



CITY COUNCIL MEETING NO. 2012-13

The Regular Meeting of Kingston City Council was held on Tuesday, April 17, 2012, and was called to order at 7:00 pm in the Council Chamber, City Hall. Regular business commenced at 7:34 pm. His Worship Mayor Mark Gerretsen presided.

There was a "Closed Meeting" of the Committee of the Whole from 7:05 pm to 7:20 pm in the Councillors' Lounge.

(Council Chamber)

ROLL CALL

Present: Mayor Gerretsen, Councillor Berg, Councillor Downes, Councillor George, Councillor Glover, Councillor Hector, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (13)

Absent: (0)

(Councillors' Lounge)

Administrative Staff Present:

Mr. K. Arjoon, Deputy City Clerk
Mr. G. Bain, Director, Planning and Development
Ms. C. Beach, Commissioner of Sustainability and Growth
Mr. J. Bolognone, City Clerk
Mr. T. Fleming, Lawyer, Cunningham Swan
Mr. G. Hunt, Chief Administrative Officer
Mr. H. Linscott, Director, Legal Services
Mr. M. McLaughlin, Senior Legal Counsel

COMMITTEE OF THE WHOLE "CLOSED MEETING"

- (1) Moved by Councillor Hector
Seconded by Councillor Downes

THAT Council resolve itself into the Committee of the Whole "Closed Meeting" to consider the following item(s):

- (a) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, and advice that is subject to solicitor-client privilege, including communications necessary for that purpose – OMB Appeal - 326 Bagot Street.

CARRIED

(Council Chamber)

Administrative Staff Present:

- Mr. K. Arjoon, Deputy City Clerk
- Mr. G. Bain, Director, Planning and Development
- Ms. C. Beach, Commissioner of Sustainability and Growth
- Mr. J. Bolognone, City Clerk
- Ms. A. Dimock, Lottery Licensing Officer
- Mr. J. Garrah, CEO, Kingston Economic Development Corporation
- Mr. J. Hale, Driver/Labourer
- Mr. G. Hunt, Chief Administrative Officer
- Ms. L. Hurdle, Commissioner of Community Services
- Mr. J. Keech, President and CEO, Utilities Kingston
- Mr. S. Laidman, Director of Housing
- Mr. D. Leger, Commissioner of Transportation, Properties and Emergency Services
- Ms. K. Leonard, Manager, Licensing and Enforcement
- Mr. H. Linscott, City Solicitor and Director of Legal Services
- Mr. B. McCurdy, Director, Cultural Services
- Ms. S. Nicholson, Director, Corporate Affairs
- Ms. J. Reichstein, Research and Policy Analyst
- Mr. P. Robertson, City Curator
- Ms. J. Salter-Keane, Accessibility Project Manager
- Ms. C. Thomson, Assistant to the Mayor
- Mr. G. Wallace, Project Manager
- Ms. H. Wilson, Manager, Intergovernmental Relations

REPORT OF THE COMMITTEE OF THE WHOLE “CLOSED MEETING”

- (2) Moved by Councillor Berg
Seconded by Councillor George

THAT Council rise from the Committee of the Whole “Closed Meeting” without reporting.
CARRIED

APPROVAL OF ADDEDS

- Moved by Councillor Hector
- Seconded by Councillor Paterson

THAT the addeds be approved.

CARRIED
(A 2/3 Vote of Council was Received)

DISCLOSURE OF PECUNIARY INTEREST

Councillor Downes declared a possible pecuniary interest in the matter of Report No. (54), Clause (6), and Information Reports (5) and (6), as he is an employee of the Limestone District School Board.

Mayor Gerretsen declared a possible pecuniary interest in the matter of Clause (2), Report No. (52), Secondary Suite Implementation, as he is currently in discussion with the Planning Department regarding a property of which he is a partial owner.

PRESENTATIONS

DELEGATIONS

Council consented to the **withdrawal** of Delegation No. (1), the **addition** of Delegation No. (3), and to the **addition** of Delegation No. (4).

Mr. Ron Ko, Ontario Lottery and Gaming Corporation (OLG), Director of Charitable Bingo and Gaming Initiative, and Mr. Bob Katsavelos, Director of Finance, will speak to Council regarding Clause (d), Report No. (50), Received from the Chief Administrative Officer (Consent), Ontario Lottery and Gaming – Electronic Gaming in Bingo Halls.

WITHDRAWN

- 1) Ms. Gillian Moss, President of the Treasure Chest Bingo Association (TCBA), will speak to Council regarding Clause (d), Report No. (50), Received from the Chief Administrative Officer (Consent), Ontario Lottery and Gaming – Electronic Gaming in Bingo Halls.
- 2) Ms. Nancy Haron, Community Spirit Bingo Association, will speak to Council regarding Clause (d), Report No. (50), Received from the Chief Administrative Officer (Consent), Ontario Lottery and Gaming – Electronic Gaming in Bingo Halls.
- 3) Ms. Marijana Matovic of the Housing Action Committee, will speak to Council regarding Clause 2), Report No. 52, regarding Secondary Suite Implementation.

Moved by Councillor Berg
Seconded by Councillor Paterson

THAT Council waive the rules of By-Law No. 2010-1 "Council Procedural By-Law", in order to allow delegation No. (4), Mark Potter, President, International Hockey Hall of Fame ("IHHOF"), to speak to Report No. 51, Received from the Chief Administrative Officer, regarding the capital funding request requested by the IHHOF.

CARRIED
(A 2/3 Vote of Council Was Received)

DELEGATIONS (Continued)

- 4) Mark Potter, President, International Hockey Hall of Fame ("IHHOF"), to speak to Report No. 51, Received from the Chief Administrative Officer, regarding the capital funding request requested by the IHHOF.

BRIEFINGS

PETITIONS

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

Motion of Congratulations

Council consented to the **addition** of Motion No. (1).

- 1) Moved by Councillor Neill
Seconded by Councillor Glover

THAT the congratulations of Kingston City Council and the citizens of Kingston be extended to Bob Jewell on his years of service to the CNIB and his recent award as the Volunteer of the Year. Congratulations!

Motion of Condolence

Council consented to the **addition** of Motions No. (2) and (3).

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

THAT the sincere condolences of Kingston City Council be extended to the family and friends of Brian George. Brian was a downtown business operator for the past several decades and will be sorely missed by the business community and many friends he made over the years. Our thoughts are with his family, and in particular his young children, at this time.

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

- 2) Moved by Councillor Scott
Seconded by Councillor Berg

THAT the sincere condolences of Kingston City Council be extended to the family and friends of Marion Zoe Marks, who passed away on April 4, 2012. As a longtime Kingston resident, Marion made extensive contributions to our community. She devoted herself to social justice, where she supported many charitable activities for low income families, and founded Parents and Friends of Lesbians and Gays (PFLAG). She fought passionately against discrimination, and worked relentlessly to have sexual orientation included in both the Human Rights Code of Ontario, and in Federal Legislation. Her philanthropy and kind-hearted nature will truly be missed.

- 3) Moved by Councillor Hector
Seconded by Councillor Berg

THAT the condolences of Kingston City Council be extended to the family and friends of John Vass, Chief Warrant Officer (retired) of the Royal Canadian Electrical and Mechanical Engineering Branch (RCEME). A dedicated soldier, who proudly served Canada, as a member of the Canadian Airborne Regiment, the Special Service Force, CFB Kingston, RCEME Branch CWO and as the PWOR Pipes and Drums Pipe Major.

CARRIED

DEFERRED MOTIONS

REPORTS

Report No. 50: Received from the Chief Administrative Officer (Consent)

Moved by Councillor Schell
Seconded by Councillor Hector

THAT Report No. 50: Received from the Chief Administrative Officer (Consent) be received and adopted.

Council consented to the **amendment** of Exhibit 'C' to Clause (f), Renewable Energy Project – Municipal Consultation Form (MCF) Kingston Gardiner TS Unity Road Solar Energy Project, 2490 Unity Road File No. PLA-D05-004-2011.

Council also consented to the **separation** of Clauses (b), (e) and (f).

Report No. 50

To the Mayor and Members of Council:
The Chief Administrative Officer reports and recommends as follows:

THAT Council consent to the approval of the following routine items:

a) F31-TPES-TS-FL-2012-06 – Supply of a Retail / Cardlock Fuel Purchase System

THAT the RFP F31-TPES-TS-FL-2012-06 be awarded to Suncor Energy Inc. for the purchase of gasoline and diesel fuel distribution services through their retail and commercial cardlock network.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-122) is attached as Schedule Pages 1 - 3)
(File No. CSU-F31-000-2012)

b) Award of RFP No. F31-TPES-TS-2012-1 - A License to Sell Third-Party Advertising on Kingston Transit Benches

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

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

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-124) is attached as Schedule Pages 4 - 7)
(File No. CSU-F31-000-2012)

DEFERRED
(See Motion To Defer Which Was CARRIED)

REPORTS (Continued)

Report No. 50: Received from the Chief Administrative Officer (Consent)

Moved by Councillor Glover
Seconded by Councillor Neill

THAT Clause (b) of Report No. (50) be deferred to the next meeting in order to receive additional information with respect to: the financial proposal from the vendor recommended by staff; the City's ability to control the advertising content; the City's ability to control the location of the advertising benches.

CARRIED

c) Sale of Easement – Ministry of Transportation One Foot Reserve – Montreal Street

THAT Council authorize the Mayor and Clerk to execute all necessary documents to grant an easement over part of the One Foot Reserve lying along the north side of Lot 40, Registered Plan 1151, City of Kingston, designated as Part 3 on Reference Plan 13R-19672 to Her Majesty the Queen in right of the Province of Ontario, represented by the Minister of Transportation for the Province of Ontario, in a form satisfactory to the Director of Legal Services for a fee of \$100 plus all additional costs such as legal and survey costs associated with registration of the easement.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-125) is attached as Schedule Pages 8 - 11)
(File No. CSU-D15-000-2012)

d) Ontario Lottery and Gaming – Electronic Gaming in Bingo Halls

THAT the City of Kingston enter into a Charitable Gaming Centre Municipality Agreement with Ontario Lottery and Gaming (OLG) for the period of June 30, 2012 to June 30, 2020, to hold Electronic Bingo at Treasure Chest Bingo Centre and Community Spirit Bingo Centre; and

THAT Council authorize the Mayor and Clerk to sign the agreements on behalf of the City of Kingston, in a form satisfactory to the City Solicitor.

(The Report of the Commissioner of Sustainability and Growth (12-108) is attached as Schedule Pages 12 - 37)
(File No. CSU-P09-000-2012)

REPORTS (Continued)**Report No. 50: Received from the Chief Administrative Officer (Consent)****e) Establishing Fees for the Completion of a Municipal Consultation Form for Renewable Energy Projects**

THAT a by-law be presented to Council to amend By-law 2005-10, "A By-law to Establish Fees and Charges to be Collected by The Corporation of the City of Kingston," as amended, as follows:

1. AMEND Schedule 'A' by adding the following new section to the Planning Fees and Charges:

TYPE OF FEE	2011 FEES	2012 FEES	HST
RENEWABLE ENERGY PROJECTS – COMPLETION OF A MUNICIPAL CONSULTATION FORM			
PROJECTS LESS THAN 10 kW	N/A	\$150.00	Y
PROJECTS GREATER THAN 10 kW AND LESS THEN 1 MW	N/A	\$789.00	Y
PROJECTS 1 MW AND GREATER	N/A	\$3,486.00	Y
Plus per 1 MW	N/A	\$100.00	Y

2. AMEND Schedule 'A' by adding the following new subsection to the Engineering – Development Application Review Fees and Charges:

TYPE OF FEE	2011 FEES	2012 FEES	HST
RENEWABLE ENERGY PROJECTS – PROJECTS LESS THAN 1 MW	N/A	\$91.15	Y
RENEWABLE ENERGY PROJECTS – PROJECTS 1 MW AND GREATER	N/A	\$760.15	Y

(The Report of the Commissioner of Sustainability and Growth (12-137) is attached as Schedule Pages 38 - 44)

(File No. CSU-F21-000-2012)

(See By-Law No. (1), 2012-75)

CARRIED

REPORTS (Continued)

Report No. 50: Received from the Chief Administrative Officer (Consent)

- f) **Renewable Energy Project – Municipal Consultation Form (MCF) Kingston Gardiner TS Unity Road Solar Energy Project, 2490 Unity Road File No. PLA-D05-004-2011**

THAT Council receive the Municipal Consultation Form (MCF) for the Kingston Gardiner TS Unity Road Solar Energy Project, located at 2490 Unity Road, as per the Council adopted Municipal Consultation and Review Process for Renewable Energy Projects; and

THAT Council direct the Clerk to forward the Municipal Consultation Form (MCF) and Council Report to the developer and the Ministry of Environment.

(The Report of the Commissioner of Sustainability and Growth (12-134) is attached as Schedule Pages 45 - 60)
(File No. CSU-E11-000-2012)

CARRIED

- g) **Dawn House Women's Shelter Daytime Funding for 2012**

THAT Council approve \$14,500 per month to Dawn House Women's Shelter for the eight month period from May 1, 2012 to December 31, 2012 with \$33,300 coming from the Consolidated Homelessness Prevention Program (CHPP) and the balance of \$82,700 being re-allocated from the Local Services Realignment (LSR) Stabilization Fund.

(The Report of the Commissioner of Community Services (12-141) is attached as Schedule Pages 61 - 76)
(File No. CSU-S16-000-2012)

- h) **Administrative Amendment to By-law No. 2012-58**

THAT By-Law No. 2012-58, "A By-Law to approve the renaming of the portion of Barrack Street between King Street and the Street End of Barrack Street East of Ontario Street to Tragically Hip Way" be amended by the attached By-Law No. 2012-76.

THAT the By-Law be given all three readings at the same meeting.

(The Report of the Commissioner of Sustainability and Growth (12-149) is attached as Schedule Pages 77 - 83)
(File No. CSU-D20-000-2012)
(See By-Law No. (2), 2012-76)

REPORTS (Continued)

Report No. 50: Received from the Chief Administrative Officer (Consent)

i) 2012 Budget Update – Agencies and Boards

THAT the final budget requests for KFL&A Public Health, County of Frontenac - Land Ambulance Services, County of Frontenac – Fairmount Home for the Aged and Cataraqui Region Conservation Authority, as reported herein, be received and approved; and

THAT the projected 2011 surplus associated with services provided by the County of Frontenac be allocated to the 2012 operating budget to close the total budget gap of \$85,406.

(The Report of the City Treasurer (12-146) is attached as Schedule Pages 84 - 114)
(File No. CSU-F05-000-2012)

j) Issuance of Debenture under OILC Loan Agreements - 8020 and 11013

THAT a by-law be presented to Council and given three readings to authorize the borrowing upon a serial debenture in the principal amount of \$13,759,269 towards the cost of certain capital works of the Corporation of the City of Kingston; and

THAT a by-law be presented to Council and given three readings to authorize the borrowing upon an amortizer debenture in the principal amount of \$9,100,000 towards the cost of certain capital works of the Corporation of the City of Kingston; and

THAT a by-law be presented to Council and given three readings to authorize the borrowing upon an amortizer debenture in the principal amount of \$7,844,250 towards the cost of certain capital works of the Corporation of the City of Kingston; and

THAT a by-law be presented to Council and given three readings to authorize the borrowing upon an amortizer debenture in the principal amount of \$998,100 towards the cost of certain capital works of the Corporation of the City of Kingston.

(The Report of the City Treasurer (12-136) is attached as Schedule Pages 115 - 118)
(File No. CSU-F11-000-2012)

(See By-Law No. (3), 2012-77)

(See By-Law No. (4), 2012-78)

(See By-Law No. (5), 2012-79)

(See By-Law No. (6), 2012-80)

CARRIED
(Clauses (a), (c), (d), and (g) through (j))

REPORTS (CONTINUED)

Report No. 51: Received from the Chief Administrative Officer (Consider)

Moved by Councillor Schell
Seconded by Councillor Scott

THAT Report No. 51: Received from the Chief Administrative Officer (Consider) be considered.

Report No. 51

To the Mayor and Members of Council:

The Chief Administrative Officer reports and requests consideration as follows:

1) Capital Request – Hockey Hall of Fame

Moved by Councillor George
Seconded by Councillor Paterson

THAT Council allocate \$200,000 capital assistance to the International Hockey Hall of Fame (IHHOF), funded from the Municipal Capital Reserve Fund, as requested by the International Hockey Hall of Fame (IHHOF), conditional on other IHHOF capital financial goals being 95% or better achieved, to relocate to its proposed downtown location and implement its transformation plan, and that the City proceed with demolition of 277 York Street and use the space on site to implement other community based programs as per the Memorial Centre rejuvenation plan.

CARRIED AS AMENDED (11:2)

(See Recorded Vote (1))

(See Motions No. (2) and (5) To Amend Which Were CARRIED)

(See Motions No. (1), (3) and (4) To Amend Which Were LOST)

1) Moved by Councillor Paterson
Seconded by Councillor George

THAT the motion of Councillors George and Paterson be amended by deleting "\$200,000" and replaced with "\$300,000".

LOST (5:8)

(See Recorded Vote (2))

2) Moved by Councillor Hutchison
Seconded by Councillor Glover

THAT the motion of George and Paterson be amended by deleting "\$400,000", and replaced with "\$200,000".

CARRIED (7:6)

(See Recorded Vote (3))

REPORTS (CONTINUED)

Report No. 51: Received from the Chief Administrative Officer (Consider)

- 3) Moved by Councillor Hutchison
Seconded by Councillor Neill

THAT Council defer the IHHOF Capital Request to staff to conduct a viability analysis of the proposed capital and operating budgets and the financial options open to the City and report to the Arts, Recreation and Community Policies Committee for consideration of recommendations to Council.

LOST

- 4) Moved by Mayor Gerretsen
Seconded by Councillor Reitzel

THAT the motion of Councillors George and Paterson be amended by adding the following thereto:

“And that the allocation be dispensed in equal and annual payments over four years”.

LOST (5:8)
(See Recorded Vote (4))

- 5) Moved by Councillor Hector
Seconded by Councillor Neill

THAT the motion of Councillors George and Paterson be amended by deleting “substantially” and replacing it with “95% or better”.

CARRIED

- 1) A Recorded Vote was requested by Mayor Gerretsen

YEAS: Councillor Berg, Councillor George, Mayor Gerretsen, Councillor Glover, Councillor Hector, Councillor Hutchison, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (11)

NAYS: Councillor Downes, Councillor Neill (2)

ABSENT: (0)

- 2) A Recorded Vote was requested by Councillor Hector

YEAS: Councillor George, Mayor Gerretsen, Councillor Paterson, Councillor Reitzel, Councillor Schell (5)

NAYS: Councillor Berg, Councillor Downes, Councillor Glover, Councillor Hector, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Scott (8)

ABSENT: (0)

REPORTS (CONTINUED)

Report No. 51: Received from the Chief Administrative Officer (Consider)

- 3) A Recorded Vote was requested by Councillor Neill
- YEAS: Councillor Berg, Councillor Glover, Councillor Hector, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Scott (7)
- NAYS: Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Paterson, Councillor Reitzel, Councillor Schell (6)
- ABSENT: (0)
- 4) A Recorded Vote was requested by Mayor Gerretsen
- YEAS: Mayor Gerretsen, Councillor Glover, Councillor Osanic, Councillor Reitzel, Councillor Schell, (5)
- NAYS: Councillor Berg, Councillor Downes, Councillor George, Councillor Hector, Councillor Hutchison, Councillor Neill, Councillor Paterson, Councillor Scott (8)
- ABSENT: (0)

OR

2. Not allocate any capital funding assistance to the International Hockey Hall of Fame (IHHOF) to relocate to its proposed downtown location and implement its transformation plan and to prepare a plan for the 2013 capital budget to invest significantly in the remediation of the facility and continue to cover yearly cost of utilities as part of the operation of the IHHOF.

A VOTE WAS NOT TAKEN ON THIS RECOMMENDATION

OR

3. Not allocate any capital funding assistance to the International Hockey Hall of Fame (IHHOF) to relocate to its proposed downtown location and implement its transformation plan and request that the IHHOF secure an alternate location should the option of the former S&R building be untenable, such that the 277 York Street building can be vacated.

A VOTE WAS NOT TAKEN ON THIS RECOMMENDATION

(The Report of the Commissioner of Community Services (12-138) is attached as Schedule Pages 119 - 149)
(File No. CSU-R03-000-2012)

REPORTS (CONTINUED)

Report No. 52: Received from the Planning Committee

Moved by Councillor George
Seconded by Councillor Reitzel

THAT Report No. 52: Received from the Planning Committee be received and adopted.

Report No. 52

To the Mayor and Members of Council:
The Planning Committee reports and recommends as follows:

1) Application for Final Plan of Condominium, Blocks 213, 214 and 215, 13M-58

THAT the application for Final Approval of a Plan of Condominium (Our File No. D07-016-2012) submitted by CaraCo Development Corporation, for an 8.0 metre wide rear lane on Blocks 213, 214 and 215, Registered Plan 13M-58, **BE APPROVED**; and

THAT Final Approval be granted to the Plan of Condominium submitted by CaraCo Development Corporation, with respect to a common element condominium consisting of an 8.0 metre wide rear lane on Blocks 213, 214 and 215, Registered Plan 13M-58, subject to the Owner entering into a Condominium Agreement with the City, which Agreement shall provide further notice to the Condominium Corporation and present and future purchasers of the conditions contained within the registered Subdivision Agreement and that the Condominium Corporation will be responsible for maintaining the approved subdivision works and fulfilling any conditions of the Agreement; and

THAT following the execution of the Condominium Agreement, the Director of Legal Services be authorized to forward the necessary signed and stamped originals and required copies of the Final Plan of Condominium to the Land Registry Office for registration.

(The Report of the Commissioner of Sustainability and Growth (PC-12-031) was attached to the Planning Committee agenda as Pages 1-15.)

CARRIED

Mayor Gerretsen withdrew from the meeting, and Deputy Mayor Schell assumed the Chair.

2) Secondary Suite Implementation

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

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

DEFERRED

(See Motion To Defer Which Was CARRIED)

REPORTS (CONTINUED)

Report No. 52: Received from the Planning Committee

Moved by Councillor Osanic
Seconded by Councillor Scott

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

DEFERRED
(See Motion To Defer Which Was CARRIED)

Moved by Councillor Hector
Seconded by Councillor Neill

THAT Clause (2) of Report No. 52, Received from the Planning Committee, and proposed amendment, be deferred to the next Council meeting to obtain further information on implementing the west and east green space development.

CARRIED

Moved by Councillor Neill
Seconded by Councillor Berg

THAT Council waive the rules of By-Law No. 2010-1, "Council Procedural By-Law", in order to extend the meeting past 11:00 pm to complete the agenda.

LOST
(A 2/3 Vote Of Council Was Not Received)

Moved by Councillor Neill
Seconded by Councillor Osanic

THAT Council waive the rules of By-Law No. 2010-1, "Council Procedural By-Law", in order to extend the meeting past 11:00 pm to 11:30 pm.

CARRIED
(A 2/3 Vote Of Council Was Received)

Mayor Gerretsen returned to the meeting and assumed his position as the Chair.

REPORTS (CONTINUED)

Report No. 53: Received from the Kingston Municipal Heritage Committee

Moved by Councillor Glover

Seconded by Councillor Downes

THAT Report No. 53: Received from the Kingston Municipal Heritage Committee be received and adopted.

Report No. 53

To the Mayor and Members of Council:

The Kingston Municipal Heritage Committee reports and recommends as follows:

1) Approval of alterations at 52 – 56 Earl Street for the repair and repointing of four chimneys.

THAT Council consent to the approval of alterations to the designated property located at 52 – 56 Earl Street also known as The Winston, in accordance with the details described in Heritage Permit Application P18-122-016-2012, as well as Council consent to the provisional approval of Heritage Grant HG-02-2012, with details described within the submissions dated March 01, 2012, deemed complete by the Planning and Development Department on March 12, 2012, said alterations requesting approval for the repair and repointing of four chimneys., subject to the following terms and conditions:

- 1) A building permit application is required for the reconstruction of a chimney and installation of chimney liners for wood burning appliances.
- 2) Should any of the repair activities i.e. scaffolding, dumpsters etc., require use of the City Right Of Way, an encroachment permit will be required. The encroachment permit can be obtained from Brad Morton of the City's Engineering Department. He can be reached at bmorton@cityofkingston.ca or telephone at 613-546-4291 ext. 3147. The encroachment permit application can be found on the City website at http://cityofkingston.ca/pdf/engineering/app_encroachment.pdf; and

THAT Application HG-02-2012 for 52 – 56 Earl Street also known as The Winston **BE PROVISIONALLY APPROVED** for repair and repointing of four chimneys for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000; and

this approval is provisional upon the eligible work being satisfactorily completed as outlined within By-Law No. 2005-258 'A By-Law to Establish a Heritage Grants Program', with the grant payable to the owner following a final inspection of the eligible work, a determination that the eligible work has been performed in accordance with the

REPORTS (CONTINUED)

Report No. 53: Received from the KMHC

Ontario Heritage Act and any permit issued thereunder, and the final approval of Council.

- 2) **Approval of alterations at 95 King Street East, for 1. Veranda: 'in-kind' replacement of slate roofing; repair or possible replacement of existing copper gutters; required replacement of wood structure and detailing at entrance; conservation of woodwork, replacement of past repairs. 2. Rear Windows: conservation of 1 over 1 units with possible replacement of 1 unit, installation of interior units for winter use.**

THAT Council consent to the approval of alterations to the designated property located at 95 King Street East, also known as Hendry House, in accordance with the details described in Heritage Permit Application P18-180-018-2012, as well as Council consent to the provisional approval of Heritage Grant HG-04-2012, with details described within the submissions dated March 01, 2012, deemed complete by the Planning and Development Department on March 12, 2012, said alterations requesting approval for 1. Veranda: 'in-kind' replacement of slate roofing; repair or possible replacement of existing copper gutters; required replacement of wood structure and detailing at entrance; conservation of woodwork, replacement of past repairs. 2. Rear Windows: conservation of 1 over 1 units with possible replacement of 1 unit, installation of interior units for winter use, subject to the following terms and conditions:

- 1) A Building permit application is required for porch alterations/repairs; and

THAT Application HG-04-2012 for 95 King Street East, also known as Hendry House **BE PROVISIONALLY APPROVED** for 1. Veranda: 'in-kind' replacement of slate roofing; repair or possible replacement of existing copper gutters; required replacement of wood structure and detailing at entrance; conservation of woodwork, replacement of past repairs. 2. Rear Windows: conservation of 1 over 1 units with possible replacement of 1 unit, installation of interior units for winter use for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000; and

THAT this approval is provisional upon the eligible work being satisfactorily completed as outlined within By-Law No. 2005-258 'A By-Law to Establish a Heritage Grants Program', with the grant payable to the owner following a final inspection of the eligible work, a determination that the eligible work has been performed in accordance with the Ontario Heritage Act and any permit issued thereunder, and the final approval of Council.

REPORTS (CONTINUED)

Report No. 53: Received from the KMHC

- 3) **Approval of alterations at 248 Division Street for the repair of the front porch, installation of five sonotubes, replacement of posts and installation of two additional posts, reinstatement of trim on rear posts, replacement of fascia board with a wider board, and the installation of lattice around gapping and the installation of grills at the location of the 2 basement windows to be the width of 2 basement windows and when in place to be same thickness as deckboards; the installation of window wells with metal shields, and new basement windows with wooden frames and vinyl sashes on the front façade (hidden from view by verandah), and installation of metal floor grilles**

THAT Council consent to the approval of alterations to the designated property located at 248 Division Street, also known as Kelso Cottage, in accordance with the details described in Heritage Permit Application P18-112-019-2012, as well as Council consent to the provisional approval of Heritage Grant HG-05-2012, with details described within the submissions dated March 01, 2012, deemed complete by the Planning and Development Department on March 12, 2012, said alterations requesting approval for the repair of the front porch, installation of five sonotubes, replacement of posts and installation of two additional posts, reinstatement of trim on rear posts, replacement of fascia board with a wider board, and the installation of lattice around gapping and the installation of grills at the location of the 2 basement windows to be the width of 2 basement windows and when in place to be same thickness as deckboards.

The delegation is also requesting, in accordance with the details described in Heritage Permit Application P18-112-019-2012, approval for the installation of window wells with metal shields, and new basement windows with wooden frames and vinyl sashes on the front façade (hidden from view by verandah), and installation of metal floor grilles subject to the following terms and conditions:

- 1) A building permit application is required for the proposed reconstruction/repairs to the porch.
- 2) 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 and Culture (416-314-7123) and the City of Kingston's Planning and Development Department (613-546-4291 ext 3180) must be immediately contacted.
- 3) 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 (416-326-8494), the Cultural Program Branch of the Ministry of Tourism and Culture (416-314-7123), and the City of Kingston's Planning and Development Department (613-546-4291 ext 3180) must be immediately contacted.
- 4) That the Environmental construction notes be included on the project's finalized construction drawings/plans; and

REPORTS (CONTINUED)

Report No. 53: Received from the KMHC

THAT Application HG-05-2012 for 248 Division Street, also known as Kelso Cottage **BE PROVISIONALLY APPROVED** for the repair of the front porch, installation of five sonotubes, replacement of posts, reinstatement of trim on rear posts, replacement of fascia board with a wider board, and the installation of lattice around gapping for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000; and

THAT this approval is provisional upon the eligible work being satisfactorily completed as outlined within By-Law No. 2005-258 'A By-Law to Establish a Heritage Grants Program', with the grant payable to the owner following a final inspection of the eligible work, a determination that the eligible work has been performed in accordance with the Ontario Heritage Act and any permit issued thereunder, and the final approval of Council.

4) **Approval of alterations at 265 Ontario Street for the repair and repainting of wood features on the façade.**

THAT Council consent to the approval of alterations to the designated property located at 265 Ontario Street, in accordance with the details described in Heritage Permit Application P18-276-020-2012, as well as Council consent to the provisional approval of Heritage Grant HG-06-2012, with details described within the submissions dated March 01, 2012, deemed complete by the Planning and Development Department on March 12, 2012, said alterations requesting approval for the repair and repainting of wood features on the facade, with understanding that woodwork will be cleaned with a fine natural bristle brush and fine mist and then rinsed with fine water mist and that there be no pressure washer used so as to avoid the building fabric absorbing more water than necessary and thereby promoting decay, subject to the following terms and conditions:

- 1) Should any of the repair activities i.e. scaffolding, dumpsters etc., require use of the City Right Of Way, an encroachment permit will be required. The encroachment permit can be obtained from Brad Morton of the City's Engineering Department. He can be reached at bmorton@cityofkingston.ca or telephone at 613-546-4291 ext. 3147. The encroachment permit application can be found on the City website at http://cityofkingston.ca/pdf/engineering/app_encroachment.pdf
- 2) That the work to prepare the wood surfaces for repainting not include pressure-washing; and

THAT Application HG-06-2012 for 265 Ontario Street, **BE PROVISIONALLY APPROVED** for the repair and repainting of wood features on the facade for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000; and

REPORTS (CONTINUED)

Report No. 53: Received from the KMHC

THAT this approval is provisional upon the eligible work being satisfactorily completed as outlined within By-Law No. 2005-258 'A By-Law to Establish a Heritage Grants Program', with the grant payable to the owner following a final inspection of the eligible work, a determination that the eligible work has been performed in accordance with the Ontario Heritage Act and any permit issued thereunder, and the final approval of Council.

5) Approval of alterations at 230 James Street for the construction of a new porch guard and stairs, repair of soffit, reveals and door, window jamb, sill and casing.

THAT Council consent to the approval of alterations to the designated property located at 230 James Street, Barriefield Village, also known as Medley House, in accordance with the details described in Heritage Permit Application P18-445-021-2012, as well as Council consent to the provisional approval of Heritage Grant HG-07-2012, with details described within the submissions dated March 14, 2012, deemed complete by the Planning and Development Department on March 15, 2012, said alterations requesting approval for the construction of a new porch guard and stairs, repair of soffit, reveals and door, window jamb, sill and casing, subject to the following terms and conditions:

- 1) Amended drawings are required for the existing building permit for this scope of work;
- 2) That the approval involves a design that is consistent with the requirements of the Building Department;
- 3) Any change to the setbacks depicted in the previous site plan dated April 20, 2011 will require verification of zoning compliance.

THAT Application HG-07-2012 for 230 James Street, Barriefield Village, also known as Medley House, **BE PROVISIONALLY APPROVED** for the construction of a new porch guard and stairs, repair of soffit, reveals and door, window jamb, sill and casing for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000; and

THAT this approval is provisional upon the eligible work being satisfactorily completed as outlined within By-Law No. 2005-258 'A By-Law to Establish a Heritage Grants Program', with the grant payable to the owner following a final inspection of the eligible work, a determination that the eligible work has been performed in accordance with the Ontario Heritage Act and any permit issued thereunder, and the final approval of Council.

**CARRIED
(Clauses (1) through (5))**

REPORTS (CONTINUED)

Report No. 54: Received from the Kingston Municipal Heritage Committee

Moved by Councillor Glover

Seconded by Councillor Osanic

THAT Report No. 54: Received from the Kingston Municipal Heritage Committee be received and adopted.

Council consented to the **separation** of Clauses (6) and (9).

Report No. 54

To the Mayor and Members of Council:

The Kingston Municipal Heritage Committee reports and recommends as follows:

- 1) **Approval of alterations at 30 Sydenham Street for the upgrading of two rear second level double hung windows, to include counterbalances, weatherstripping, and thermal pane windows, removal of aluminum storms, repair and repainting of original mouldings, frame and sashes, repointing of the limestone foundation in the carriageway where necessary**

THAT Council consent to the approval of alterations to the designated property located at 30 Sydenham Street, in accordance with the details described in Heritage Permit Application P18-359-017-2012, as well as Council consent to the provisional approval of Heritage Grant HG-03-2012, with details described within the submissions dated March 01, 2012, deemed complete by the Planning and Development Department on March 15, 2012, and amended following a site visit on March 29th and presented to the Heritage Committee on April 2, 2012 said alterations requesting approval for the upgrading of two rear second level double hung windows, to include counterbalances, weatherstripping, and thermal pane windows, removal of aluminum storms, repair and repainting of original mouldings, frame and sashes, repointing of the limestone foundation in the carriageway where necessary, subject to the following conditions:

- 1) upgrading of double hung windows ,
- 2) removing the existing sashes and installation of counterbalances and weather stripping,
- 3) replacement of glass with a narrow thermal pane and constructing a storm and reinstating the sashes; and
- 4) construction and painting of a new half screen with wood frame for the two windows; and

THAT Application HG-03-2012 for 30 Sydenham Street **BE PROVISIONALLY APPROVED** for the upgrading of two existing rear second level double hung windows with weatherstripping, counterbalances and thermal pane windows, removal of aluminum storms, repair and repainting of original mouldings frames and sashes, construction of a wood frame half screen, repointing of the limestone foundation in the

REPORTS (CONTINUED)

Report No. 54: Received from the KMHC

carriageway where necessary for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000, it being understood that a revised estimate will be provided by the applicant; and

THAT this approval is provisional upon the eligible work being satisfactorily completed as outlined within By-Law No. 2005-258 'A By-Law to Establish a Heritage Grants Program', with the grant payable to the owner following a final inspection of the eligible work, a determination that the eligible work has been performed in accordance with the Ontario Heritage Act and any permit issued thereunder, and the final approval of Council.

2) Approval of alterations at 313 King Street West for the restoration of two casement windows on the front facade and one rear window.

THAT Council consent to the approval of alterations to the designated property located at 313 King Street West also known as Hales Cottages, in accordance with the details described in Heritage Permit Application P18-651-022-2012, as well as Council consent to the provisional approval of Heritage Grant HG-08-2012, with details described within the submissions dated March 16, 2012, deemed complete by the Planning and Development Department on March 26th, 2012, said alterations requesting approval for the restoration of two casement windows on the front facade and one rear window; and

THAT Application HG-08-2012 for 313 King Street West also known as Hales Cottages **BE PROVISIONALLY APPROVED** for the restoration of two casement windows on the front facade and one rear window for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000; and

THAT this approval is provisional upon the eligible work being satisfactorily completed as outlined within By-Law No. 2005-258 'A By-Law to Establish a Heritage Grants Program', with the grant payable to the owner following a final inspection of the eligible work, a determination that the eligible work has been performed in accordance with the Ontario Heritage Act and any permit issued thereunder, and the final approval of Council.

3) Approval of alterations at 743 King Street West for 1. Repointing of some joints in the buttresses with a flexible sealant to accommodate thermal expansion and contraction. 2. Repointing and sealing of masonry joints. 3. Repairs / sealing of window sill. 4. General repointing and repair of lintel stone.

THAT Council consent to the approval of alterations to the designated property located at 743 King Street West also known as the Church of the Good Thief, in accordance with the details described in Heritage Permit Application P18-016-023-2012, as well as

REPORTS (CONTINUED)

Report No. 54: Received from the KMHC

Council consent to the provisional approval of Heritage Grant HG-09-2012, with details described within the submissions dated March 19, 2012, deemed complete by the Planning and Development Department on March 22, 2012, said alterations requesting approval for Repointing of buttresses with some joints requiring a flexible sealant to accommodate thermal expansion and contraction; Repointing and sealing of masonry joints; Repairs / sealing of window sill. 4. General repointing and repair of lintel stone subject to the following conditions:

- 1) That as the property is the subject of a heritage easement agreement with the Ontario Heritage Trust, the work also requires the approval from the Trust.
- 2) That the applicant is encouraged to complete the work in accordance with the Heritage Masonry Guidelines; and
- 3) A Building permit application is required for repairs to the lintel stone over the south entrance door; and

THAT Application HG-09-2012 for 743 King Street West also known as the Church of the Good Thief **BE PROVISIONALLY APPROVED** for Repointing of buttresses with some joints requiring flexible sealant to accommodate thermal expansion and contraction; Repointing and sealing of masonry joints; Repairs / sealing of window sill; General repointing and repair of lintel stone for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000; and

THAT this approval is provisional upon the eligible work being satisfactorily completed as outlined within By-Law No. 2005-258 'A By-Law to Establish a Heritage Grants Program', with the grant payable to the owner following a final inspection of the eligible work, a determination that the eligible work has been performed in accordance with the Ontario Heritage Act and any permit issued thereunder, and the final approval of Council.

4) Consideration of Designation of 1069 Highway 15

THAT the designation of McCallum House, 1069 Highway 15 be referred to staff for consideration.

5) Consideration of Designation of 1368 Highway 15

THAT Green Woods Inn, 1368 Highway 15 as a property of cultural heritage value and interest be referred to staff for consideration; and

THAT Green Woods Inn, 1368 Highway 15 being added to the City of Kingston Heritage Properties Register be referred to staff for consideration.

Councillor Downes withdrew from the meeting.

REPORTS (CONTINUED)

Report No. 54: Received from the KMHC

6) Consideration of Designation of 235 Frontenac Street

THAT the designation of Kingston Collegiate and Vocational Institute, 235 Frontenac Street be referred to staff for consideration.

DEFERRED
(See Motion To Defer Which Was CARRIED)

Moved by Councillor Hector
Seconded by Councillor Schell

THAT Clause (6) of Report No. 54 be deferred until the PARC process has been completed.
CARRIED

Councillor Downes returned to the meeting.

7) Consideration of Designation of 30 Colborne Street

THAT the designation of 30 Colborne Street be referred to staff for consideration; and

THAT in view of the pending application by Shoalts and Zaback for the redevelopment of 221 Queen Street also known as Queen Street United Church, that the Kingston Municipal Heritage Committee will support removal of the kitchen wing (if necessary) as is currently being proposed.

8) Consideration of Designation of 151 Clergy Street

THAT the designation of 151 Clergy Street be referred to staff for consideration; and

THAT in order to accommodate the Shoalts and Zaback redevelopment of 221 Queen Street also known as Queen Street United Church, that this committee will approve the addition of 3 dormers, one facing north, one facing south and one facing east of the building, subject to approval of the development.

CARRIED

9) Heritage Impact Statements for 221 Queen Street also known as Queen Street United Church

WHEREAS the Shoalts and Zaback development proposal dated February 24, 2012 for 221 Queen Street also known as Queen Street United Church, 151 Clergy Street, 153 Clergy Street and 30 Colborne Street has given rise to designation recommendations for 151 Clergy Street and 30 Colborne Street; and

REPORTS (CONTINUED)

Report No. 54: Received from the KMHC

WHEREAS the proposed project has already submitted a Heritage Impact Statement outlining changes to the Queen Street United Church, 151 Clergy Street and 30 Colborne Street; and

WHEREAS these changes are being incorporated within recommendations for designation:

THEREFORE BE IT RESOLVED THAT there be no requirement for further Heritage Impact Statements for these properties for the development proposal dated 24th February 2012.

**CARRIED
(Clauses (1) through (5), (7) and (9))
(See Motion To Amend Which Was LOST)**

Moved by Councillor Hector
Seconded by Councillor Neill

THAT Clause (9) of Report No. 54 be amended by inserting the following words in paragraph (2), after "Heritage Impact Statement":

"with reference to the Ontario Heritage Act Requirements"

LOST

REPORTS (CONTINUED)

Report No. 55: Received from the Arts, Recreation and Community Policies Committee

Moved by Councillor Glover
Seconded by Councillor Hutchison

THAT Report No. 55: Received from the Arts, Recreation and Community Policies Committee be received and adopted.

Report No. 55

To the Mayor and Members of Council:

The Arts, Recreation and Community Policies Committee reports and recommends as follows:

REPORTS (CONTINUED)

Report No. 55: Received from the ARCP Committee

1) Affordable Housing Land Acquisition and Disposition Program

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

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

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

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

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

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

2) Affordable Housing Capital Investment Program

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

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

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

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

REPORTS (CONTINUED)

Report No. 55: Received from the ARCP Committee

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

DEFERRED
(See Motion To Defer Which Was CARRIED)

Moved by Councillor Glover
Seconded by Councillor Osanic

THAT Report No. 55: Received from the Arts, Recreation and Community Policies Committee be deferred to the next meeting.

CARRIED

REPORTS (CONTINUED)

Report No. 56: Received from the Environment, Infrastructure and Transportation Policies Committee

Moved by Councillor Neill
Seconded by Councillor Hutchison

THAT Report No. 56: Received from the Environment, Infrastructure and Transportation Policies Committee be received and adopted.

Report No. 56

To the Mayor and Members of Council:
The Environment, Infrastructure and Transportation Policies Committee reports and recommends as follows:

1) Lowering posted speed limits on Queen's campus

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

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

DEFERRED
(See Motion To Defer Which Was CARRIED)

REPORTS (CONTINUED)

Report No. 56: Received from the EITP Committee

Moved by Councillor Glover
Seconded by Councillor Osanic

THAT Report No. 56: Received from the Environment, Infrastructure and Transportation Policies Committee be deferred to the next meeting.

CARRIED

REPORTS (CONTINUED)

Report No. 57: Received from the Seniors Advisory Committee

Moved by Councillor Schell
Seconded by Councillor Osanic

THAT Report No. 57: Received from the Seniors Advisory Committee be received and adopted.

Report No. 57

To the Mayor and Members of Council:
The Seniors Advisory Committee reports and recommends as follows:

1) Age-Friendly Focus Group Summary

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

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

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

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

DEFERRED
(See Motion To Defer Which Was CARRIED)

REPORTS (CONTINUED)

Report No. 57: Received from the Seniors Advisory Committee

Moved by Councillor Glover
Seconded by Councillor Hector

THAT Report No. 57: Received from the Seniors Advisory Committee be deferred to the next meeting.

CARRIED

REPORTS (CONTINUED)

Report No. 58: Received from the Municipal Accessibility Advisory Committee

Moved by Councillor Reitzel
Seconded by Councillor Paterson

THAT Report No. 58: Received from the Municipal Accessibility Advisory Committee be received and adopted.

Report No. 58

To the Mayor and Members of Council:
The Municipal Accessibility Advisory Committee reports and recommends as follows:

1) Municipal Accessibility Advisory Committee – Appointment Terms

THAT Ms. Lorraine Farrar be appointed for a term to expire November 30TH, 2012.

DEFERRED
(See Motion To Defer Which Was CARRIED)

Moved by Councillor Glover
Seconded by Councillor Hector

THAT Report No. 58: Received from the Municipal Accessibility Advisory Committee be deferred to the next meeting.

CARRIED

INFORMATION REPORTS

Council consented to the **addition** of Information Report No (6), Supplementary Report - Central Kingston Program and Accommodation Review Committee (PARC) – Response to Council Motion of March 6

1) 2012 Municipal Debt Limits

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

(The Report of the City Treasurer (12-110) is attached as Schedule Pages 150 - 156)
(File No. CSU-F11-000-2012)

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

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

(The Report of the City Treasurer (12-129) is attached as Schedule Pages 157 - 165)
(File No. CSU-F18-000-2012)

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

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

(The Report of the Commissioner of Sustainability and Growth (12-057) is attached as Schedule Pages 166 - 173)
(File No. CSU-R01-000-2012)

INFORMATION REPORTS (CONTINUED)

4) Joint Services County of Frontenac / City of Kingston

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

(The Report of the Chief Administrative Officer (12-128) is attached as Schedule Pages 174 - 189)

(File No. CSU-L04-000-2012)

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

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

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

(The Report of the Chief Administrative Officer (12-150) is attached as Schedule Pages 190 - 286)

(File No. CSU-R07-000-2012)

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

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

(The Report of the Chief Administrative Officer (12-157) is attached as Schedule Pages 4 - 41)

(File No. CSU-R07-000-2012)

DEFERRED
(See Motion To Defer Which Was CARRIED)

INFORMATION REPORTS (CONTINUED)

Moved by Councillor Glover
Seconded by Councillor Hector

THAT Information Reports (1) through (6) be deferred to the next meeting.

CARRIED

MISCELLANEOUS BUSINESS

Council consented to the **addition** of Miscellaneous Business Item No. (3).

- (1) Moved by Councillor Hutchison
Seconded by Councillor George

THAT, as requested by the Community Outreach Centre, Faculty of Education, Queen's University, Council proclaim Saturday, May 12, 2012 as "Science Rendezvous Day" in the City of Kingston.

(See Communication No. 13-195)

CARRIED

- (2) Moved by Councillor Hutchison
Seconded by Councillor Hector

THAT as requested by the St. Lawrence Parks Commission, Council designate the "*Flight of the Royal George*", being held Saturday, June 30, and Sunday, July 1, 2012, from 10:00 am to 5:00 pm, at Fort Henry, as an event of municipal significance, to which Special Occasion Permits may be issued by the Alcohol and Gaming Commissioner of Ontario.

(See Communication No. 13-203)

CARRIED

(Councillor Glover Opposed)

- (3) Moved by Councillor Paterson
Seconded by Councillor Hector

THAT as requested by the CANAM Rugby Kingston, Council designate the "*International Rugby in Kingston Canada vs. USA*", being held Saturday, June 9, at Richardson Stadium, as an event of municipal significance, to which Special Occasion Permits may be issued by the Alcohol and Gaming Commissioner of Ontario.

(See Communication No. 13-217)

CARRIED

NEW MOTIONS

NOTICES OF MOTION

MINUTES

Moved by Councillor Paterson
Seconded by Councillor Schell

THAT the Minutes of City Council Meeting No. 2012-11, held Monday, April 2, 2012, and City Council Meeting No. 2012-12, held Tuesday, April 3, 2012 be confirmed.

(Distributed to all Members of Council on Friday, April 13, 2012)

CARRIED

TABLING OF DOCUMENTS

Council consented to the **addition** of the following Documents:

2012-37 Downtown Kingston! BIA Board of Management
Minutes – March 21, 2012
(File No. CSU-A01-001-2012)

2012-38 Kingston Police Services Board
Agenda – April 19, 2012
Minutes – March 15, 2012
(File No. CSU-P17-000-2012)

COMMUNICATIONS

Council consented to the **addition** of Communications No (13-210) through (13-219).

Filed

13-199 From John Gerretsen, M.P.P. Kingston and the Islands, acknowledging receipt of Kingston City Council's resolution regarding Provincial payment in lieu of taxes.
(File No. CSU-F22-000-2012)

13-200 From the Township of Scugog, acknowledging receipt of Kingston City Council's resolution regarding Provincial payment in lieu of taxes, and advising that the Township passed a resolution in support to this resolution.
(File No. CSU-F22-000-2012)

City Council Meeting No. 2012-13

Minutes

Tuesday, April 17, 2012

- 13-202 From the Town of Goderich, acknowledging receipt of Kingston City Council's resolution regarding Provincial payment in lieu of taxes, and advising that the Town passed a resolution in support to this resolution.
(File No. CSU-F22-000-2012)
- 13-206 From the Municipality of Brockton, acknowledging receipt of Kingston City Council's resolution regarding Provincial payment in lieu of taxes, and advising that the Town passed a resolution in support to this resolution.
(File No. CSU-F22-000-2012)
- 13-210 From the City of Hamilton, acknowledging receipt of Kingston City Council's resolution regarding Provincial payment in lieu of taxes, and advising that the City's Council passed a resolution in support to this resolution.
(File No. CSU-F22-000-2012)
- 13-211 From the City of Brantford, acknowledging receipt of Kingston City Council's resolution regarding Provincial payment in lieu of taxes, and advising that the City's Council passed a resolution in support to this resolution.
(File No. CSU-F22-000-2012)
- 13-212 From the County of Simcoe, acknowledging receipt of Kingston City Council's resolution regarding Provincial payment in lieu of taxes, and advising that the County's Council passed a resolution in support to this resolution.
(File No. CSU-F22-000-2012)
- 13-213 From the Municipality of Central Huron, acknowledging receipt of Kingston City Council's resolution regarding Provincial payment in lieu of taxes, and advising that the Municipality's Council passed a resolution in support to this resolution.
(File No. CSU-F22-000-2012)
- 13-214 From the County of Brant, acknowledging receipt of Kingston City Council's resolution regarding Provincial payment in lieu of taxes, and advising that the County's Council passed a resolution in support to this resolution.
(File No. CSU-F22-000-2012)
- 13-215 From the County of Simcoe, acknowledging receipt of Kingston City Council's resolution regarding anti-bullying strategies, and providing an information report in response to this resolution.
(File No. CSU-S07-000-2012)
- 13-216 From Nicole Turmel, M.P. for Hull-Aylmer, New Democratic Party of Canada (NDP), acknowledging receipt of Kingston City Council's resolution regarding Canadian-European Trade Agreements, and advising that the NDP federal Councillors adopted a similar resolution.
(File No. CSU-F00-000-2012)

Referred to All Members of Council

- 13-195 From Community Outreach Centre, Faculty of Education, Queen's University, asking that Council proclaim Saturday, May 12, 2012 as "Science Rendezvous Day" in the City of Kingston.
(File No. CSU-M10-000-2012)
(See Miscellaneous Business Item No. (1))
(Distributed to all Members of Council on April 5, 2012)
- 13-196 From Ministry of Community Safety and Correctional Services, congratulating the City of Kingston for completing the mandatory emergency management program.
(File No. CSU-L11-000-2012)
(Distributed to all Members of Council on April 5, 2012)
- 13-197 From AMO, providing the AMO Report to Members, Highlights of the March 2012 Board Meeting.
(File No. CSU-A01-004-2012)
(Distributed to all Members of Council on April 5, 2012)
- 13-198 From AMO, providing registration information for 2012 AMO Councillor Training sessions.
(File No. CSU-A01-004-2012)
(Distributed to all Members of Council on April 5, 2012)
- 13-203 From Kayla Napier, Special Events, Promotions, and Sponsorship Coordinator with St. Lawrence Parks Commission, an application for a Special Occasion Permit from the Alcohol and Gaming Commission of Ontario for the "Flight of the Royal George" located at Fort Henry June 30 and July 1, 2012.
(File No. CSU-P09-000-2012) (File No. CSU-M02-000-2012)
(Distributed to all Members of Council on April 10, 2012)
(See Miscellaneous Business Item No. (2))
- 13-204 From the Municipality of Clarington, providing a resolution that the Municipality's Council passed regarding the Ontario Slots at Racetrack Program.
(File No. CSU-R00-000-2012)
(Distributed to all Members of Council on April 10, 2012)
- 13-205 From the Honourable Bob Chiarelli, Minister of Infrastructure and Minister of Transportation, regarding the Ontario's 2012 Budget.
(File No. CSU-F05-000-2012)
(Distributed to all Members of Council on April 10, 2012)
- 13-207 From Kingston Solar LP, providing an invitation to an Interim Community Session for the Sol-luce Kingston Solar PV Energy Project at the Invista Centre April 17, 2012, from 3:00 pm to 8:00 pm.
(File No. CSU-E11-000-2012)
(Distributed to all Members of Council on April 10, 2012)

13-217 From Ian Nicholls, Hospitality Co-ordinator with CANAM Rugby Kingston, an application for a Special Occasion Permit from the Alcohol and Gaming Commission of Ontario for the “International Rugby in Kingston Canada vs. USA” located at Richardson Stadium, Saturday June 9, 2012.
(File No. CSU-P09-000-2012) (File No. CSU-M02-000-2012)
(Distributed to all Members of Council on April 13, 2012)
(See Miscellaneous Business Item No. (3))

13-219 From Andrea Risk, Chair, Kingston Police Services Board, providing comments regarding the Nottawasaga Police Services Board resolution related to photo radar.
(File No. CSU-P09-000-2012) (File No. CSU-M02-000-2012)
(Distributed to all Members of Council on April 17, 2012)

Referred to the City Treasurer

13-201 From Cataraqui Region Conservation Authority, providing information regarding the 2012 Municipal Levies.
(File No. CSU-D03-000-2012)

Referred to the City Clerk

13-195 From Fung Loy Kok Institute of Taoism, asking that Council proclaim June 4 – June 10, 2012 as “Taoist Tai Chi™ Week” in the City of Kingston.
(File No. CSU-M10-000-2012)
(Distributed to all Members of Council on April 5, 2012)

13-208 From Falun Dafa – Kingston Group, asking that Council proclaim May 13, 2012 as “Falun Dafa Day” in the City of Kingston.
(File No. CSU-M10-000-2012)
(Distributed to all Members of Council on April 11, 2012)

13-209 From Kingston: Partners for a Safe Community, asking that Council proclaim April 30th to May 6th, 2012 as “Rail Safety Week” in the City of Kingston.
(File No. CSU-M10-000-2012)
(Distributed to all Members of Council on April 11, 2012)

13-218 From Eleonor Egidio, Volunteer Services Coordinator, Community Living Kingston, asking that Council proclaim May, 2012 as “Community Living Month” in the City of Kingston.
(File No. CSU-M10-000-2012)
(Distributed to all Members of Council on April 17, 2012)

OTHER BUSINESS

BY-LAWS

Council consented to the **withdrawal** of By-laws No. (7), 2012-81 and (9), 2012-64.

- (A) Moved by Councillor Hector
Seconded by Councillor Berg

THAT By-Laws (1), (3) through (6), (8), and (12) be given their first and second reading.
CARRIED

- (B) Moved by Councillor Hector
Seconded by Councillor Berg

THAT By-Law (2) be given its first and second reading.
CARRIED

- (C) Moved by Councillor Osanic
Seconded by Councillor Berg

THAT Clause 11.34 of By-Law No. 2010-1 be suspended for the purpose of giving By-Laws (3) through (6) three readings.
CARRIED

- (D) Moved by Councillor Osanic
Seconded by Councillor Berg

THAT Clause 11.34 of By-Law No. 2010-1 be suspended for the purpose of giving By-Law (2) three readings.
CARRIED

- (E) Moved by Councillor Osanic
Seconded by Councillor George

THAT By-Laws (3) through (6), (8), and (10) through (12) be given their third reading.
CARRIED

- (F) Moved by Councillor Osanic
Seconded by Councillor George

THAT By-Law (2) be given its third reading.
CARRIED

- (1) A By-Law to Amend By-Law No. 2005-10 "A By-Law to Establish Fees and Charges to be Collected by the Corporation of the City of Kingston", as Amended
FIRST AND SECOND READINGS PROPOSED NO. 2012-75
(See Clause (e), Report No. 50)

BY-LAWS (CONTINUED)

- (2) A By-Law to Amend By-Law No. 2012-58 "A By-Law to Approve the Renaming of the Portion of Barrack Street Between King Street and the Street End of Barrack Street East of Ontario Street to Tragically Hip Way" to Revise the Name of the Street to "The Tragically Hip Way"
THREE READINGS PROPOSED NO. 2012-76
(See Clause (h), Report No. 50)
- (3) By-law 2012-77, A By-Law to Authorize the Borrowing Upon Serial Debentures in the Principal Amount of \$13,759,269.00 Towards the Cost of Certain Capital Works of The Corporation of the City of Kingston
THREE READINGS PROPOSED NO. 2012-77
(See Clause (j), Report No. 50)
- (4) By-law 2012-78, A By-Law to Authorize the Borrowing Upon Amortizing Debentures in the Principal Amount of \$9,100,000.00 Towards the Cost of Certain Capital Works of The Corporation of the City of Kingston
THREE READINGS PROPOSED NO. 2012-78
(See Clause (j), Report No. 50)
- (5) By-Law 2012-79, A By-Law to Authorize the Borrowing Upon Amortizing Debentures in the Principal Amount of \$7,844,250.00 Towards the Cost of Certain Capital Works of The Corporation of the City of Kingston
THREE READINGS PROPOSED NO. 2012-79
(See Clause (j), Report No. 50)
- (6) By-Law 2012-80, A By-Law to Authorize the Borrowing Upon Amortizing Debentures in the Principal Amount of \$998,100.00 Towards the Cost of Certain Capital Works of The Corporation of the City of Kingston
THREE READINGS PROPOSED NO. 2012-80
(See Clause (j), Report No. 50)
- (7) A By-Law to Repeal By-Law No. 3454, "A By-Law to Re-Dedicate Morton Street"
THREE READINGS PROPOSED NO. 2012-81
(See Clause (g), Report No. 41)
- WITHDRAWN**
- (8) A By-Law to Provide for the Assumption of the Public Highways in Midland Park Subdivision Phase 2 Stages 2 and 3, Registered Plan 13M-66, 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 NO. 2012-82
(Delegated Authority)

BY-LAWS (CONTINUED)

- (9) A By-Law to Stop Up and Close Morton Street Described as Part of Farm Lot 21 Concession 1, Kingston More Particularly Described Part 13 OF Reference Plan 18458 Kingston
THIRD READING PROPOSED NO. 2012-64
(See Clause (g), Report No. 41) **WITHDRAWN**
- (10) 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" (To Establish the Sustainable Kingston Corporation)
THIRD READING PROPOSED NO. 2012-70
(See Clause (1), Report No. 47)
- (11) 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" (To Delete FOCUS Kingston Steering Committee Mandate)
THIRD READING PROPOSED NO. 2012-71
(See Clause (1), Report No. 49)
- (12) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, April 17, 2012
THREE READINGS PROPOSED NO. 2012-83
(City Council Meeting No. 2012-13)

ADJOURNMENT

Moved by Councillor Hector
Seconded by Councillor Downes

THAT Council do now adjourn.

CARRIED

Council adjourned at 11:29 pm.

(Signed)

John Bolognone
City Clerk

Mark Gerretsen
Mayor