



CITY COUNCIL MEETING NO. 2012-14

The Regular Meeting of Kingston City Council was held on Tuesday, May 1, 2012, and was called to order at 6:15 pm in the Council Chamber, City Hall. Regular business commenced at 7:45 pm. His Worship Mayor Mark Gerretsen presided.

There was a "Closed Meeting" of the Committee of the Whole from 6:20 pm to 7:35 pm in the Councillors' Lounge.

(Council Chamber)

ROLL CALL

Present: Mayor Gerretsen, Councillor Berg, Councillor Downes (left at 11:21 pm), Councillor George, Councillor Glover, Councillor Hector, Councillor Hutchison (arrived at 6:25 pm), 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

Ms. C. Beach, Commissioner of Sustainability and Growth

Mr. J. Bolognone, City Clerk

Mr. J. Garrah, CEO, Kingston Economic Development Corporation

Ms. K. Gray, Property Specialist

Mr. P. Huigenbos, Director, Real Estate and Construction

Mr. G. Hunt, Chief Administrative Officer

Mr. J. Keech, President and CEO, Utilities Kingston

Mr. D. Leger, Commissioner of Transportation, Properties and Emergency Services

Mr. H. Linscott, City Solicitor and Director of Legal Services

Mr. P. MacLatchy, Director, Environment and Sustainable Initiatives

Mr. A. McLeod, Senior Legal Counsel

COMMITTEE OF THE WHOLE "CLOSED MEETING"

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

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

- (a) A proposed or pending acquisition or disposition of land by the municipality or local board, advice that is subject to solicitor-client privilege, including communications necessary for that purpose - John Counter Boulevard.

- (b) A proposed or pending acquisition or disposition of land by the municipality or local board - North Block

CARRIED

(Council Chamber)

Administrative Staff Present:

Ms. A. Adair, Education and Community Engagement Manager
Mr. K. Arjoon, Deputy City Clerk
Mr. G. Bain, Director, Planning and Development
Ms. C. Beach, Commissioner of Sustainability and Growth
Mr. J. Cross, Manager, Emergency Planning
Mr. J. DaCosta, Manager, Transit
Mr. S. Dickey, Deputy Treasurer
Mr. W. Ferris, Director, Recreation and Leisure Services
Mr. D. Franco, Engineer
Mr. R. Giarda, Communications Officer
Mr. J. Hale, Driver/Labourer
Mr. G. Hunt, Chief Administrative Officer
Mr. J. Keech, President and CEO, Utilities Kingston
Ms. S. Kidd, Director, Transportation Services
Ms. A. Lafrance, Director, Community and Family Services
Ms. S. Laidman, Director, Housing
Mr. D. Leger, Commissioner of Transportation, Properties and Emergency Services
Mr. H. Linscott, Director, Legal Services
Mr. A. McLeod, Senior Legal Counsel
Mr. B. Petzold, Associate Engineer
Ms. J. Salter-Keane, Accessibility Project Manager
Ms. C. Thomson, Assistant to the Mayor
Mr. M. Van Buren, Director, Engineering
Mr. G. Wallace, Project Manager
Mr. S. Wawrykow, Communications Officer
Mr. C. Wiginton, Manager, Cultural Services
Mr. T. Willing, Director, Building and Licensing
Ms. H. Wilson, Manager, Intergovernmental Relations

REPORT OF THE COMMITTEE OF THE WHOLE “CLOSED MEETING”

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

THAT Council rise from the Committee of the Whole “Closed Meeting”, that the rules of By-Law No. 2010-1 be waived and the Chair report.

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

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

APPROVAL OF ADDEDS

Moved by Councillor Hector
Seconded by Councillor Downes

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 Information Reports (5) and (11), and New Motions, paragraph (2), as he is an employee of the Limestone District School Board.

Mayor Gerretsen declared a possible pecuniary interest in the matter of Clause (1), Report No. (61), Secondary Suite Implementation, as he is currently in discussion with the Planning Department regarding a property of which he is a partial owner.

Mayor Gerresten declared a possible pecuniary interest in the matter of Clause (3), Report No. (63), Received from the Environment, Infrastructure, and Transportation Policies Committee as he currently leases an electric vehicle.

Councillor George declared a possible pecuniary interest in the matter of Clause (2), Report No. (61), Application for Zoning By-Law Amendment, 1264 Channelview Road, and By-law No. (3), 2012-86 as he was retained by the applicant for assistance on the project.

Councillor Schell declared a possible pecuniary interest in the matter of Item (b), Committee of the Whole "Closed Meeting", regarding a proposed or pending acquisition or disposition of land by the municipality or local board – North Block.

PRESENTATIONS

DELEGATIONS

Council consented to the **addition** of Delegations (2) and (3).

- 1) Mr. Greg Tilson, Program Coordinator, Kingston Arts Council, and Mr. Caleb Seguin, Kingston Youth Arts Council Member, spoke to Council regarding Miscellaneous Motion No. (1), requesting Council to proclaim May 1 – May 7 as “National Youth Week”.
(See also Communication No. 13-230)
- 2) Ms. Kay Langmuir on behalf of the Social Issues Networking Group (SING), spoke to Council regarding Report No. 61, Received from the Planning Committee, with respect to Secondary Suite Implementation.
- 3) Mr. Ken Linseman spoke to Council regarding Report No. 60, Received from the Chief Administrative Officer, Recommend, Item (4b) – Third Crossing of the Cataraqui River Environmental Assessment.

BRIEFINGS

PETITIONS

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

Council consented to the **addition** of Motion of Congratulations No. (6).

- 1) Moved by Mayor Gerretsen
Seconded by Councillor Schell

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

- 2) Moved by Councillor Berg
Seconded by Councillor Hector

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

- 3) Moved by Councillor Berg

Seconded by Councillor Paterson

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

- 4) Moved by Councillor Berg
Seconded by Councillor Scott

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

- 5) Moved by Mayor Gerretsen
Seconded by Councillor Schell

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

- 6) Moved by Councillor Neill
Seconded by Councillor Hutchison

THAT the congratulations of Kingston City Council be extended to former Councillor Mary Fleming on her recent retirement from OHIP. She has served Kingston well, as a three-term Councillor from 1989-1997. She continues to work tirelessly as a community activist, advocating for anti-poverty and affordable housing.

Motions of Condolence

- 1) Moved by Mayor Gerretsen
Seconded by Councillor Schell

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

- 2) Moved by Mayor Gerretsen

Seconded by Councillor Schell

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

CARRIED

DEFERRED MOTIONS

REPORTS

Report No. 59: Received from the Chief Administrative Officer (Consent)

Moved by Councillor Hector
Seconded by Councillor Osanic

THAT Report No. 59: Received from the Chief Administrative Officer (Consent) be received and adopted.

Council consented to the **addition** of Clause (h).

Report No. 59

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

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

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

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-124) was attached to the April 17, 2012 Council agenda.)
(File No. CSU-F31-000-2012)
(See Information Report No. 7)

b) Noise Exemption Request – Howe Island Mainland Ferry Terminal

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

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

REPORTS CONTINUED

Report No. 59: Received from the Chief Administrative Officer (Consent)

(The Report of the Commissioner of Sustainability and Growth (12-115) is attached as Schedule Pages 70 - 76)

(File No. CSU-P01-001-2012)

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

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

(The Report of the Commissioner of Community Services (12-158) is attached as Schedule Pages 77 - 80)

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

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

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

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-153) is attached as Schedule Pages 81 - 83)

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

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

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

(The Report of the President and CEO of Utilities Kingston (12-140) is attached as Schedule Pages 84 - 87)

(File No. CSU-E06-000-2012)

REPORTS CONTINUED

Report No. 59: Received from the Chief Administrative Officer (Consent)

f) Award of RFP - Grass Cutting & Lawn Maintenance

THAT Council authorize the Mayor and Clerk to enter into a two year contract, in a form satisfactory to the Director of Legal Services with Sharpe Lawn & Garden Services Ltd. for grass cutting & lawn maintenance for various City locations.

(The Report of the President and CEO of Utilities Kingston (12-159) is attached as Schedule Pages 88 - 91)
(File No. CSU-F31-000-2012)

g) 2012 Final Tax Rates

1. **THAT** Council pass a new by-law, "A By-Law To Establish General Municipal, Fire, Garbage, And Special Tax Rates For The Year 2012 To Provide For A Final Tax Levy; To Provide For Late Payment Charges To Be Charged On Unpaid Taxes; And To Provide For Payment Of Taxes By Instalment" to:

i. set the tax rates to be levied upon the assessment in each property class to raise the amounts required by taxation:

a. General Municipal Levy \$ 156,313,979

b. Special Area Levies

i) Fire Central \$ 14,631,375

ii) Fire West \$ 7,625,798

iii) Fire East \$ 1,230,326

iv) Garbage Disposal \$ 1,312,797

c. Business Improvement Area Levies

i) Operating Levy \$ 1,025,848

ii) Capital Levies \$ 167,405

ii. establish the necessary provisions to enable preparation and collection of 2012 final taxes.

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

REPORTS CONTINUED

Report No. 59: Received from the Chief Administrative Officer (Consent)

(The Report of the City Treasurer (12-130) is attached as Schedule Pages 92 - 116)
(File No. CSU-F22-000-2012)
(See By-Law No. (2), 2012-85)

h) Administrative Amendment to By-Law No. 2012-75

THAT By-Law No. 2012-75, "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" be amended to delete the words "Projects less than 10 kW" and replace them with the words "Projects 10 kW and less".

(The Report of the Commissioner of Sustainability and Growth (12-168) was attached to the addendum as Schedule Pages 1-6)
(File No. CSU-F21-000-2012)

**CARRIED
(Clauses (a) through (h))**

* * * * *

REPORTS (CONTINUED)

Report No. 60: Received from the Chief Administrative Officer (Recommend)

Moved by Councillor Berg
Seconded by Councillor Scott

THAT Report No. 60: Received from the Chief Administrative Officer (Recommend) be received and adopted, clause by clause.

Report No. 60

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

1) Northern Evacuees Hosting and Community Support

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

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

REPORTS (CONTINUED)

Report No. 60: Received from the Chief Administrative Officer (Recommend)

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

CARRIED

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

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

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

CARRIED

3) Fourth Quarter Operating Budget Report for 2011

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

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

a. Affordable Housing Construction Reserve	\$ 271,147
b. Solid Waste & Recycle Capital Reserve Fund	\$ 540,142
c. Transit Capital Reserve Fund	\$ 508,615
d. Library Capital Reserve Fund	\$ 259,239
e. Police Equipment Capital Reserve Fund	\$ 370,601
f. Working Fund Reserve (in accordance with policy)	\$ 1,882,466

3. THAT the surplus generated from the municipal utilities operations in the amount of \$2,656,196 be allocated as follows:

a. Water Capital Reserve Fund	\$ 154,259
b. Wastewater Capital Reserve Fund	\$ 230,930
c. Gas Capital Reserve Fund	\$ 2,234,372
d. Gas Capital Appliance Reserve Fund	\$ 36,635

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

CARRIED

REPORTS (CONTINUED)

Report No. 60: Received from the Chief Administrative Officer (Recommend)

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

4b) Third Crossing of the Cataraqui River Environmental Assessment

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

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

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

CARRIED (10:3)
(See Recorded Vote)

A Recorded Vote was requested by Councillor Hector

YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Hector, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (10)

NAYS: Councillor Glover, Councillor Hutchison, Councillor Neill (3)

ABSENT: (0)

REPORTS (CONTINUED)

Report No. 61: Received from the Planning Committee

Moved by Councillor Reitzel
Seconded by Councillor Berg

THAT Report No. 61: Received from the Planning Committee be received and adopted.

Report No. 61

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

Note: Item No. (1) was deferred from the April 17, 2012 Council Meeting to obtain further information on expanding the west and east green space development.

Mayor Gerretsen withdrew from the meeting and, at his request, Deputy Mayor Glover assumed the Chair.

1) Secondary Suite Implementation

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

Moved by Councillor Osanic
Seconded by Councillor Scott

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

(The Report of the Commissioner of Community Services (PC-12-030) was attached to the March 29, 2012 Planning Committee agenda as Pages 48-87.)

DEFERRED
(See Motion to Defer Which Was CARRIED)

Moved by Councillor Schell
Seconded by Councillor Hector

THAT Clause (1) from Report No. (61), Received from the Planning Committee, Secondary Suite Implementation, be deferred to the next meeting.

CARRIED

Mayor Gerretsen returned to the meeting and resumed the Chair.

REPORTS (CONTINUED)

Report No. 61: Received from the Planning Committee

Councillor George withdrew from the meeting.

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

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

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

1. That Zoning Schedule "A", Map 2 of Zoning By-Law No. 32-74, as amended, is hereby further amended by changing the zone symbol to 'ER-10' and ER-11' of the lands shown as "Subject Lands Rezoned from A1 to ER-10 and ER-11" on Schedule "A" attached hereto and forming part of amending By-Law No. 2012-86.
2. That the following be added as Section 7(3)(j) of the By-Law:

"7(3)(j) 1264 Channelview Road

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

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

REPORTS (CONTINUED)

Report No. 61: Received from the Planning Committee

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

“7(3)(k) **1264 Channelview Road**

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

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

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

The Report of the Commissioner of Sustainability and Growth (PC-12-033) was attached to the April 19, 2012 Planning Committee agenda as Pages 150-174.

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

CARRIED

Councillor George returned to the meeting.

REPORTS (CONTINUED)

Report No. 62: Received from the Arts, Recreation and Community Policies Committee

Moved by Councillor Glover

Seconded by Councillor Hutchison

THAT Report No. 62: Received from the Arts, Recreation and Community Policies Committee be received and adopted.

Report No. 62

To the Mayor and Members of Council:

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

Note: Items (1) and (2) were deferred from the April 17, 2012 Council Meeting.

1) Affordable Housing Land Acquisition and Disposition Program

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

DEFERRED

(See Motion To Defer Which Was CARRIED)

REPORTS (CONTINUED)

Report No. 62: Received from the Arts, Recreation and Community Policies Committee

2) Affordable Housing Capital Investment Program

THAT Council endorse the proposed policy which sets out the guidelines for the municipally funded Affordable Housing Capital Investment Program subject to the following amendments made by the Housing and Homelessness Advisory Committee at its February 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.*

(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 Schell
Seconded by Councillor Hector

THAT Items (1) and (2) be deferred until the meeting on May 15, 2012.

CARRIED

REPORTS (CONTINUED)

Report No. 63: Received from the Environment, Infrastructure and Transportation Policies Committee

Moved by Councillor Neill

Seconded by Councillor Hutchison

THAT Report No. 63: Received from the Environment, Infrastructure and Transportation Policies Committee be received and adopted.

Report No. 63

To the Mayor and Members of Council:

The Environment, Infrastructure and Transportation Policies Committee reports and recommends as follows:

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

1) Lowering posted speed limits on Queen's campus

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

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

CARRIED UNANIMOUSLY

2) North Block – Replacement Parking Analysis & Recommendations

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

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

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

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

REPORTS (CONTINUED)

Report No. 63: Received from the Environment, Infrastructure and Transportation Policies Committee

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

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

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

LOST (5:8)
(See Recorded Vote)
(See Motion To Amend Which Was LOST)
(See Motion To Defer as Amended Which Was LOST)

A Recorded Vote was requested by Councillor Reitzel

YEAS: Councillor Downes, Councillor Glover, Councillor Hutchison, Councillor Neill, Councillor Scott (5)

NAYS: Councillor Berg, Councillor George, Mayor Gerretsen, Councillor Hector, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, (8)

ABSENT: (0)

Moved by Councillor Hutchison
Seconded by Councillor Schell

THAT Clause (2), Report No. (63), Received from the Environment, Infrastructure and Transportation Policies Committee be amended by the following wording be inserted after paragraph (2) to read thereto:

THAT the monthly parking prices be increased in two stages in equivalent amounts in September 2012 and January 2013.

LOST

Moved by Councillor Osanic
Seconded by Councillor Paterson

THAT Clause (2) of Report (63), North Block – Replacement Parking Analysis & Recommendations, be deferred until September 2013.

LOST
(See Motion To Amend the Deferral Which Was CARRIED)

REPORTS (CONTINUED)

Report No. 63: Received from the Environment, Infrastructure and Transportation Policies Committee

Moved by Councillor Hector
Seconded by Councillor Berg

THAT the motion of Councillors Osanic and Paterson to defer be amended to delete the words "implementation of the express bus routes", and insert the words, "September 2013".

CARRIED

Moved by Councillor Scott
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.

CARRIED

(A 2/3 Vote Of Council Was Received)

Mayor Gerretsen withdrew from the meeting and, at his request, Deputy Mayor Glover assumed the Chair.

3) Electric and Electric-Hybrid Vehicle and Systems

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

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

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

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

CARRIED

Mayor Gerretsen returned to the meeting and resumed the Chair.

REPORTS (CONTINUED)

Report No. 64: Received from the Municipal Accessibility Advisory Committee

Moved by Councillor Reitzel

Seconded by Councillor Osanic

THAT Report No. 64: Received from the Municipal Accessibility Advisory Committee be received and adopted.

Report No. 64

To the Mayor and Members of Council:

The Municipal Accessibility Advisory Committee reports and recommends as follows:

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

1) Municipal Accessibility Advisory Committee – Appointment Term

THAT Ms. Lorraine Farrar be appointed to a one year term to expire November 30th, 2012.

CARRIED

2) Motion Pertaining To Visual Fire Alarms

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

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

DEFERRED

(See Motion To Defer Which Was CARRIED)

REPORTS (CONTINUED)

Report No. 64: Received from the Municipal Accessibility Advisory Committee

Moved by Councillor Hector
Seconded by Councillor Schell

THAT Clause (2), Report No. (64), Received from the Municipal Accessibility Advisory Committee be deferred to staff in order to allow staff an opportunity to undertake a more holistic approach to the matter and that staff be directed to report back to Council in detail with a recommendation on this item.

CARRIED

REPORTS (CONTINUED)

Report No. 65: Received from the Seniors Advisory Committee

Moved by Councillor Schell
Seconded by Councillor Paterson

THAT Report No. 65: Received from the Seniors Advisory Committee be received and adopted.

Report No. 65

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

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

1) Age-Friendly Focus Group Summary

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

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

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

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

CARRIED

REPORTS (CONTINUED)

Report No. 66: Received from the Rural Advisory Committee

Moved by Councillor Scott
Seconded by Councillor Reitzel

THAT Report No. 66: Received from the Rural Advisory Committee be received and adopted.

Report No. 66

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

1) Landscaping and Site Design Guidelines for Large-Scale, Ground-Oriented Solar Energy Facilities

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

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

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

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

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

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

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

CARRIED

INFORMATION REPORTS

Council consented to the **addition** of Information Report No. (11).

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

1) 2012 Municipal Debt Limits

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

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

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

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

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

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

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

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

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) was distributed separately on the April 17, 2012 Council Meeting Agenda)
(File No. CSU-L04-000-2012)

Councillor Downes withdrew from the meeting.

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

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

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

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

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

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

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

Councillor Downes returned to the meeting.

INFORMATION REPORTS (CONTINUED)

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

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

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

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

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

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

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

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

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

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

10) 2012 Priority Matrix – Q1 update

It is the practice of staff to provide an update to Council on the projects and initiatives that are included on the Priority Status Matrix. This report provides an update as of March 31, 2012.

(The Report of the Chief Administrative Officer (12-152) is attached as Schedule Pages 195 - 208)
(File No. CSU-C08-000-2012)

Councillor Downes withdrew from the meeting.

INFORMATION REPORTS (CONTINUED)

11) Kingston Program and Accommodation Review Committees (PARCs) – Additional Information

Subsequent to the distribution of Council Information Reports 12-150, *Central Kingston Program and Accommodation Review Committee (PARC) – Response to Council Motion of March 6*, and 12-157, *Central Kingston Program and Accommodation Review Committee (PARC) – Supplemental Information*, questions have been raised respecting the Kingston North PARC process and how that relates to Council's motion of March 6, 2012. The Kingston North PARC is examining options respecting five elementary schools: Central; First Avenue; Frontenac; J. G. Simcoe; and, Rideau Heights. (The Report of the Chief Administrative Officer (12-171) were attached to the Addendum as Schedule Pages 7 - 11)
(File No. CSU-R07-000-2012)

Councillor Downes returned to the meeting.

MISCELLANEOUS BUSINESS

Council consented to the **addition** of Miscellaneous Business Items No. (2) and (3).

- (1) Moved by Councillor Schell
Seconded by Councillor Osanic

THAT, as requested by Kingston Youth Arts Council, Council proclaim May 1 – 7 as "National Youth Week" in the City of Kingston.

(See Communication No. 13-230)

(See Delegation No. (1))

CARRIED

- (2) Moved by Councillor Osanic
Seconded by Councillor Paterson

THAT, as requested by The Ontario Lung Association, Council proclaim May 1, 2012 as "Work-Related Asthma/World Asthma Day 2012" in the City of Kingston.

(See Communication No. 13-240)

(See Delegation No. (1))

CARRIED UNANIMOUSLY

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

THAT, as requested by Canadian Association of Gift Planners, Council proclaim May 1-31, 2012 as "LEAVE A LEGACY Month" in the City of Kingston.

(See Communication No. 13-241)

CARRIED UNANIMOUSLY

MISCELLANEOUS BUSINESS (CONTINUED)

- (4) Moved by Councillor Paterson
Seconded by Councillor Osanic

WHEREAS Section 9.1 of By-Law No. 2010-1, "Council Procedural By-Law", as amended, states that "meetings of Council are held at City Hall in the Council Chambers at 216 Ontario Street unless otherwise decided by resolution of Council"; and

WHEREAS it is desirable to hold a Council Strategic Planning Session at a more suitable and functional off-site location;

THEREFORE BE IT RESOLVED THAT Council waive By-Law No. 2010-1, as amended, in order to hold a Council Strategic Planning Session, which is scheduled to be held on Tuesday, May 29, 2012, commencing at 6:00 p.m., at the Radisson Kingston Hotel Harbourfront, Harbour Shadows Room, 1 Johnson Street, Kingston.

CARRIED

* * * * *

NEW MOTIONS

- 1) Moved by Councillor Osanic
Seconded by Councillor Scott

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

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

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

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

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

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

Now Be It Resolved That Clarington Council request the Government of Ontario work with the horse racing industry to reinstate and improve the Slots at

NEW MOTIONS (CONTINUED)

Racetracks Program with its revenue sharing agreement to sustain and grow the horse racing industry to the benefit of our communities; and

THAT this resolution be circulated to the Municipality of Clarington, the Association of Municipalities of Ontario (AMO), and the Honourable John Gerretsen, Attorney General and M.P.P. for Kingston and the Islands.

**CARRIED
(With Friendly Amendments)**

Councillor Downes withdrew from the meeting.

- 2) Moved by Councillor Hutchison
Seconded by Councillor Glover

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

CARRIED

Councillor Downes exited the meeting at 11:21 p.m.

- 3) Moved by Councillor Hector
Seconded by Councillor Berg

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

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

**CARRIED
(With Friendly Amendments)**

NOTICES OF MOTION

MINUTES

Moved by Councillor Scott
Seconded by Councillor Paterson

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

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

CARRIED

TABLING OF DOCUMENTS

Council consented to the **addition** of Tabled Documents 2012-41 and 2012-42.

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

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

2012-41 Kingston Frontenac Public Library Board
Minutes – March 28, 2012
(File No. CSU-R02-000-2012)

2012-42 Cataraqui Source Protection Authority
Minutes – March 28, 2012
(File No. CSU-D03-000-2012)

COMMUNICATIONS

Council consented to the **addition** of Communications No. (14-239) through (14-247).

Filed

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

CONSENT – In respect of an application for consent to sever a lot addition to an abutting parcel of land addressed 2493 Highway 2 East, the Committee decided

that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is May 8, 2012.
(File No. CSU-D19-000-2012)

- 14-221 From the Committee of Adjustment, a Notice of Decision for the following application:
CONSENT – In respect of an application for consent to sever a lot addition to an abutting parcel of land addressed 3497 Sand Hill Road, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is May 8, 2012.
(File No. CSU-D19-000-2012)
- 14-222 From the Municipality of Meaford, acknowledging receipt of Kingston City Council's resolution regarding Provincial payment in lieu of taxes, and advising that the Municipality's Council passed a resolution in support to this resolution.
(File No. CSU-F22-000-2012)
- 14-223 From the City of Brantford, acknowledging receipt of Kingston City Council's resolution regarding Provincial payment in lieu of taxes, and advising that the City's Council passed a resolution in support to this resolution.
(File No. CSU-F22-000-2012)
- 14-224 From the Municipality of Sioux Lookout, acknowledging receipt of Kingston City Council's resolution regarding Provincial payment in lieu of taxes, and advising that the Municipality's Council passed a resolution in support to this resolution.
(File No. CSU-F22-000-2012)
- 14-225 From the City of Port Colborne, acknowledging receipt of Kingston City Council's resolution regarding Provincial payment in lieu of taxes, and advising that the City's Council passed a resolution in support to this resolution.
(File No. CSU-F22-000-2012)
- 14-228 From K-Rock Centre, an application for a liquor licence from the Alcohol and Gaming Commission of Ontario for an establishment located at 1 The Tragically Hip Way.
(File No. CSU-P09-000-2012)
- 14-233 From The United Way KFL&A, an application for a Special Occasion Permit from the Alcohol and Gaming Commission of Ontario for the Next Gen Cabinet event, HopScotch, on Saturday, May 19, 2012 from 3:00 pm to 7:00 pm at the Grand Theatre.
(File No. CSU-P09-000-2012)
- 14-234 From the Town of Perth, acknowledging receipt of Kingston City Council's resolution regarding Provincial payment in lieu of taxes, and advising that the Town's Council passed a resolution in support to this resolution.
(File No. CSU-F22-000-2012)

- 14-235 From the Town of Kapuskasing, acknowledging receipt of Kingston City Council's resolution regarding Provincial payment in lieu of taxes, and advising that the Town's Council passed a resolution in support to this resolution.
(File No. CSU-F22-000-2012)
- 14-239 From the Committee of Adjustment, a Notice of Decision for the following applications:

CONSENT – In respect of an application for consent to sever the property at Highway 2 East, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is May 15, 2012.

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

MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 8499 for the property at 1 Kensington Avenue, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is May 14, 2012.
(File No. CSU-D19-000-2012)
- 14-245 From the Town of Markham, acknowledging receipt of Kingston City Council's resolution regarding Provincial payment in lieu of taxes, and advising that the Town's Council passed a resolution in support to this resolution.
(File No. CSU-F22-000-2012)

Referred to All Members of Council

- 14-226 From the Town of Caledon, providing a resolution that the Town of Caledon's Council passed regarding the Aggregate Resources Act Review.
(File No. CSU-C10-000-2012)
(Distributed to all Members of Council on April 20, 2012)
- 14-227 From the Limestone District School Board, acknowledging the foresight and commitment of City Councillors and Staff on the completion of the Kingston Community Outdoor Athletic Park, specifically the track and sports field.
(File No. CSU-R05-000-2012)
(Distributed to all Members of Council on April 20, 2012)
- 14-229 From Daniel R. Woolf, Principal and Vice-Chancellor, Queen's University, expressing their support for the progress and direction of the Williamsville Main Street Study.
(File No. CSU-D18-000-2012)
(Distributed to all Members of Council on April 20, 2012)

- 14-230 From The Kingston Youth Arts Council and City of Kingston Cultural Services, asking that Council proclaim May 1 - 7 as "National Youth Arts Week" in the City of Kingston.
(File No. CSU-M10-000-2012)
(See Miscellaneous Business Item No. (1))
(Distributed to all Members of Council on April 23, 2012)
- 14-231 From Ms. Irene Watt, providing comments on Clause (1), Report No. (61), Received from the Planning Committee , regarding the Secondary Residential Suites.
(File No. CSU-S18-000-2011)
(Distributed to all Members of Council on April 24, 2012)
- 14-232 From the City of Toronto, providing a resolution that the City of Toronto passed regarding the Canada-European Union (EU) Comprehensive Economic and Trade Agreement (CETA).
(File No. CSU-F00-000-2011)
(Distributed to all Members of Council on April 24, 2012)
- 14-238 From Ed Smith, Chair, Downtown Kingston! Board of Management, expressing concerns regarding the Environment, Infrastructure, and Transportation Policies report which recommends increases to monthly parking rates.
(File No. CSU-M10-000-2012)
(Distributed to all Members of Council on April 25, 2012)
(See Clause (2), Report No. 63)
- 14-240 From The Ontario Lung Association, asking that Council proclaim May 1, 2012 as "Work-Related Asthma / World Asthma Day 2012" in the City of Kingston.
(File No. CSU-M10-000-2012)
(See Miscellaneous Business Item No. (2))
(Distributed to all Members of Council on April 26, 2012)
- 14-241 From Canadian Association of Gift Planners, asking that Council proclaim May 1-31, 2012 as "LEAVE A LEGACY Month" in the City of Kingston.
(File No. CSU-M10-000-2012)
(See Miscellaneous Business Item No. (3))
(Distributed to all Members of Council on April 30, 2012)
- 14-242 From Gordon Cowie, Director of Fundraising, WOR Group Inc., requested an invitation from Council to speak at the May 15, 2012 City Council meeting with respect to the Canada's National Wall of Remembrance project.
(File No. CSU-R01-000-2012)
(Distributed to all Members of Council on April 30, 2012)
- 14-244 From Ann Blake, Managing Director, Kingston Association of Museums, Art Galleries, and Historic Sites Inc., providing supplemental information regarding the "May is Museum Month" proclamation.

(File No. CSU-M10-000-2012)

(Distributed to all Members of Council on April 30, 2012)

(See Communication No. 13-236)

- 14-246 From Paul Moist, National President, Canadian Union of Public Employees (CUPE), providing the dissenting opinions of the NDP and Liberal MPs who stand on the House of Commons Standing Committee on International Trade, in response to the report which concluded the study of the Comprehensive Economic and Trade Agreement (CETA) negotiations, as well as CUPE's key concerns.

(File No. CSU-F00-000-2012)

(Distributed to all Members of Council on April 30, 2012)

- 14-247 From Don Young, President, SWITCH, Green Profit, thanking Kingston for supporting the SWITCH 2012 Green Profit Conference and Exhibition.

(File No. CSU-E05-000-2012)

(Distributed to all Members of Council on April 30, 2012)

Referred to the City Clerk

- 14-236 From the Kingston Association of Museums, Galleries and Historic Sites, Inc., asking that Council proclaim the month of May as "May is Museum Month" in the City of Kingston.

(File No. CSU-M10-000-2012)

(Distributed to all Members of Council on April 24, 2012)

- 14-237 From The Royal Military College of Canada, asking that Council proclaim May 6, 2012 as "The Royal Military College of Canada Freedom of the City" in the City of Kingston.

(File No. CSU-M10-000-2012)

(Distributed to all Members of Council on April 25, 2012)

- 14-243 From City of Kingston Public Works Department, asking that Council proclaim May 20-26, 2012 as "Public Works Week" in the City of Kingston.

(File No. CSU-M10-000-2012)

(Distributed to all Members of Council on April 30, 2012)

OTHER BUSINESS

BY-LAWS

Council consented to the **amendment** of By-Law No. (4), and the **withdrawal** of By-Law (1).

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

THAT By-Laws (2) and (5) be given their first and second reading.

CARRIED

Councillor George withdrew from the meeting.

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

THAT By-Law (3) be given its first and second reading.

CARRIED

Councillor George returned to the meeting.

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

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

CARRIED

Councillor George withdrew from the meeting.

- (D) Moved by Councillor Paterson
Seconded by Councillor Schell

THAT By-Law (3) be given its third reading.

CARRIED

Councillor George returned to the meeting.

- (E) Moved by Councillor Paterson
Seconded by Councillor Schell

THAT By-Laws (2), (4) and (5) be given their 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. 2012-84

(See Clause (2), Report No. 63)

WITHDRAWN

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

* * * * *

ADJOURNMENT

Moved by Councillor Glover
Seconded by Councillor Hector
THAT Council do now adjourn.

CARRIED

Council adjourned at 11:56 pm.

(Signed)

John Bolognone
City Clerk

Mark Gerretsen
Mayor