:

- 1.1 Map 19 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from C4-H to C4.465, as shown on Schedule “A” attached to and forming part of By-Law Number 2015-____.
- 1.2. By **Adding** the following section 465 in Part VIII – Exceptions To Various Zone Classifications as follows:

“465.333 University Avenue (Formerly 460-468 & 480 Princess St. & 327 University Avenue)

Notwithstanding the provisions of Section 23C hereof to the contrary, the lands designated ‘C4.465’ on Schedule ‘A’ hereto, the following regulations shall apply:

- (i) Building Height:
 - a. No part of the mixed use building shall exceed the height limits in metres specified by the numbers following the “H” as shown on the attached Schedule B forming part of this By-Law, this does not prevent the erection of:
 - b. Window washing equipment, lighting fixtures, ornamental elements, lightning rods, parapets, trellises, eaves, window sills, guardrails, balustrades, railings, stairs, stair enclosures, wheel chair ramps, vents, ventilating equipment, landscape and green roof elements, solar panels, partitions dividing outdoor recreation areas, wind mitigation, chimney stack, exhaust flues, garbage chute overrun and public art elements.
 - c. Height shall be measured from the finished floor grade of 98.85 metres geodetic.
 - d. Streetwall Height (maximum) 14.5 metres measure from 98.5 metres geodetic.
- (ii) The minimum angular plane shall not apply.
- (iii) Off Street Parking:

- a. 0.5 spaces per residential unit
 - b. 1 space per 150 square metres gross leaseable are for any permitted commercial use
- (iv) Parking spaces shall have minimum dimensions of 2.6 metres wide by 5.2 metres long.
- (v) Barrier Free parking spaces shall have minimum dimensions of 3.7 metres wide by 5.2 metres long with a minimum required vertical clearance of 2.1 metres. If a 1.5 metre access aisle is provided beside a barrier free parking space the dimensions can be reduced to 3.2 metres wide by 5.2 metres long.
- (vi) Off-site residential parking shall be provided within 500 metres of the property zoned C4.465.
- (vii) Loading Spaces: a minimum of one loading space is required which shall have a minimum vertical clearance of 3.4 metres.
- (viii) Bicycle Parking
- a. Horizontal parking stalls shall have minimum dimensions of 1.8 metres by 0.3 metres.
 - b. Vertical parking stalls shall have minimum dimensions of 1.5 metres by 0.3 metres.
- (ix) Car Share Parking
- a. Car Share shall mean the practice where a number of people share the use of one or more motor vehicles that are owned by a profit or non-profit car sharing organization, such car-share vehicles to be made available for short term rental, including hourly rental.
 - b. Two Car Share parking spaces shall be provided and maintained on the site included in the required residential parking.
- (x) Amenity Area (minimum) 3,600 square metres
- (xi) Ground floor height shall mean the floor-to-next floor height as measured from the finished grade of 98.85m geodetic and shall not be less than 5 metres.

- (xii) Canopies may extend or project into a required yard not more than 1.0 metre.
- (xiii) Residential Dwellings are not permitted on the 11th floor.
- (xiv) The maximum number of bedrooms per unit shall be 3.
- (xv) Bedroom shall mean any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
 - (i) Common areas open to all occupants of the unit;
 - (ii) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
 - (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters, and laundry equipment; and

That this By-Law shall come into force and take effect on its passing, provided that Official Plan Amendment Number 55 is approved and no Notice of Appeal is filed to this By-Law, and where one or more appeals have been filed within the time period specified, at the conclusion of which, Section 34, Subsection 30 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, applies and the By-Law shall be deemed to have come into force and take effect on the day it was passed; and

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

(The draft by-laws are attached to the agenda as schedule pages 360-384)

(See By-Law Number (14), 2015-61)

(See By-Law Number (15), 2015-62)

(See By-Law Number (16), 2015-63)

Report Number 29: Received from the Municipal Heritage Committee

Report Number 29

To the Mayor and Members of Council:

The Municipal Heritage Committee Reports and Recommends as follows from their March 2, 2015 meeting:

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 67 University Ave (“Ontario Hall”), Queen’s University Campus

That alterations to the property at 67 University Avenue, be approved in accordance with the details described in Application Number P18-322-005-2015, which was deemed complete on January 22, 2015, with said repairs to include the following:

- a) Repointing of deteriorated mortar joints using a mortar composed of White Portland Cement, hydrated lime putty and sand aggregate;
- b) Replacement of fractured rock-faced stones with matching stones;
- c) Repair of cracked cut stones using epoxy injection and stainless steel dowels, where necessary;
- d) Patching of carved stone elements using premixed cementitious repair materials formulated to match the colour and texture of the original masonry;
- e) Injection grouting of the deteriorated core of the wall with a specially formulated grout;
- f) Insertion of stainless steel reinforcement where required to stabilize corbelled elements; and

That the approval of the alteration be subject to the following four conditions:

- a) All masonry work shall be completed in accordance with the City’s Policy on Masonry Restoration in Heritage Buildings;
- b) That the applicant safely remove or substantially and frequently prune the ivy and other organic growth from the building to prevent future damage to the wooden heritage elements, roof, gutters, and masonry work;
- c) 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 and Sport (416-314-7132) and the City of Kingston’s Planning Division (613-546-4291 extension 3180) must be immediately contacted; and

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- d) 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 and Culture (416-314-7132), and the City of Kingston's Planning Division (613-546-4291 extension 3180) must be immediately contacted.

2. Application for Heritage Permit under the Ontario Heritage Act 43 University Ave ("Grant Hall"), Queen's University Campus

That alterations to the property at 43 University Avenue, be approved in accordance with the details described in Application Number P18-322-006-2015, which was deemed complete on January 22, 2015, with said repairs to include the following:

- a) Repointing of deteriorated mortar joints using a mortar composed of White Portland Cement, hydrated lime putty and sand aggregate;
- b) Replacement of fractured rock-faced stones with matching stones;
- c) Repair of cracked cut stones using epoxy injection and stainless steel dowels, where necessary;
- d) Injection grouting of the deteriorated core of the wall with a specially formulated grout;
- e) Insertion of stainless steel reinforcement, where required, to stabilize corbelled elements;
- f) Dismantlement and re-laying of the stone steps and landing on the east side of the building; and

That the approval of the alteration be subject to the following five conditions:

- a) Any required building permit(s) be obtained;
- b) All masonry work shall be completed in accordance with the City's Policy on Masonry Restoration in Heritage Buildings;
- c) That the applicant safely remove or substantially and frequently prune the ivy and other organic growth from the building to prevent future damage to the wooden heritage elements, roof, gutters, and masonry work;
- d) 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 and Sport (416-314-7132) and the City of Kingston's Planning Division (613-546-4291 extension 3180) must be immediately contacted; and
- e) 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 and Culture (416-314-7132) and the City of Kingston's Planning Division (613-546-4291 extension 3180) must be immediately contacted.

3. Application for Heritage Permit under the Ontario Heritage Act 85 Stuart Street ("Theological Hall"), Queen's University Campus

That alterations to the property at 85 Stuart Street, be approved in accordance with the details described in Application Number P18-322-007-2015, which was deemed complete on January 22, 2015, with said repairs to include the following:

- a) Repointing of deteriorated mortar joints using a mortar composed of White Portland Cement, hydrated lime putty and sand aggregate;
- b) Replacement of fractured rock-faced stones with matching stones;
- c) Repair of cracked cut stones using epoxy injection and stainless steel dowels, where necessary;
- d) Patching of carved stone elements using premixed cementitious repair materials formulated to match the colour and texture of the original masonry;
- e) Injection grouting of the deteriorated core of the wall with a specially formulated grout;
- f) Insertion of stainless steel reinforcement where required to stabilize corbelled elements;
- g) Dismantlement and reconstruction of the stone steps at the south elevation; and

That the approval of the alteration be subject to the following five conditions:

- a) Any required building permit(s) be obtained;
- b) All masonry work shall be completed in accordance with the City's Policy on Masonry Restoration in Heritage Buildings;
- c) That the applicant safely remove or substantially and frequently prune the ivy and other organic growth from the building to prevent future damage to the wooden heritage elements, roof, gutters, and masonry work;
- d) 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 and Sport (416-314-7132) and the City of Kingston's Planning Division (613-546-4291 extension 3180) must be immediately contacted; and
- e) 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 and Culture (416-314-7132), and the City of

Kingston's Planning Division (613-546-4291 extension 3180) must be immediately contacted.

4. Application for Heritage Permit under the Ontario Heritage Act 55 Stuart Street ("Summerhill")

That alterations to a designated property at 55 Stuart Street, be approved in accordance with details described in Application P18-1244-002-2015, which was deemed complete on January 22, 2015, with said alterations to include the following:

- a) Complete replacement of three (3) sets of stairs including the treads, risers, stringers, spindles, railings and newel posts;
- b) Complete decking replacement including protection of steel brackets from ACQ lumber, replacement of joist hangers and replacement of cedar timbers;
- c) Complete handrail replacement;
- d) Isolated repairs to the laminated band beam;
- e) Isolated repairs to the spindles;
- f) Repairs to stonework on the south elevation and to the verandah (column bases); and
- g) Repainting to match the existing colouring (established in 1984).

That the approval of the alterations be subject to the following four conditions:

- a) A building permit be obtained;
- b) All stonework repairs shall be completed in accordance with the City's Policy on Masonry Restoration in Heritage Buildings;
- c) 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 and Sport (416-314-7132) and the City of Kingston's Planning Division (613-546-4291 extension 3180) must be immediately contacted; and
- d) 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 and Culture (416-314-7132), and the City of Kingston's Planning Division (613-546-4291 extension 3180) must be immediately contacted; and
- e) All woodwork be replaced by appropriate and/or like material.

5. Notice of Intention to Designate – Orser House 1621 Jackson Mills Road

That Council serve a Notice of Intention to Designate the property located at 1621 Jackson Mills Road, known as the Orser House, 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-15-006; 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 1621 Jackson Mills Road, known as the Orser House, attached as Exhibit B to Report Number MHC-15-006.

(Exhibit A and B are attached to the agenda as schedule pages 385-389)

(See By-Law Number (3), 2015-50)

**6. Old Sydenham Heritage Conservation District Plan, March 2015
Recommendation for Approval**

That Council approve a by-law to adopt the Old Sydenham Heritage Conservation District Plan, March 2015, as attached to Report MHC-15-005, for the Old Sydenham Heritage Conservation District pursuant to Section 41.1 of the Ontario Heritage Act; and

That the Municipal Heritage Committee encourages the City of Kingston to provide appropriate resources to successfully implement the plan.

(The draft by-law is attached to the agenda as schedule pages 390-391)

(See By-Law Number (24), 2015-67)

Report Number 30: Received from the Administrative Policies Committee

Report Number 30

To the Mayor and Members of Council:

The Administrative Policies Committee Reports and recommends as follows:

1 Review of the 2014 Municipal Election

That Report AP-15-009, regarding the 2014 Municipal Election Review be received and forwarded to the 2018 Election Team for future consideration in the planning and implementation of the 2018 Municipal Election.

2 2015 Tax Ratios and Tax Capping Parameters

- a. That** Council approve the 2015 tax ratios as follows:
- i.** the residential property class be set at 1.00;
 - ii.** the new multi-residential property class be set at 1.00;
 - iii.** the multi-residential property class be set at 2.227788;
 - iv.** the commercial property class be set at 1.98;
 - v.** the industrial property class be set at 2.63;
 - vi.** the pipe line property class be set at 1.1728;
 - vii.** the farmlands property class be set at 0.25;
 - viii.** the managed forests property class be set at 0.25.
- b. That** a by-law be presented in order to establish the 2015 tax ratios.
- c. That** the 2015 property tax capping program be approved as outlined in this report and that the funding for capped properties be provided from within each respective tax class.
- d. That** a by-law be presented to establish the 2015 optional capping parameters:
- i. That** the commercial and industrial property cap limits will be the greater of:
 - 10% of previous year's annualized (capped) tax, or
 - 5% of previous year's uncapped (CVA) taxes; and
 - ii. That** threshold limits apply to move commercial, industrial and multi-residential capped taxes to uncapped (CVA) taxes whenever capped taxes are within \$250 of the uncapped tax; and

- iii. **That** for 2015, properties which have reached their uncapped tax during 2014, or crossed over from the clawed back category to the capped category, or crossed over from the capped category to the clawed back category remain at uncapped taxes and be excluded from any further and future capping adjustments; and
- iv. **That** new construction/new-to-class limits will be set at 100% of their uncapped taxes, which will apply to eligible properties commencing taxation for part or all of 2015, and for future years.

(The draft by-law is attached to the agenda as schedule pages 392-396)

(See By-Law Number (4), 2015-51)

(See By-Law Number (5), 2015-52)

Report Number 31: Received from the Municipal Accessibility Advisory Committee

Report Number 31

To the Mayor and Members of Council:

The Municipal Accessibility Advisory Committee Reports and Recommends as follows:

Appointment of MAAC Member to Waterfront Master Plan Working Group

That Lorraine Farrar be appointed as the MAAC Representative to the Waterfront Master Plan Working Group.

Report Number 32: Received from the Environment, Infrastructure and Transportation Policies Committee

Report Number 32

To the Mayor and Members of Council:

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

1. Fish and Frogs Forever Program – Protection Program for Storm Water Quality

That staff be directed to consult with a working group of the Kingston Environmental Advisory Forum to identify cost neutral opportunities for improving the reach and impact of the Fish and Frogs Forever stormwater quality protection program, and

That a recommendation for an updated stormwater quality education and outreach program be provided back to Kingston Environmental Advisory Forum by September 2015.

2. Appointment of KEAF Member to Waterfront Master Plan Working Group

That Roger Healey be appointed as the KEAF Representative to the Waterfront Master Plan Working Group.

Committee of the Whole

Information Reports

1. **Social Assistance Management System (SAMS) - Update on Implementation of New Provincial Ontario Works Technology**

On November 11, 2014 the new provincially-mandated Social Assistance Management System (SAMS) software was implemented across the province to administer social assistance, including providing benefits and determining eligibility. The purpose of this report is to provide Council with an understanding of the significant local and operational impacts of this new system.

(The Report of the Commissioner of Community Services (15-189) is attached as Schedule Pages 397-410)

(File Number CSU-F05-000-2015)

2. **Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of January 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 January, 2015.

(The Report of the Chief Financial Officer and City Treasurer (15-193) is attached as Schedule Pages 411-416)

(File Number CSU-R05-000-2015)

3. **Demolition of Rear Addition (3566 Boundary Road)**

The purpose of this report is to notify Council of the proposed demolition of a rear yard addition to the "listed" heritage property at 3566 Boundary Road, in accordance with section 27(3) of the Ontario Heritage Act.

(The Report of the Commissioner of Community Services (15-201) is attached as Schedule Pages 417-428)

(File Number CSU-R10-000-2015)

4. **Winter Control Monitoring and Activity Analysis Report**

The following report discusses winter control in general, indicates what winter control activity related data will be monitored and how that data will be analyzed, to further impact the level of winter control service delivery that can be maintained.

(The Report of the President and CEO of Utilities Kingston (15-210) is attached as Schedule Pages 429-437)

(File Number CSU-T02-000-2015)

5. **Rideau Heights Regeneration Strategy – Project Update and Consultation Schedule**

The purpose of this report is to provide an update to Council on the overall project status and to outline the schedule for the remainder of the Rideau Heights Regeneration Strategy. Staff will be moving to the public consultation program which will include the formal presentation of the recommended Plan.

(The Report of the Commissioner of Community Services (15-211) is attached as Schedule Pages 438-464)

(File Number CSU-R06-000-2015)

6. **2014 Statement of Remuneration and Expenses Paid to Council Members**

The *Municipal Act, 2001* S. 284 (1) states that the treasurer of a municipality shall in each year on or before March 31 provide to the council of the municipality an itemized statement on remuneration and expenses paid in the previous year to “each member of council in respect of his or her services as a member of the council or any other body, including a local board, to which the member has been appointed by council or on which the member holds office by virtue of being a member of council”.

(The Report of the Chief Financial Officer and City Treasurer (15-192) is attached as Schedule Pages 465-471)

(File Number CSU-F09-000-2015)

Information Reports from Members of Council

Miscellaneous Business

Motions of Council are required:

- (1) **That** the resignation of Ms. Michelle Webb from the Municipal Accessibility Advisory Committee be received with regret.
- (2) **That** as requested by the Kingston and District Labour Council, Council proclaim April 28, 2015 as “National Day of Mourning” in the City of Kingston.
(See Communication Number 11-176)
- (3) **That**, as requested by the Kingston and District Labour Council, Council approve the raising of the National Day of Mourning flag on April 28, 2015, in the City of Kingston. (Time Sensitive)
(See Communication Number 11-177)
- (4) **That** as requested by the Ontario Regional Common Ground Alliance (ORCGA), Council proclaim the month of April, 2015 as “Dig Safe-April-Kickoff in Kingston” in the City of Kingston. (Time Sensitive)
(See Communication Number 11-178)

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- (5) **That**, as requested by the Ontario Regional Common Ground Alliance (ORCGA), Council approve the raising of the flag on April 1, 2015, in the City of Kingston.
(See Communication Number 11-179)
- (6) **That** as requested by the Association in Defence of the Wrongly Convicted (AIDWYC), Council proclaim October 2, 2015 as “Wrongful Conviction Day” in the City of Kingston.
(See Communication Number 11-180)
- (7) **That** as requested by Hospice Kingston, Council proclaim May 4-8, 2015 as “National Hospice Palliative Care Week – The Power of 10: Let’s Talk about Hospice Palliative Care” in the City of Kingston.
(See Communication Number 11-181)
- (8) **That** as requested by Transplant Advocate Association, Council proclaim the month of April, 2015 as “BeADonor.ca Month” in the City of Kingston.
(See Communication Number 11-182)
- (9) **That**, as requested by Transplant Advocate Association, Council approve the raising of the flag on April 19-25, 2015, in the City of Kingston.
(See Communication Number 11-183)

New Motions

1. Moved by Councillor Neill
Seconded by Councillor Hutchison
- That** a by-law be presented to Council to amend By-Law 2010-1, as amended, (“The Council Procedural By-law”) by inserting the following wording to section 14.10 “Any time spent asking questions of staff does not count against the member’s 5 minute time allowance for making a speech about the motion or issue.”
- And further amended by inserting the following wording “Any Member of Council shall be recognized by the Chair and allowed to propose an amendment to a motion on the floor regardless of whether she or he has already spoken to the main motion”
- (See By-Law Number (6), 2015-53)**
2. Moved by Councillor Osanic
Seconded by Councillor Neill
- That** a by-law be presented to Council to amend By-Law 2010-1, as amended, (“The Council Procedural By-law”) by deleting Section 14.37 in its entirety, and inserting the following:
- “Appeal of ruling of the Chair

14.37 Any member may challenge the ruling of the Chair. The challenger is permitted one minute to describe the reason followed by a one minute response by the Chair, if required. No further debate is permitted. A simple majority of the members present voting in favor of the challenge is required to overturn the decision of the chair.”

(See By-Law Number (7), 2015-54)

3. Moved by Councillor M^cLaren
Seconded by Councillor Stroud

That a by-law be presented to Council to amend By-Law 2010-205, as amended, (“The Committee By-Law”) by deleting Section 2.6, paragraph 2, and inserting the following:

“The Mayor is able to participate in the business of the Committee without any restriction including voting. Except when dealing with quasi-judicial matters, Members of Council are able to attend and participate at any meeting. Only members of Council who have been appointed to a Committee are entitled to vote.

(See By-Law Number (8), 2015-55)

4. Moved by Councillor Neill
Seconded by Mayor Paterson

That the following motion, approved by Council on March 3, 2015, be reconsidered:

Whereas citizen volunteers in the City of Kingston have traditionally played a valuable role in helping the City to form policy and to ensure community participation in decision making; and

Whereas our Committee By-law 2010-205, calls for all committees to “meet as soon as possible after the day of the inaugural meeting of Council and/or in December each subsequent calendar year to formulate its recommendations about a Chair and Vice-Chair”(2.13), yet many Committees have not met due to staff cancellations of meetings; and

Whereas the By-law also sets a number of required meetings per annum for such committees, yet many committees have failed to meet in many cases due to staff cancellation of meetings; and

Whereas the By-law also says, “2.10 Agenda - The Agenda of every committee will be structured as follows” and includes as items; and

“8) Motions 9) Notices of Motion”, and also stipulates “2.11 Motions on Committee Agendas - Motions introducing new policy or procedure matters must be in the hands of the Clerk by 12:00 noon one week prior to the regular Committee meeting for inclusion in the Orders of the Day”, yet committee clerks

have been instructed not to accept any motions that may recommend future staff action to Council for approval, even though this has not been past practice, nor has the By-Law been amended; and

Whereas the By-law also stipulates, “2.1 Except as otherwise provided for in this by-law, all Committees must conform to the rules governing the procedures of a meeting of Council as outlined in the ‘Council Procedural By-Law’”;

Therefore Be It Resolved That staff be instructed to schedule meetings of all committees as soon as possible to ensure that Chairs and Vice-Chairs are appointed, as stipulated in By-law 2010-205 (2.13), and that all Chairs and Vice Chairs be given a copy of the By-law and Committee Terms of Reference; and

That all motions, duly Moved, Seconded and on time be accepted for the agenda; and

That all Committees shall be governed by the rules set out in By-law 2010-205, including By-law 2010-1, the Council Procedural By-law, until such By-laws are amended.

2/3 Vote of Council required

5. Moved by Councillor Holland
Seconded by: Councillor George

Whereas public consultation sessions increase levels of civic engagement and inform municipal program and policy design; and

Whereas By-law 2010-1 defines “public consultation meeting” as “A meeting hosted by staff, committee or Council in order to receive input from the public regarding a specific matter”; and

Whereas parents of young children require child care in order to fully participate in such sessions; and

Whereas arranging child care imposes costs on parent participants not faced by other residents who attend such sessions;

Therefore Be It Resolved That staff be requested to present options on potential on-site child care provision for public consultation sessions that could be introduced, including guidelines, policy and costs, for consideration to the Administrative Policies Committee by the end of Q2 2015.

6. Moved by Mayor Paterson
Seconded by Councillor Osanic

Whereas Correctional Service of Canada celebrates 180 years of operations in the Kingston community this year; and

Whereas the "Provincial Penitentiary of Upper Canada" opened in Kingston on June 1, 1835 as Canada's first penitentiary institution of its kind; and

Whereas Correctional Service of Canada and its employees have enjoyed a strong relationship with the City of Kingston and its citizens; and

Whereas the right to exercise Freedom of the City will serve to honour the long and distinguished history of Correctional Service of Canada in Kingston and mark this historic anniversary.

Therefore Be It Resolved That Kingston City Council grant the right of Freedom of the City in perpetuity to Correctional Service of Canada, this honour provides the right to enter and march in the City of Kingston; and

That in recognition of the 180th anniversary of Correctional Service of Canada in the City of Kingston permission to exercise Freedom of the City in front of City Hall be granted on May 31, 2015; and

That notwithstanding the Proclamation Policy, Kingston City Council Proclaim June 1, 2015 in perpetuity as “Correctional Service of Canada Appreciation Day” in the City of Kingston.

7. Moved by Councillor Holland
Seconded by Councillor Stroud

Whereas the City of Kingston has initiated a program to provide free public transit for Grades 9-11 in Kingston public schools; and

Whereas Grade 12 students do not currently have access to affordable transit but rely on transit to access employment, volunteer and extra-curricular activities; and

Whereas students cannot apply independent from their families for an Affordable Transit Pass as it is based on household income; and

Whereas many Grade 12 students operate independent of their parent’s finances after completing high school, yet do not qualify for free or affordable transit after Grade 11 or until they are enrolled in post-secondary education, leaving a gap that can create negative, lifelong impacts on their educational and employment activities; and

Whereas the City of Hamilton offers a “Summer Youth Pass” from the period from July 1 (Canada Day) through to and including September 2, 2014 (Labour Day) which provides a summer-long pass for the price of one month, youth transit fares

Therefore Be It Resolved That Council ask staff to provide options for a free or low-cost summer transit pass for Grade 12 public school students to be made available July 1, 2015 through to and including September 7, 2015, by Q2.

8. Moved by Councilor M^cLaren
Seconded by Councilor Neill

Whereas hundreds of concerned conscientious citizens and residents of Kingston have asked that the City Council of Kingston add its voice against the federal government's Bill C-51, *An Act to enact the Security of Canada Information Sharing Act and the Secure Air Travel Act, to amend the Criminal Code, the Canadian Security Intelligence Service Act and the Immigration and Refugee Protection Act and to make related and consequential amendments to other Acts*; and

Whereas several clauses of Bill C-51, if passed, go far beyond targeting terrorists and target ordinary conscientious objectors giving rise to the legitimate concern that Kingston citizens who have, for example, protested the closing of the prison farms, questioned the wisdom of reversing Line 9 and allowing bitumen to flow through environmentally-sensitive areas of Kingston, joined hands with members of the Idle No More movement seeking justice for Canada's aboriginal peoples, and questioned the legality of holding people in area prisons without a trial, could be secretly identified by the Canadian Security Intelligence Agency or another similar body, as terrorists and have their right to leave the country and other rights stripped from them without a hearing; and

Whereas Kingston is a city with growing newcomer populations, some of which have often been the target groups for security agencies, Bill C-51, if passed, may have a greater detrimental impact on Kingston's labour force, society, culture and sense of wellbeing, especially for those of Arabic or South Asian background and/or the Muslim faith, in that agencies that have violated the trust of said communities, with for example security certificates, will be given even more invasive powers to surveil, harass, and question base on nothing more than religious or racial profiling; and

Whereas the residents of Kingston have a proud history of protesting injustice, several clauses of Bill C-51, if passed, would elevate some commonly accepted, reasonable and just forms of peaceful civil disobedience to the level of terrorism such as refusing to spy on neighbours, supporting fledgling democracies abroad, organizing successful boycotts or labour strikes, sit ins, and protesting in Canada over injustices in other countries; and

Whereas Bill C-51 would, if passed, strip all accidental and innocent victims of this Act of proper justice and the redress of their grievances; and

Whereas several clauses of C-51 that amend the Criminal Code are far too subjective in what can conceivably be considered communicating statements and propaganda and that two proposed amendments to the Criminal Code when read with the existing the Criminal Code would massively and without due proportion put all of us at the subjective whims of the law enforcement apparatus; and

Whereas many Canadians, including: 4 former Canadian Prime Ministers; 5 former Justices of the Supreme Court of Canada, see "A Close Eye on Security Makes Canada Safer" published February 19, 2015, The Globe and Mail and

over 100 professors of law and related disciplines, see “Open Letter to Parliament: Amend C-51 or Kill it” published February 27, 2015; The National Post, demand a serious re-think of all the excesses and omissions of Bill C-51;

Therefore Be It Resolved That Kingston City Council add their voice to the list of prominent people and institutions speaking against Bill C-51 by communicating to the Prime Minister and other Municipalities in Ontario via the Association of Municipalities of Ontario the above noted concerns expressed in this motion.

Notices of Motion

Minutes

That the Minutes of City Council Meeting Number 2015-10, held Tuesday, March 3, 2015 be confirmed.

(Distributed to all Members of Council on March 20, 2015)

Tabling of Documents

2015-26 Kingston & Frontenac Housing Corporation
Public Agenda – February 23, 2015
(File Number CSU-D03-000-2015)

Communications

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

Filed

- 11-183 From Dawn McAlpine, City Clerk, City of Barrie, acknowledging receipt of our correspondence regarding the motion on Municipal Election Reform.
(File Number CSU-C07-000-2015)
- 11-184 From Jim Wilson, MPP, acknowledging receipt of our correspondence regarding the motion on Municipal Elections Act.
(File Number CSU-C07-000-2015)
- 11-185 From Ted McMeekin, Minister, acknowledging receipt of our correspondence regarding the motion on Municipal Elections Act.
(File Number CSU-C07-000-2015)
- 11-186 Notice of Public Meeting and Complete Planning Application regarding 41 MacKenzie Crescent.
(File Number CSU-D14-000-2015)
- 11-187 From L. Fleury, Legislative Officer, acknowledging receipt of our correspondence regarding the motion on Municipal Elections Act.
(File Number CSU-C07-000-2015)

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- 11-188 From Debbie Shields, City Clerk, City of Pickering, acknowledging receipt of our correspondence regarding the motion to amend Ontario Regulation 282/98 New Multi Residential Property Tax Class.
(File Number CSU-F22-000-2015)
- 11-189 From the Committee of Adjustment, A Notice of Decision for the following application:
Consent – In respect of an application for consent to sever the property at 4000 6th Concession Road, the Committee decided that the application should be provisionally approved, subject to conditions. The final date for the appeal is April 2, 2015.
(File Number CSU-D19-000-2015)
- 11-190 From the Committee of Adjustment, A Notice of Decision for the following application:
Consent – In respect of an application for consent to sever the property at 50 Hamilton Street, the Committee decided that the application should be provisionally approved, subject to conditions. The final date for the appeal is April 2, 2015.
From the Committee of Adjustment, A Notice of Decision for the following application:
Consent – In respect of an application for consent to sever the property at 94 College Street, the Committee decided that the application should be provisionally approved, subject to conditions. The final date for the appeal is April 2, 2015.
From the Committee of Adjustment, A Notice of Decision for the following application:
Consent – In respect of an application for consent to sever the property at 145 Kirkpatrick Street, the Committee decided that the application should be provisionally approved, subject to conditions. The final date for the appeal is April 2, 2015.
(File Number CSU-D19-000-2015)
- 11-191 From the Committee of Adjustment, A Notice of Decision for the following application:
Consent – In respect of an application for consent to sever the property at 3125 Orser Road, the Committee decided that the application should be provisionally approved, subject to conditions. The final date for the appeal is March 17, 2015.
(File Number CSU-D19-000-2015)
- 11-192 From the Committee of Adjustment, A Notice of Decision for the following application:
Minor Variance – In respect of an application to request relief from Zoning By-Law Number 32-74 for the property at 3 Booth Avenue, the Committee

decided that the application **Should be Approved**, subject to conditions. The final date for appeal is March 16, 2015.

Minor Variance – In respect of an application to request relief from Zoning By-Law Number 8499 for the property at 333 Kingscourt Avenue, the Committee decided that the application **Should be Approved**, subject to conditions. The final date for appeal is March 16, 2015.

Minor Variance – In respect of an application to request relief from Zoning By-Law Number 8499 for the property at 319 Mack Street, the Committee decided that the application **Should be Approved**, subject to conditions. The final date for appeal is March 16, 2015.

Minor Variance – In respect of an application to request relief from Zoning By-Law Number 32-74 for the property at 1309 John Marks Avenue, the Committee decided that the application **Should be Approved**, subject to conditions. The final date for appeal is March 16, 2015.

(File Number CSU-D19-000-2015)

- 11-193 From Debi Wilcox, Town Clerk, Town of Whitby, acknowledging receipt of our correspondence.
(File Number CSU-C07-000-2015)

Referred to All Members of Council

- 11-146 From David and Mary Moore, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 6, 2015)
- 11-147 From Sharon Way, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 6, 2015)
- 11-148 From Veronica Blackburn, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 6, 2015)
- 11-149 From Chelsea Stelmach, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 6, 2015)
- 11-150 From Jill Bryant, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 6, 2015)
- 11-151 From Greg Newman, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 6, 2015)

City Council Meeting Number 2015-11

Agenda

Tuesday, March 24, 2015

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- 11-152 From Lauren Anstey, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 6, 2015)
 - 11-153 From Larry Scanlan, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 6, 2015)
 - 11-154 From Lindsey Pilon, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 6, 2015)
 - 11-155 From Ada Mullett, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 6, 2015)
 - 11-156 From Neil Bettney, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 6, 2015)
 - 11-157 From Nancy Jones, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 6, 2015)
 - 11-158 From Rosemary Thoms, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 6, 2015)
 - 11-159 From Margo Rivera, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 6, 2015)
 - 11-160 From Jean Pflaiderer, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 6, 2015)
 - 11-161 From Allison Rutter, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 6, 2015)
 - 11-162 From Kyra Walker Pearson, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 6, 2015)
 - 11-163 From Gillian Kelly, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 6, 2015)
 - 11-164 From Annie Clifford, regarding the proposed Wellington Street extension.

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- (File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 6, 2015)
- 11-165 From Shirley Campbell, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 6, 2015)
- 11-166 From Val Hamilton, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 6, 2015)
- 11-167 From Patrick Shorey, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 6, 2015)
- 11-168 From Michael Keene, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 6, 2015)
- 11-169 From Eleanor Beach, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 6, 2015)
- 11-170 From Serena Manson, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 13, 2015)
- 11-171 From Barry Lloyd, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 13, 2015)
- 11-172 From Polly Van Luven, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 13, 2015)
- 11-173 From Donald Sackey and Trina Zeimbekis regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 13, 2015)
- 11-174 From Curtis Brunet, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 13, 2015)
- 11-175 From Greg Tilson, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 13, 2015)
- 11-176 From Kingston and District Labour Council, asking that Council proclaim April 28, 2015 as “National Day of Mourning” in the City of Kingston.

- (File Number CSU-M10-000-2015)
(See Miscellaneous Business Item Number (2))
(Distributed to all Members of Council on March 20, 2015)
- 11-177 From Kingston and District Labour Council, asking that Council raise the flag on April 28, 2015 in Confederation Park in the City of Kingston.
(File Number CSU-M10-000-2015)
(See Miscellaneous Business Item Number (3))
(Distributed to all Members of Council on March 20, 2015)
- 11-178 From Ontario Regional Common Ground Alliance (ORCGA), asking that Council proclaim the month of April, 2015 as “Dig Safe – April – Kick Off, Kingston” in the City of Kingston.
(File Number CSU-M10-000-2015)
(See Miscellaneous Business Item Number (4))
(Distributed to all Members of Council on March 20, 2015)
- 11-179 From Ontario Regional Common Ground Alliance (ORCGA) asking that Council raise the flag on April 28, 2015 in Confederation Park in the City of Kingston.
(File Number CSU-M10-000-2015)
(See Miscellaneous Business Item Number (5))
(Distributed to all Members of Council on March 20, 2015)
- 11-180 From The Association in Defence of the Wrongly Convicted (AIDWYC), asking that Council proclaim October 2, 2015 as “Wrongful Conviction Day” in the City of Kingston.
(File Number CSU-M10-000-2015)
(See Miscellaneous Business Item Number (6))
(Distributed to all Members of Council on March 20, 2015)
- 11-181 From Hospice Kingston, asking that Council proclaim May 4-8, 2015 as “National Hospice Palliative Care Week-The Power of 10: Let’s Talk about Hospice Palliative Care” in the City of Kingston.
(File Number CSU-M10-000-2015)
(See Miscellaneous Business Item Number (7))
(Distributed to all Members of Council on March 20, 2015)
- 11-182 From Transplant Advocate Association, asking that Council proclaim the month of April, 2015 as “BeADonor.ca Month” in the City of Kingston.
(File Number CSU-M10-000-2015)
(See Miscellaneous Business Item Number (8))
(Distributed to all Members of Council on March 20, 2015)
- 11-205 From Transplant Advocate Association, asking that Council raise the flag on April 19-25, 2015 on Princess Street in the City of Kingston.
(File Number CSU-M10-000-2015)
(See Miscellaneous Business Item Number (9))

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- (Distributed to all Members of Council on March 20, 2015)
- 11-194 From Cheryl Knott, regarding the proposed Wellington Street extension.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 20, 2015)
- 11-195 From Neil Watlington, introducing NextEra Canada Development and Acquisitions Inc.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 20, 2015)
- 11-196 From Gerald Pinchbeck, City of Quesnel, regarding the Ride Across Canada.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 20, 2015)
- 11-197 From James Babcock, regarding Garbage pickup and Green bins.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 20, 2015)
- 11-198 From Carla Nell, President, Municipal Tax Advisory Group, regarding the introduction of the Municipal Tax Advisory Group.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 20, 2015)
- 11-199 From Stephen Covey, President, Operation Lifesaver, regarding Public Rail Safety Week.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 20, 2015)
- 11-200 From Ministry of Environment and Climate Change, regarding Environmental Compliance Approval.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 20, 2015)
- 11-201 From Catherine Bell-Sood, regarding the rezoning application of Cruickshank Construction.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 20, 2015)
- 11-202 From Raman R. Sood, regarding the rezoning application of Cruickshank Construction.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 20, 2015)
- 11-203 From Ministry of Agriculture, Food and Rural Affairs, regarding Notification of NASM Plan Approval.
(File Number CSU-T04-000-2015)
(Distributed to all Members of Council on March 20, 2015)
- 11-204 From Ontario Municipal Board, Memorandum of Oral and Decision delivered by M.A. Sills, regarding 495-513 Frontenac Street.
(File Number CSU-T04-000-2015)

(Distributed to all Members of Council on March 20, 2015)

Referred to City Clerk

- 11-206 From United Way – Kingston Frontenac Lennox & Addington, asking that Council proclaim April 12-18, 2015 as “National Volunteer Week” in the City of Kingston.
(File Number CSU-M10-000-2015)
(Distributed to all Members of Council on March 20, 2015)
- 11-207 From Kingston Aboriginal Community, asking that Council proclaim June, 2015 as “Aboriginal Peoples Month” in the City of Kingston.
(File Number CSU-M10-000-2015)
(Distributed to all Members of Council on March 20, 2015)
- 11-208 From Sustainable Kingston, asking that Council proclaim March 28, 2015 – the hour of 8:30-9:30 pm as “Earth Hour – Kingston Unplugged” in the City of Kingston.
(File Number CSU-M10-000-2015)
(Distributed to all Members of Council on March 20, 2015)

Business

By-Laws

- a) **That** By-Laws (1) through (19) and (24), (25) 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-Laws (17) to (19) three readings.
- c) **That** By-Laws (9) through (23) (25) be given their third reading.
- (1) A By-Law to Approve the Renaming an Existing Public Road Located Between the Existing Segments of Innovation Drive from John Marks Avenue to Innovation Drive, City of Kingston, County of Frontenac
First and Second Readings Proposed Number 2015-48
(See Clause (a), Report Number 26)
- (2) A By-Law to Approve the Renaming of a Portion of an Existing Public Road Located Directly East of Pauline Tom Avenue from Innovation Drive to John Marks Avenue, City of Kingston, County of Frontenac
First and Second Readings Proposed Number 2015-49
(See Clause (a), Report Number 26)

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- (3) A By-Law To Designate The Orser House At 1621 Jackson Mills Road 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 2015-50
(See Clause (5), Report Number 29)
- (4) A By-Law to Establish the 2015 Tax Capping Limits
First and Second Readings Proposed Number 2015-51
(See Clause (2), Report Number 30)
- (5) A By-Law to Establish the 2015 Tax Ratios
First and Second Readings Proposed Number 2015-52
(See Clause (2), Report Number 30)
- (6) A By-Law to Amend By-Law 2010-1, 'Council Procedural By-Law' (14.10 Questions)
First and Second Readings Proposed Number 2015-53
(See New Motion 1)
- (7) A By-Law to Amend By-Law 2010-1, 'Council Procedural By-Law' (14.37 Challenge to the Chair)
First and Second Readings Proposed Number 2015-54
(See New Motion 2)
- (8) A By-Law To Amend By-Law No. 2010-205 "A By-Law To Define The Mandate And Meeting Procedures For Committees Established By The Corporation Of The City Of Kingston" (2.6 Mayor as Ex-Officio Member of Committees)
First and Second Readings Proposed Number 2015-55
(See New Motion 3)
- (9) 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" (Administrative Amendments)
Three Readings Proposed Number 2015-56
(See Clause (1), Report Number 28)
- (10) A By-Law to Amend By-Law Number 97-102, "A By-Law to Regulate the Use of Lands and the Character, Location and use of Buildings and Structures in The Township of Kingston" (Administrative Amendments)
Three Readings Proposed Number 2015-57
(See Clause (1), Report Number 28)

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- (11) A By-Law to Amend The Official Plan for The City of Kingston Planning Area (Amendment Number 33, 1163 Centennial Drive)
Three Readings Proposed Number 2015-58
(See Clause (2), Report Number 28)
- (12) A By-Law to Amend By-Law Number 97-102, "Cataraqui North Zoning By-Law" (Zone Change from MU1*8-H and OS1 to MU1*20 and OS1*21, 1163 Centennial Drive)
Three Readings Proposed Number 2015-59
(See Clause (2), Report Number 28)
- (13) A By-Law to Amend By-Law Number 96-259, "Downtown and Harbour Zoning By-Law for The Corporation of The City of Kingston" (Zone Change from Heritage Commercial 'C1-3' to Site-Specific Central Business System '(H)C1-36', 259-265 Princess Street)
Three Readings Proposed Number 2015-60
(See Clause (3), Report Number 28)
- (14) A By-Law To Amend The Official Plan For The City Of Kingston Planning Area (Amendment Number 33, 493-497 Princess Street, 2 and 10 Creighton Street, 460-468 and 480 Princess Street and 327 University Avenue)
Three Readings Proposed Number 2015-61
(See Clause (4), Report Number 28)
- (15) 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 C4-H to B3-462, 212 Colborne Street (493 Princess Street), C4-H to C4.463, 495-497 Princess Street, 2 and 10 Creighton Street, and C4-H to C4.464, 19-23 Chatham Street)
Three Readings Proposed Number 2015-62
(See Clause (4), Report Number 28)
- (16) 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 C4-H to C4.465, 460-468 & 480 Princess Street, 327 University Avenue)
Three Readings Proposed Number 2015-63
(See Clause (4), Report Number 28)
- (17) A By-Law To Provide For The Assumption Of The Public Highways In King's Landing Subdivision Phase 2, Registered Plan 13m-70, In The City Of Kingston, In Accordance With Section 31(4) Of The Municipal Act, Chapter 25, S.O. 2001; And To Provide For The Acceptance By The City Of Kingston, Of The Associated Public Works Within.
Three Readings Proposed Number 2015-64

(Delegated Authority)

- (18) A By-Law to Exempt Lands on Registered Plan 1941 from The Provisions Of Section 50 (5) Of The *Planning Act*, R.S.O. 1990, Chapter P.13, and Amendments Thereto (Municipally known as 16, 26 & 42 Leroy Grant Drive on plan 1941, for the purposes of integrating part of plan 1941 with lands not within the Plan of Subdivision to facilitate the development of a new multi-unit building at 58 Leroy Grant Drive, and to create easements associated with the development of the multi-unit building).

Three Readings

Proposed Number 2015-65

(Delegated Authority)

- (19) A By-Law To Provide For The Assumption Of The Public Highways In King's Landing Subdivision Phase 2, Registered Plan 13m-70, In The City Of Kingston, In Accordance With Section 31(4) Of The Municipal Act, Chapter 25, S.O. 2001; And To Provide For The Acceptance By The City Of Kingston, Of The Associated Public Works Within.

Three Readings

Proposed Number 2015-66

(Delegated Authority)

- (20) 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)

Third Reading

Proposed Number 2015-19

**(See Clause (1), Report Number 14)
(City Council Meeting No. 2015-5)**

- (21) 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)

Third Reading

Proposed Number 2015-20

**(See Clause (2), Report Number 14)
(City Council Meeting No. 2015-5)**

- (22) A By-Law to Stop Up and Close, Declare Surplus and Dispose of the Highway described as the Road Allowance between Lots 25 And 26, Concession 5, City of Kingston, Geographic Township of Kingston, More Particularly Described as Parts 3 and 4 on Reference Plan 13R-20623 and Parts 3, 4 and 5 on Reference Plan 13R-21013

Third Reading

Proposed Number 2015-45

(See Clause (a), Report Number 23)

(City Council Meeting No. 2015-10)

- (23) A By-Law to Authorize an Agreement for the Use of an Unopened Road Allowance

Third Reading

Proposed Number 2015-46

(See Clause (b), Report Number 23)

(City Council Meeting No. 2015-10)

- (24) A By-Law to adopt the Old Sydenham Heritage Conservation District Plan 2015, pursuant to the provisions of the Ontario Heritage Act (R.S.O. 1990, 0.18)

First and Second Readings

Proposed Number 2015-67

(See Clause (6), Report Number 29)

- (25) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, March 24, 2015

Three Readings

Proposed Number 2015-68

(City Council Meeting No. 2015-11)

Adjournment