

## CITY COUNCIL MEETING NO. 15-2005

The Regular Meeting of City Council was held on Tuesday, May 17, 2005 at 6:30 pm in the Council Chamber, City Hall. His Worship Mayor Harvey Rosen presided.

There was an "In-Camera" meeting of the Committee of the Whole from 6:30 pm to 7:30 pm in the Councillors' Lounge.

**(Council Chambers)**

### ROLL CALL

Present: Mayor Rosen, Deputy Mayor Foster, Councillor Beavis, Councillor Downes, Councillor Garrison (arrived 7:30), Councillor B. George, Councillor K. George, Councillor Meers, Councillor Pater, Councillor Patterson, Councillor Smith, Councillor Stoparczyk, Councillor Sutherland (13)

**(Councillor's Lounge)**

### Administrative Staff Present:

Mr. D. Leger, Acting Chief Administrative Officer  
Mrs. C. Downs, Manager, Council Support/City Clerk  
Mr. G. Hunt, Acting Commissioner of Corporate Services/Manager, Finance  
Mr. H. Linscott, Director, Legal Services  
Mr. M. Segsworth, Commissioner, Operations Services

\*\*\*\*\*

### COMMITTEE OF THE WHOLE "IN CAMERA"

- (1) Moved by Councillor Beavis  
Seconded by Councillor K. George

**THAT** Council resolve itself into the Committee of the Whole "In Camera" to consider the following items:

- (a) Legal Matters

**CARRIED**  
**(Councillor Meers Opposed)**

\*\*\*\*\*

**(Council Chambers)**

City Council Meeting No. 15  
Minutes  
May 17, 2005

---

**Administrative Staff Present:**

Mr. D. Leger, Acting Chief Administrative Officer  
Ms. S. Bailey, Senior Policy Planner, Planning & Development Services  
Ms. C. Beach, Commissioner, Planning & Development Services  
Mrs. C. Downs, Manager, Council Support/City Clerk  
Mr. D. Gedge, Director, Large Venue Entertainment Centre Project  
Mr. T. Fleming, Senior Legal Counsel, Legal Services  
Mr. J. Giles, Manager, Solid Waste  
Mr. G. Grange, Manager, Housing Division  
Mr. G. Hunt, Acting Commissioner, Corporate Services/Manager, Finance  
Ms. M. Kolokolnikova, Supervisor, Housing, Community Services  
Mr. H. Linscott, Director, Legal Services  
Mr. M. McLaughlin, Associate Legal Counsel, Legal Services  
Ms. C. Mastantuono, Manager, Policy & Support Services, Community Services  
Mr. M. Morris, Manager of Transit  
Mr. D. Murphy, Deputy Police Chief  
Mr. N. Murphy, Deputy Chief, Fire & Rescue Services  
Mr. S. Murphy, Supervisor, Building Section, Building & Licensing  
Mr. M. Segsworth, Commissioner, Operations Services  
Ms. N. Sullivan, Deputy City Clerk  
Mr. H. Tulk, Chief, Fire & Rescue Services

\*\*\*\*\*

Councillor B. George withdrew from the meeting.

**REPORT OF THE COMMITTEE OF THE WHOLE "IN CAMERA"**

- (2) Moved by Councillor Stoparczyk  
Seconded by Councillor Sutherland

**THAT** Council rise from the Committee of the Whole "In Camera" and that the rules of By-Law No. 98-1 be waived and the Chair report.

**CARRIED**  
**(A 2/3<sup>rd</sup> Vote of Council Was Received)**  
**(Councillor Meers OPPOSED)**

Mayor Rosen reported the following action taken in the Committee of the Whole "In Camera":

**THAT** Council acknowledge and accept the Springer Group's (the Kingston Terminal Properties Limited) generous offer to make a financial donation to the City of Kingston in the amount of \$1,000,000.00 in respect of the City's Capital Fund Raising Campaign for the revitalization of the Market Square, and;

**THAT**, to recognize and commemorate this donation, the City of Kingston takes the necessary steps to cause the Market Square to be officially named the Springer Market Square (the "Name") in perpetuity and that the City ensure that the Name receive appropriate recognition on a Benefactor Wall and in written and electronic materials directed to and necessary for informing the general public that the Springer Market Square is the place where an event is scheduled to take place, and;

**THAT** the City be authorized to enter into documentation necessary to implement the foregoing recommendations, with such documentation to be in a form satisfactory to the Director of Legal Services and the Commissioner of Operations and that the Mayor and City Clerk be authorized to sign the same, and;

**REPORT OF THE COMMITTEE OF THE WHOLE "IN CAMERA"**

City Council Meeting No. 15

Minutes

May 17, 2005

---

THAT this recommendation be reported, in its entirety, in open session this evening for Council's consideration, and that a by-law be presented to Council to officially name the Market Square as the "Springer Market Square" in perpetuity and that this by-law be given **three readings**.

(See By-Law No. (27), 2005-137)

- (3) Moved by Councillor Smith  
Seconded by Councillor Patterson

THAT the Report of the Committee of the Whole "In Camera" be received and adopted.

CARRIED (7:5)

(See Recorded Vote No. 1)

(See Following Motions to AMEND which were LOST)

Moved by Councillor Downes  
Seconded by Councillor Garrison

THAT, before Kingston City Council takes any action with regard to the naming rights of the Market Square, a public meeting be held to garner public input.

LOST (5:7)

(See Recorded Vote No. 2)

Moved by Councillor Meers  
Seconded by Councillor Garrison

THAT the report of the Committee of the Whole "In Camera" be deferred until Councillors have an opportunity to speak to their constituents and report back at the next Council meeting.

LOST (2:10)

(See Recorded Vote No. 3)

1. A Recorded Vote was requested by Councillor Garrison.

YEAS: Mayor Rosen, Councillor Beavis, Deputy Mayor Foster, Councillor Patterson, Councillor Smith, Councillor Stoparczyk, Councillor Sutherland (7)

NAYS: Councillor Downes, Councillor Garrison, Councillor K. George, Councillor Meers, Councillor Pater (5)

ABSENT: Councillor B. George (1)

2. A Recorded Vote was requested by Councillor Garrison.

YEAS: Councillor Downes, Councillor Garrison, Councillor K. George, Councillor Meers, Councillor Pater (5)

NAYS: Mayor Rosen, Councillor Beavis, Deputy Mayor Foster, Councillor Patterson, Councillor Smith, Councillor Stoparczyk, Councillor Sutherland (7)

ABSENT: Councillor B. George (1)

**REPORT OF THE COMMITTEE OF THE WHOLE "IN CAMERA"**

3. A Recorded Vote was requested by Councillor Garrison.

City Council Meeting No. 15  
Minutes  
May 17, 2005

---

YEAS: Councillor Garrison, Councillor Meers (2)  
NAYS: Mayor Rosen, Councillor Beavis, Councillor Downes, Deputy Mayor Foster, Councillor K. George, Councillor Pater, Councillor Patterson, Councillor Smith, Councillor Stoparczyk, Councillor Sutherland (10)  
ABSENT: Councillor B. George (1)

\*\*\*\*\*

Councillor B. George returned to the meeting.

### DISCLOSURE OF PECUNIARY INTEREST

- (1) Councillor B. George declared a pecuniary interest in the matter of Clause (1) of Report No. 67; Clauses (b), (k), and (l) of Report No. 68; Clauses (3) and (4) of Report No. 70; and a report of the Committee of the Whole "In Camera" as his employer has a pecuniary interest in these matters.
- (2) Councillor K. George declared a pecuniary interest in the matter of Clause (1) of Report No. 67 as his employer prepared the draft plan of subdivision in question.
- (3) Councillor Pater declared a pecuniary interest in the matter of Information Report No. 2 as her son owns a restaurant in the downtown area.
- (4) Councillor Smith declared a pecuniary interest in the matter of Information Report No. 2 as he is the owner of a restaurant in the downtown area.

\*\*\*\*\*

### PRESENTATIONS

\*\*\*\*\*

### DELEGATIONS

\*\*\*\*\*

### STAFF BRIEFINGS

- (1) Ed Starr and Christine Pacini, Consultants with the Social Housing Strategist Inc., spoke to Council concerning the Kingston Model for Affordable Housing Development (Report No. 05-173).  
(File No. CSU-C13-000-2005)  
**(Clause (a), the Committee of the Whole)**

\*\*\*\*\*

### PETITIONS

- (1) A petition from the Friends of the Memorial Centre, bearing approximately 28 signatures, was presented by Councillor Meers and reads as follows:

City Council Meeting No. 15

Minutes

May 17, 2005

---

*"I oppose the sale of the approximately 23.6 acres of the Kingston Memorial Community Centre property for a private development to fund a new entertainment centre to be located to Anglin Bay-Inner Harbour.*

*I am opposed to the destruction of the Memorial Centre and the loss of much-needed public park and recreational lands. These facilities are a living Memorial to those who sacrificed their lives for our Country and as such should continue to serve their purpose as a focal point of the many and varied community activities in the neighbourhoods and the City."*

**REFERRED TO THE MULTIPLEX COMMUNITY CENTRE ARENA CAPACITY STEERING COMMITTEE**

- (2) A petition from the Friends of the Memorial Centre, bearing approximately 110 signatures, was presented by Councillor B. George and reads as follows:

*"I oppose the sale of the approximately 23.6 acres of the Kingston Memorial Community Centre property for a private development to fund a new entertainment centre to be located to Anglin Bay-Inner Harbour.*

*I am opposed to the destruction of the Memorial Centre and the loss of much-needed public park and recreational lands. These facilities are a living Memorial to those who sacrificed their lives for our Country and as such should continue to serve their purpose as a focal point of the many and varied community activities in the neighbourhoods and the City."*

**REFERRED TO THE MULTIPLEX COMMUNITY CENTRE ARENA CAPACITY STEERING COMMITTEE**

\*\*\*\*\*

## **MOTIONS OF CONGRATULATIONS/CONDOLENCES/SPEEDY RECOVERY**

Motions of Congratulations, Sympathy, Condolences and Speedy Recovery are presented in order of category as one group and voted on as one motion.

### **(1) Motion of Condolences**

- (a) Moved by Mayor Rosen  
Seconded by Councillor Beavis

**THAT** the condolences of Kingston City Council be extended to the family of the late Jeremy Hicks on his recent passing.

- (b) Moved by Councillor Downes  
Seconded by Mayor Rosen

**THAT** the condolences of Kingston City Council be extended to the family of the late Sandra Davison, former City of Kingston employee, wife of Councillor Gary Davison of South Frontenac and sister-in-law of Dianne Davison, Labour Relations Officer, Human Resources, on her recent passing.  
(File No. CSU-M11-000-2005)

## **MOTIONS OF CONGRATULATIONS/CONDOLENCES/SPEEDY RECOVERY**

- (c) Moved by Councillor Garrison  
Seconded by Councillor Meers

**THAT** the condolences of Kingston City Council be extended to Joanne Kennedy, former City of Kingston employee, on the death of her husband, the late Vinnie McQuaide.

**CARRIED**

City Council Meeting No. 15  
Minutes  
May 17, 2005

---

(2) **Motion of Congratulations**

- (a) Moved by Councillor Meers  
Seconded by Deputy Mayor Foster

**THAT** the congratulations of Kingston City Council be extended to Peggy Naughton, Council Support Secretary, and her husband, David Perryman, on their recent marriage on April 1, 2005.

- (b) Moved by Councillor Meers  
Seconded by Councillor Garrison

**THAT** the congratulations of Kingston City Council be extended to the Kin Family Centre, located on Wiley Street, on their 10<sup>th</sup> anniversary. Their hard work and dedication to the community is greatly appreciated.  
(File No. CSU-M11-000-2005)

**CARRIED**

\*\*\*\*\*

**THE COMMITTEE OF THE WHOLE**

- (1) Moved by Councillor Garrison  
Seconded by Councillor Meers

**THAT** Council resolve itself into the Committee of the Whole to consider the Kingston Model for Affordable Housing Report (Report No. 05-173).

**CARRIED**

- (2) Moved by Councillor Downes  
Seconded by Councillor B. George

**THAT** Council rise from the Committee of the Whole and the Chairman report.

**CARRIED**

Mayor Rosen reported the following action taken in the Committee of the Whole:

**THE COMMITTEE OF THE WHOLE**

- (a) **The Kingston Model for Affordable Housing Development (05-173)**

Moved by Councillor Pater  
Seconded by Councillor Downes

**WHEREAS** Council approved development of the Affordable Housing Strategy as its 8<sup>th</sup> priority for implementation under the Kingston Community Strategic Plan, and;

City Council Meeting No. 15  
Minutes  
May 17, 2005

---

**WHEREAS** a comprehensive action plan for affordable housing development has now been finalized through extensive public consultation; containing recommendations on strategic vision and governance, financial and regulatory tools, and building community capacity, and;

**WHEREAS** Community Services Committee discussed the Kingston Model for Affordable Housing Development on April 25, 2005 and in view of the fact that the 44 recommendations of the report cross the mandates of all standing committees, and;

**WHEREAS**, at its meeting on April 25, 2005, the Community Services Committee recommended that Council, sitting as Committee of the Whole, receive the Kingston Model for Affordable Housing;

**THEREFORE BE IT RESOLVED THAT** Council receive staff Report No. 05-173 and the Kingston Model for Affordable Housing Development and that it be brought forward to a special meeting of the Committee of the Whole to be held on Tuesday, May 31, 2005.

(File No. CSU-S13-000-2005)

**CARRIED**

- (3) Moved by Councillor Sutherland  
Seconded by Councillor K. George

**THAT** the Report of the Committee of the Whole be received, confirmed and adopted.

**CARRIED**

\*\*\*\*\*

## **REPORTS**

**Report No. 67 of the Committee of the Whole "In Camera"**

Councillors B. George and K. George withdrew from the meeting.

Moved by Deputy Mayor Foster  
Seconded by Councillor Beavis

**THAT** Report No. 67 of the Committee of the Whole "In Camera" be received and adopted.

City Council Meeting No. 15  
Minutes  
May 17, 2005

---

**Report No. 67**

To the Mayor & Members of Council:

The Committee of the Whole "In-Camera" reports and recommends:

- (1) **THAT** Council approve the principles of settlement between the City of Kingston and Jovinton Developments Ltd., (Midland Park Subdivision) and authorize the City Solicitor to finalize minutes of settlement in accordance with the approved principles, and;

**THAT** Council authorize the Mayor and Clerk to execute minutes of settlement and a construction agreement for a storm-water management pond, prepared to the satisfaction of the Legal Services Division.

**CARRIED**

Councillors B. George and K. George returned to the meeting.

\*\*\*\*\*

**Report No. 68 of the Chief Administrative Officer (Consent)**

Moved by Councillor Downes

Seconded by Councillor Meers

**THAT** Report No. 68 of the Chief Administrative Officer be received and adopted.

Council consented to the separation of Clauses (b), (k), (l), and (m).

**REPORTS**

**Report No. 68 of the Chief Administrative Officer (Consent)**

**Report No. 68**

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:



City Council Meeting No. 15

Minutes

May 17, 2005

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

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

- (a) THAT a by-law be presented to amend By-Law No. 24 "A By-Law For Regulating Traffic In The Highways Of The City Of Kingston, Subject To The Provisions Of The Highway Traffic Act" to change the existing parking restrictions on MacDonnell Street across from Winston Churchill Public School:

**By-Law No. 24, Section 18 – Various Parking**

Add:

MacDonnell Street  
15.0 metres south of Earl Street to Hill Street

East Side – 15 minute parking time limit  
Pick-up and drop-off – 8:30 am to 4:30 pm  
School days only

**By-Law No. 24, Section 30 (a) – No Stopping**

Add:

MacDonnell Street  
15.0 metres south of Earl Street to Hill Street

West Side – between 8:30 am and 4:30 pm  
School days only

**By-Law No. 24, Section 19 – Non-Parking**

Add:

MacDonnell Street  
From Earl Street 15.0 metres southerly

Both sides

**By-Law No. 24, Section 18 (c) – Various Parking**

Delete:

MacDonnell Street  
Earl Street to Hill Street

East Side – No Parking – 8:30 am to 4:30 pm  
School days only

(By-Law No. 93-249 – 1993)

(File No. CSU-T08-000-2005)

(See By-Law No. (1), 2005-125)

**CARRIED**

Councillor B. George withdrew from the meeting.

**REPORTS**

**Report No. 68 of the Chief Administrative Officer (Consent)**

- (b) THAT a by-law be presented to provide for the temporary closure of Sydenham Street from Johnson Street to Brock Street on Tuesday, June 28, 2005 from 12:00 pm to 6:00 pm, for community purposes (**Hotel Dieu Hospital 100<sup>th</sup> Year Anniversary Celebration**), subject to the following conditions:

- (1) The applicant shall pay for the cost of advertising the temporary street closure, as invoiced by the Council Support Division.
- (2) The applicant will be responsible for the acquiring/renting, placing and removal of all barricades necessary to fully close the roadway(s) affected and install advance signage to indicate the street closure and install detour signage.

City Council Meeting No. 15

Minutes

May 17, 2005

- 
- (3) The applicant agrees to take out sufficient public liability property damage insurance in the amount of \$2,000,000.00 to cover all risks. The policy shall be in a form and in an amount satisfactory to the City of Kingston, and shall be kept in full force during the period of the proposed street closure. The City of Kingston shall be named as a party insured on the policy and the applicant shall provide the City of Kingston with a copy of the insurance policy.

(File No. CSU-T08-000-2005)

(See By-Law No. (2), 2005-126)

CARRIED

Councillor B. George returned to the meeting.

- (c) **THAT** a by-law be presented to provide for the temporary closure of Ontario Street between Brock Street and Market Street on Saturday, July 23, 2005 from 8:00 am to 5:00 pm and Sunday, July 24, 2005 from 8:00 am to 5:00 pm, for community purposes (**The Taste of Kingston**), subject to the following conditions:

- (1) The applicant shall pay for the cost of advertising the temporary street closure, as invoiced by the Council Support Division.
- (2) The applicant will be responsible for the acquiring/renting, placing and removal of all barricades necessary to fully close the roadway(s) affected and install advance signage to indicate the street closure and install detour signage.
- (3) The applicant agrees to take out sufficient public liability property damage insurance in the amount of \$2,000,000.00 to cover all risks. The policy shall be in a form and in an amount satisfactory to the City of Kingston, and shall be kept in full force during the period of the proposed street closure. The City of Kingston shall be named as a party insured on the policy and the applicant shall provide the City of Kingston with a copy of the insurance policy.

(File No. CSU-T08-000-2005)

(See By-Law No. (3), 2005-127)

CARRIED

## REPORTS

### Report No. 68 of the Chief Administrative Officer (Consent)

- (d) **THAT** a by-law be presented to provide for the temporary closure of Ontario Street from Brock Street to Market Street on Friday, August 12, 2005, from 5:00 pm to 10:00 pm; Saturday, August 13, 2005, from 10:00 am to 10:00 pm; and Sunday, August 14, 2005, from 12:00 pm to 6:00 pm, for community purposes (**The 1000 Island Poker Run**), subject to the following conditions:

- (1) The applicant shall pay for the cost of advertising the temporary street closure, as invoiced by the Council Support Division.
- (2) The applicant will be responsible for the acquiring/renting, placing and removal of all barricades necessary to fully close the roadway(s) affected and install advance signage to indicate the street closure and install detour signage.

City Council Meeting No. 15

Minutes

May 17, 2005

- (3) The applicant agrees to take out sufficient public liability property damage insurance in the amount of \$2,000,000.00 to cover all risks. The policy shall be in a form and in an amount satisfactory to the City of Kingston, and shall be kept in full force during the period of the proposed street closure. The City of Kingston shall be named as a party insured on the policy and the applicant shall provide the City of Kingston with a copy of the insurance policy.

(File No. CSU-T08-000-2005)

(See By-Law No. (4), 2005-128)

CARRIED

- (e) **WHEREAS** Barr Homes Ltd. has submitted an application requesting that Part Lot Control be lifted from Lots 1-3 inclusive, and 8-19 inclusive, on Registered Plan 13M-55, "Briceland Subdivision, Phase 2" located on the north side of the Canadian National Railway main line and west of Montreal Street, Kingston Central, and;

**WHEREAS** the Owner has complied with the conditions for the Lifting of Part Lot Control;

**THEREFORE BE IT RESOLVED THAT** the application to Lift Part Lot Control (Our File No. D27-001-2005) for Lots 1-3 inclusive, and 8-19 inclusive, on Registered Plan 13M-55, as further described as the "Briceland Subdivision, Phase 2", be approved;

-and further-

**BE IT RESOLVED THAT** a by-law be passed to Lift Part Lot Control from Lots 1-3 inclusive, and 8-19 inclusive, on Registered Plan 13M-55, as further described as the "Briceland Subdivision, Phase 2";

-and further-

**BE IT RESOLVED THAT** Water and Sanitary services for each lot shall not be installed nor encroach on adjacent private property;

-and further-

**BE IT RESOLVED THAT**, prior to occupancy of Lots 1-3 inclusive and 8-19 inclusive of Registered Plan 13M-55, the Owner/Developer shall verify that independent water and sewer services are provided for each lot being created to the satisfaction of Utilities Kingston;

-and further-

**BE IT RESOLVED THAT** the by-law be presented to receive **three readings**.

(File No. CSU-D27-000-2005)

(See By-Law No. (5), 2005-129)

CARRIED

## REPORTS

### Report No. 68 of the Chief Administrative Officer (Consent)

- (f) **THAT** a by-law be presented to amend By-Law No. 4489, "A By-Law To Regulate, Supervise And Govern The Parking Of Vehicles On Parking Lots And To Fix The Rates And Charges For Parking On Such Parking Lots", to remove all references to the Market Square as a parking lot.

(File No. CSU-T02-000-2005)

(See By-Law No. (6), 2005-130)

CARRIED

(Councillor Garrison OPPOSED)

City Council Meeting No. 15

Minutes

May 17, 2005

- (g) **WHEREAS** Mr. Scot King has submitted an application to lift a Holding Symbol "-H", on behalf of Ms. Lynn Milo from lands described as Lot 4, Plan 626, Part of Lot 26, Concession 2 being Part 4 & 5, 13R-7013 and known municipally as 1741 Bateau Lane, in Kingston East, and;

**WHEREAS** the "-H" Holding provisions were to remain in place until all applicable Municipal and Agency requirements have been complied with and all necessary Agreements have been executed, and;

**WHEREAS** the Owner has complied with the conditions for the removal of the "-H" Holding Symbol as follows:

- All Municipal requirements are contained within the Private Road Agreement and are shown on the approved site plan drawings; the terms of the agreement are as listed within the Private Road Agreement.
- The Private Road Agreement is being finalized by Legal Services and will be executed by the Owner and the Municipality and registered on title by the Municipality.
- There are no outstanding unpaid fees or invoices owed to the City of Kingston.
- The Owner has submitted, for the Municipality's consideration, the appropriate application for an amendment to the Zoning By-law to remove the "-H" Holding Symbol.

**THEREFORE BE IT RESOLVED THAT** Map No. 3 to Schedule "A" of Zoning By-law No. 32-74 of the former Township of Pittsburgh, as amended, be further amended by removing the "-H" Symbol for the lands described as Lot 4, Plan 626, Part of Lot 26, Concession 2 being Part 4 & 5, 13R-7013 and known municipally as 1741 Bateau Lane, in Kingston East, so as to rezone the subject lands from a Holding Limited Service Residential "LSR-H" Zone to a Limited Service Residential "LSR" Zone, which lands are shown as "Lands Subject to -H Removal" on Schedule "A" attached hereto;

–and further–

**BE IT RESOLVED THAT** the Mayor and the City Clerk be authorized to enter into a Private Road Agreement with the Owner of Lot 4, Plan 626, Part of Lot 26, Concession 2 being Part 4 & 5, 13R-7013 and known municipally as 1741 Bateau Lane;

–and further–

**BE IT RESOLVED THAT** the by-law be presented for **three readings**.

(File No. CSU-D28-000-2005)

(See By-Law No. (7), 2005-131)

**CARRIED**

## REPORTS

### Report No. 68 of the Chief Administrative Officer (Consent)

- (h) **THAT** Council authorize the Mayor and the City Clerk to sign a Standard Crossing Reconstruction Agreement with Canadian National Railway Company, to the satisfaction of Legal Services, so that the City can widen Centennial Drive at the CN Rail spur line level crossing;

–and further–

**THAT** Council authorize the Manager of Engineering to sign and issue the necessary Purchase Orders to CN Rail to pay for: replacing the existing CN Rail level crossing signals with new overhead signals, CN Rail inspection and flagging costs during construction and future level crossing maintenance.

(File No. CSU-L04-000-2005)

**CARRIED**

City Council Meeting No. 15  
Minutes  
May 17, 2005

---

- (i) **THAT** Council enter into a Temporary License To Encroach, satisfactory to the Director of Legal Services, for a term of two years commencing June 1, 2005, with the owner of the property at 810 Castell Road, for the purpose of continuing to allow parking for the apartment building in the public right-of-way, on the understanding that the owner will construct a proper cul-de-sac within that two-year term and fulfill other terms as set out in this report.  
(File No. CSU-D16-000-2005)

**CARRIED**

- (j) **THAT** Council authorize the Mayor and the City Clerk to execute a License Agreement between the City of Kingston as Landlord as Licensor, and 995413 Ontario Inc. and 995429 Ontario Ltd. as Licensee, for parking in front of the building known as 27 Place D'Armes, for a period of five years commencing December 1, 2004 and ending on November 30, 2009;

-and further-

**THAT** the said License Agreement be in a form acceptable to the Director of Legal Services.  
(File No. CSU-L04-000-2005)

**CARRIED**

Councillor B. George withdrew from the meeting.

- (k) **THAT** Council approve the form and content of the Local Services Realignment (LSR) agreement attached to Report No. 05-177 as Appendix "A";

-and further-

**THAT** the Mayor and City Clerk be authorized to execute the agreement.  
(File No. CSU-F11-000-2005)

**CARRIED**

## REPORTS

### Report No. 68 of the Chief Administrative Officer (Consent)

- (l) **THAT** the City grant a right-of-way in favour of the owner of the Village Drive Apartments for motor vehicle and pedestrian purposes over the existing road and sidewalk on the municipally-owned part of Village Drive, as shown on the sketch attached as Appendix "A" attached to Report No. 05-180. The grant of right-of-way would contain the following terms and conditions:

- (1) The owner of the Village Drive Apartments would remain responsible for repairs, maintenance, reconstruction and snow plowing.
- (2) The owner would indemnify the City from all claims made against the City arising from the road and sidewalks.
- (3) The City would reserve the right in its sole discretion to relocate the right-of-way provided that access of a similar nature was provided.
- (4) The right-of-way would terminate at such time as the City assumed and dedicated the lands as public highway.

-and further-

City Council Meeting No. 15  
Minutes  
May 17, 2005

---

**THAT** the Mayor and City Clerk be authorized to execute the grant of right-of-way.  
(File No. CSU-T08-000-2005)

**CARRIED**

Councillor B. George returned to the meeting.

- (m) **THAT** the source of financing for the Large Venue Entertainment Centre project, as approved on November 16, 2004 in the 2005 capital budget in the amount of \$500,000.00, be changed to the Working Fund Reserve with the amount to be repaid once permanent financing sources have been secured.  
(File No. CSU-R05-001-2005)

**CARRIED (8:5)**  
**(See Recorded Vote)**

A Recorded Vote was requested by Councillor Garrison.

YEAS: Mayor Rosen, Deputy Mayor Foster, Councillor B. George, Councillor Pater, Councillor Patterson, Councillor Smith, Councillor Stoparczyk, Councillor Sutherland (8)

NAYS: Councillor Beavis, Councillor Downes, Councillor Garrison, Councillor K. George, Councillor Meers (5)

\*\*\*\*\*

## REPORTS

### Report No. 69 of the Chief Administrative Officer (Recommend)

Moved by Councillor Smith

Seconded by Councillor Patterson

**THAT** Report No. 69 of the Chief Administrative Officer be received and adopted, clause by clause.

### Report No. 69

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

- (1) **THAT** Council receive the Capital Budget Status Report for the 1<sup>st</sup> quarter ending March 31, 2005;  
-and further-

**THAT** Council approve the financing of unfinanced capital projects, or (return of funds), as outlined in Appendices "A", "B", "C", "D", "E", "F" and "G" of Report No. 05-167, as follows:

---

APPENDIX

City Council Meeting No. 15  
Minutes  
May 17, 2005

Source of Financing	A	B	C	D	E	F	G	Total
Municipal Capital Reserve Fund	\$(3,348)		\$630		\$(8,551)			\$(11,269)
<b>Other Reserve Funds</b>								
Library Capital		\$45,457		\$(614)	\$2,543			\$47,386
Parking			\$846	\$8,073		\$10,661		\$19,580
Fire Capital				\$4,518			\$(813)	\$3,705
Facility Repair					\$15,769			\$15,769
Arenas					\$(633)	\$(17,113)		\$(17,746)
Development Charges					\$(37,500)			\$(37,500)
Rideaucrest Facility						\$(640)		\$(640)
Cash in Lieu of Parkland						\$(96)		\$(96)
Marinas						\$(667)		\$(667)
Kingston Access Services						\$17,880		\$17,880
<b>Total</b>		<b>\$45,457</b>	<b>\$846</b>	<b>\$11,977</b>	<b>\$(19,821)</b>	<b>\$10,025</b>	<b>\$(813)</b>	<b>\$47,671</b>

-and further-

THAT Council approve the reduction of approved debenture financing with reference to specific projects as outlined in Appendices "A", "B", "C", "D", "E", "F" and "G" of this report as follows:

Source of Financing	APPENDIX							Total
	A	B	C	D	E	F	G	
Debenture (reduction) Funding from:								
Fire Capital Reserve Fund				\$(5,000)				\$(5,000)
Library Reserve Fund		\$(6,000)						\$(6,000)

(File No. CSU-F05-000-2005)

**CARRIED**

**REPORTS**

**Report No. 69 of the Chief Administrative Officer (Recommend)**

- (2) THAT the Solid Waste Division proceed with the purchase and installation of a Twister 20-L from Haul-All Equipment Limited at a price, including installation, not to exceed \$43,953.00 plus applicable taxes, using \$35,000.00 approved under Capital Budget Project No. 95046, with the balance of funding coming from the Solid Waste Reserve Fund.  
(File No. CSU-F18-004-2005)

**CARRIED**

- (3) WHEREAS Council, at its regular meeting held on February 1, 2005, authorized staff to take the necessary steps to issue a Request for Proposals (RFP) to obtain detailed pricing and technical functional requirements in order for Kingston Fire & Rescue Services (KFR) to upgrade its existing analog VHF radio system and for the Kingston Police Force (KPF) to purchase a new VHF digital radio system, and;

WHEREAS the Request for Proposal Evaluation Committee reviewed the vendor submissions and identified a recommended supplier;

THEREFORE BE IT RESOLVED THAT staff be authorized to take the necessary steps to procure the recommended radio system from Time MCI Mobile Communications Inc. for the tender amount of \$3,347,644.90 including PST;

City Council Meeting No. 15

Minutes

May 17, 2005

---

-and further-

**THAT** the shortfall in the Fire's share in the amount of \$34,700.00 be funded from the Consolidated Fire Capital Reserve Funds;

-and further-

**THAT** the shortfall in the Police's share in the amount of \$147,961.00 be funded from the Police Capital Equipment Reserve Fund.

(File No. CSU-F31-000-2005)

**CARRIED**

Council consented to the division of Clause (4).

- (4) **THAT** studies that are submitted as part of the planning approvals process be made available to Council members and Large Venue Entertainment Centre Steering Committee members on request as they are completed;

**CARRIED**

-and further-

**THAT** the normal process for making these studies available to the public be followed with copies available at both City Hall and the Planning Division Office (1425 Midland Avenue) for the public to view with copies available from the Planning Division at the cost of \$0.21 per page;

**CARRIED**

-and further-

**THAT** information in the reports be summarized where possible in an executive summary and that the executive summaries be posted on the City's website when the studies are submitted as part of the planning process;

**CARRIED**

-and further-

**THAT** those additional studies completed as part of the feasibility, design and construction process for the facility be reported through the Large Venue Entertainment Centre Steering Committee by the Project Director.

**CARRIED**

-and further-

## REPORTS

### Report No. 69 of the Chief Administrative Officer (Recommend)

**THAT**, as reports become available, Members of Council be notified in writing and that those reports be bound in a binder and be made available in the mailroom in Council Support.

(File No. CSU-R05-001-2005)

**CARRIED**

**CARRIED AS AMENDED**

(See Following Motion to AMEND which was CARRIED)

(See Following Motion to AMEND Which Was LOST)

Moved by Councillor Downes

Seconded by Councillor Pater

**THAT**, as reports become available, Members of Council be notified in writing and that those reports be bound in a binder and be made available in the mailroom in Council Support.

**CARRIED (13:0)**  
(See Recorded Vote No. 1)

Moved by Councillor Garrison

Seconded by Councillor K. George



City Council Meeting No. 15  
Minutes  
May 17, 2005

---

**THAT** the first paragraph of Clause (4) be amended by deleting the words "*on request*", so that the paragraph reads as follows:

***THAT** studies that are submitted as part of the planning approvals process be made available to Council members and Large Venue Entertainment Centre Steering Committee members as they are completed".*

**LOST (6:7)**  
**(See Recorded Vote No. 2)**

1. A Recorded Vote was requested by Councillor Smith.

YEAS: Mayor Rosen, Councillor Beavis, Councillor Downes, Deputy Mayor Foster, Councillor Garrison, Councillor B. George, Councillor K. George, Councillor Meers, Councillor Pater, Councillor Patterson, Councillor Smith, Councillor Stoparczyk, Councillor Sutherland (13)

NAYS: (0)

2. A Recorded Vote was requested by Councillor Garrison.

YEAS: Councillor Downes, Deputy Mayor Foster, Councillor Garrison, Councillor K. George, Councillor Meers, Councillor Sutherland (6)

NAYS: Mayor Rosen, Councillor Beavis, Councillor B. George, Councillor Pater, Councillor Patterson, Councillor Smith, Councillor Stoparczyk (7)

\*\*\*\*\*

## REPORTS

### Report No. 70 of the Kingston Municipal Heritage Committee (LACAC)

Council consented to the addition of Clause (10) and the separation of Clauses (3) and (4).

Moved by Councillor Patterson

Seconded by Councillor Pater

**THAT** Report No. 70 of the Kingston Municipal Heritage Committee (LACAC) be received and adopted.

### Report No. 70

To the Mayor and Members of Council:

The Kingston Municipal Heritage Committee (LACAC) reports and recommends as follows:

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

May 2, 2005

City Council Meeting No. 15

Minutes

May 17, 2005

1. **WHEREAS** the Committee of Adjustment considered an application for severance of a property at 110 Collingwood Street (D10-015-2005), and;

**WHEREAS** Condition #9 of the Committee of Adjustment decision dated February 28, 2005 permitted the rezoning of the property and site plan agreement conditions to be waived by the Kingston Municipal Heritage Committee, and;

**WHEREAS** the Kingston Municipal Heritage Committee pursued the designation of this property at the owners request, and;

**WHEREAS** the Notice of Intent to Designate process approved by Council at the Council Meeting held April 5, 2005 meeting has been completed, and;

**WHEREAS** "Character Defining Features" and "Architectural Reasons" are set out within the attached Appendix "A" entitled "Description & Reasons for Designation";

**THEREFORE BE IT RECOMMENDED THAT** Council enact as follows:

- That a by-law be presented to designate 110 Collingwood Street, known as Inglewood, which affects Part Lot 17 S and Part Lot 18 on Registered Plan B4 in accordance with Section 29 of the *Ontario Heritage Act, RSO 1990*, Chapter 0.18, which authorizes the Council of a Municipality to enact by-laws to designate real property further to "Character Defining Features" and "Architectural Reasons" details as noted within the attached Appendix "A" – "Description and Reasons for Designation"
  - That the City Clerk be authorized to cause a copy of this by-law to be served on the owner of the aforesaid property and on the Ontario Heritage Foundation and cause notice of the passing of this by-law to be published in a newspaper having general circulation in the municipality and cause reference to said property to be amended to the Register established in Subsection 27(1) of the *Ontario Heritage Act, RSO 1990*, Chapter 0.18,
  - That the City Solicitor be authorized to cause a copy of this by-law to be registered against the portion of the property identified as 110 Collingwood Street in the proper land registry office.
- and further–

## REPORTS

### Report No. 70 of the Kingston Municipal Heritage Committee (LACAC)

**THAT**, upon completion of the designation of this property, notice shall be given to the Secretary/Treasurer of the City of Kingston's Committee of Adjustment that Condition #7 & #8 of Consent Application (D10-015-2005) be considered to be satisfied;

–and further–

**THAT** the rules of By-Law No. 98-1 "Council Procedural By-Law" be waived in order to allow that the by-law receive **three readings**.

(See By-Law No. (8), 2005-132)

2. **WHEREAS** the designation of a historical property known as the Peter Wartman House was approved by Council on June 24, 2003, and;

**WHEREAS** the required by-laws have been submitted;

**THEREFORE BE IT RESOLVED THAT** a by-law be presented to reaffirm the designation of a historical property known as the Peter Wartman House, located at Concession 1 Part of Lot 10 between Little Cataraqui Bay and Pleasant Point at 86 Sunny Acres Road, in accordance with the attached Appendix "A" – "Description & Reasons for Designation";

–and further–

**THAT** the rules of By-Law No. 98-1 "Council Procedural By-Law" be waived in order to allow that the by-law receive **three readings**.

City Council Meeting No. 15  
Minutes  
May 17, 2005

---

(See By-Law No. (9), 2005-133)

Councillor B. George withdrew from the meeting.

3. **THAT** Application P18-32-02 for a property located at 80 Barrie Street, requesting approval for stone restoration for the Connell, Angada and Watkins Wings, be approved as amended within a submission dated April 20, 2005, with the understanding that approval be obtained from a mortar expert regarding the mortar mix.

**CARRIED**

4. **THAT** amendments to Application P18-150-35-04 for St. Georges Cathedral, a designated property located at 270 King Street, requesting approval for the replacement of a damaged sign be approved in accordance with a sketch dated April 28, 2005, with the understanding that:

- The outside member of the support posts be 2" rather than 1" and similar to the inside member.
- The decorative post has a base appearance by having a solid section at grade, and shrubbery is suggested to be planted around the base of the sign.
- That a complete 6" x 6" solid post be considered as an option to the decorative post with an option of a simple ornamental finial on top.

**CARRIED**

Councillor B. George returned to the meeting.

## **REPORTS**

### **Report No. 70 of the Kingston Municipal Heritage Committee (LACAC)**

5. **THAT** Application P18-187-09-05 for a property located at 169 King Street East, requesting approval to wash the exterior of the building, re-shingle the roof and remodel the porch, be approved, with the following conditions:
- That washing be subject to the applicant providing technical information for the procedure to include the liquid, pressure, effect on other surfaces and use of brushes.
  - That flashing that is replaced will match the roof.
  - That the trim may be painted white following the submission of samples.
  - The porch can be remodelled subject to the submission of more detailed drawings and a visit by a Committee member.
6. **THAT** Application P18-448-11-05 for a property located at 236 James Street, requesting approval for re-pointing open and deteriorated joints and to make repairs/improvements to the front porch, be approved, with the understanding that repointing shall be in accordance with the Heritage Masonry Guidelines, and that repairs to the front porch shall be subject to the submission of drawings to reflect details that were discussed and agreed upon within the meeting discussion.
7. **THAT** Application P18-418-13-05 for a property located at 207 Main Street, requesting approval for the removal of an existing glass enclosure and replacement with a room that will be reshingled with cedar shingles to match the present

City Council Meeting No. 15  
Minutes  
May 17, 2005

---

roofing of the limestone portion of the house be approved in accordance with the sketches submitted dated April 25, 2005 and subject to the submission of detailed construction drawings.

8. **THAT** Application P18-474-14-05 for a property located at 402 Wellington Street, requesting approval for the replacement of siding, be approved, with the understanding that a smooth finish siding be used if available.
  
9. **THAT** Application P18-257-15-05 for a property located at 70 Mowat Avenue, requesting approval for the replacement of a roof, door, windows and siding on a shed and repainting of the house, be approved in accordance with the description submitted dated April 25, 2005.
  
10. **THAT**, further to the approval by Council on January 14, 2003, for exterior work to include the design of new doors to the courtyard and a request for "consideration of options for the appearance of the transom lights" at the Pump House Steam Museum property located at 11 Ontario Street, details submitted regarding the replication of the original door be approved in accordance with drawings dated January 2004, with the understanding that the transom panes be identical to the original panes.

**CARRIED**

\*\*\*\*\*

## **REPORTS**

### **Report No. 71 of the Planning & Development Services Committee**

Council consented to the separation of Clause (2).

Moved by Councillor B. George

Seconded by Councillor Stoparczyk

**THAT** Report No. 71 of the Planning & Development Services Committee be received and adopted.

### **Report No. 71**

To the Mayor and Members of Council:

The Planning & Development Services Committee reports and recommends as follows:

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

May 10, 2005

1. **WHEREAS** the Ministry of Municipal Affairs & Housing approved the City of Kingston's Community Improvement Plan for Brownfields Project Areas 1A & 1B, and;

**WHEREAS** it is the City of Kingston's intent to implement the Brownfields program as quickly as possible;

City Council Meeting No. 15

Minutes

May 17, 2005

---

**THEREFORE BE IT RESOLVED THAT** Council approve the implementation guidelines for the City of Kingston Community Improvement Plan for Brownfields Project Areas 1A & 1B.

2. **WHEREAS** Section 157 of the *Municipal Act, SO 2001, C.25* authorizes the Council of every local Municipality to pass by-laws to establish and maintain a registry of businesses and require a business that is being carried on wholly or partly within the Municipality, even if the business is being carried on from a location outside the Municipality, to register and maintain its registration in the registry within the Municipality, and;

**WHEREAS** Section 158 of the *Municipal Act, SO 2001, C.25* provides that a Municipality shall establish and maintain a list for public inspection indicating the classes of business that will be subject to business registration, and;

**WHEREAS** Section 150 of the *Municipal Act, SO 2001, C.25* requires that a Municipality hold at least one public meeting at which any person who attends has an opportunity to make representation with respect to the matter;

**THEREFORE BE IT RESOLVED THAT** the Building & Licensing Division hold a public meeting to hear input on the implementation of a Business Registry and that the Planning & Development Services Committee appoint Councillor Bittu George to chair the public meeting.

**CARRIED (11:2)**  
**(See Recorded Vote)**

## REPORTS

### Report No. 71 of the Planning & Development Services Committee

A Recorded Vote was requested by Councillor Sutherland.

YEAS: Mayor Rosen, Councillor Beavis, Councillor Downes, Councillor Garrison, Councillor B. George, Councillor K. George, Councillor Meers, Councillor Pater, Councillor Patterson, Councillor Smith, Councillor Stoparczyk (11)

NAYS: Deputy Mayor Foster, Councillor Sutherland (2)

3. **WHEREAS**, at the City Council meeting held on May 3, 2005, the following portion of paragraph 9 of the Report of the Planning & Development Services Committee, requesting that a Stabilization Reserve Fund be established as provided by the *Building Code Act*, was deferred and referred to the Planning & Development Services Committee for further consideration:

*"That the net surplus from 2004, estimated at \$300,000.00, be allocated as start-up funds"*; and;

**WHEREAS** the Planning & Development Services Committee met on May 10, 2005;

**THEREFORE BE IT RESOLVED THAT** Council approve that a portion of the net surplus funds from 2004, estimated at \$300,000.00, be allocated as start up funds.

**CARRIED**

\*\*\*\*\*

### Report No. 72 of the Operations Committee

City Council Meeting No. 15  
Minutes  
May 17, 2005

---

Moved by Deputy Mayor Foster  
Seconded by Councillor Smith

**THAT** Report No. 72 of the Operations Committee be received and adopted.

**Report No. 72**

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

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

May 13, 2005

1. (a) **THAT**, effective January 1, 2006, garbage collection and disposal be funded through the general levy for up to two bags of garbage with bag tags of \$1.00 for extra bags;

**CARRIED (12:1)**  
(See Recorded Vote No. 1)

–and further–

**REPORTS**

**Report No. 72 of the Operations Committee**

- (b) **THAT** garbage services be provided to all residential, new multi-residential and multi-residential properties;

**CARRIED (13:0)**  
(See Recorded Vote No. 2)

–and further–

- (c) **THAT** the Municipality petition the Province of Ontario, under Section 326 of the *Municipal Act*, RSO 2001, to pass a regulation in order to enable the levying of rates on only those classes of property that are offered service;

**CARRIED (8:5)**  
(See Recorded Vote No. 3)

–and further–

- (d) **THAT** the area within the Downtown Kingston Business Improvement Area be designated by the City for special service, providing garbage collection to all commercial and industrial property and funded through a special local levy, subject to the Minister's approval, on those properties, subject to meeting with property owners in the affected area;

**CARRIED (8:5)**  
(See Recorded Vote No. 3)

–and further–

- (e) **THAT** staff be directed to prepare consolidated and harmonized waste management by-laws.

**CARRIED (12:1)**  
(See Recorded Vote No. 4)

–and further–

City Council Meeting No. 15

Minutes

May 17, 2005

- (f) **THAT**, should the Minister not pass a regulation on items "C" and "D" by September 1, 2005, staff be directed to report back to the Operations Committee with a recommendation on garbage collection and disposal service and related funding.

**CARRIED (8:5)**  
(See Recorded Vote No. 3)

**CARRIED AS AMENDED**  
(See Motion to AMEND which was CARRIED)  
(See Motion to AMEND which was LOST)

Moved by Deputy Mayor Foster  
Seconded by Councillor K. George

**THAT** Clause 1 of Report 72, Subsection (c), be amended to delete the reference to the Ministry of Municipal Affairs & Housing and amended to reference the Province of Ontario and shall read as follows:

*"THAT the Municipality petition the Province of Ontario, under Section 326 of the Municipal Act, RSO 2001, to pass a regulation in order to enable the levying of rates on only those classes of property that are offered service".*

**CARRIED**

## REPORTS

### Report No. 72 of the Operations Committee

Moved by Councillor Garrison  
Seconded by Councillor Meers

**THAT** City staff prepare a report outlining financial consideration and the steps required to offer garbage services to all property classes.

**LOST (2:11)**  
(See Recorded Vote No. 5)

1. A Recorded Vote was requested by Councillor Garrison.

YEAS: Mayor Rosen, Councillor Downes, Deputy Mayor Foster, Councillor Garrison, Councillor B. George, Councillor K. George, Councillor Meers, Councillor Pater, Councillor Patterson, Councillor Smith, Councillor Stoparczyk, Councillor Sutherland (12)

NAYS: Councillor Beavis (1)

2. A Recorded Vote was requested by Councillor Garrison.

YEAS: Mayor Rosen, Councillor Beavis, Councillor Downes, Deputy Mayor Foster, Councillor Garrison, Councillor B. George, Councillor K. George, Councillor Meers, Councillor Pater, Councillor Patterson, Councillor Smith, Councillor Stoparczyk, Councillor Sutherland (13)

NAYS: (0)

3. A Recorded Vote was requested by Councillor Garrison.

YEAS: Mayor Rosen, Councillor Downes, Deputy Mayor Foster, Councillor Pater, Councillor Patterson, Councillor Smith, Councillor Stoparczyk, Councillor Sutherland (8)

City Council Meeting No. 15

Minutes

May 17, 2005

---

NAYS: Councillor Beavis, Councillor Garrison, Councillor B. George, Councillor K. George, Councillor Meers (5)

4. A Recorded Vote was requested by Councillor Garrison.

YEAS: Mayor Rosen, Councillor Beavis, Councillor Downes, Deputy Mayor Foster, Councillor Garrison, Councillor B. George, Councillor K. George, Councillor Meers, Councillor Pater, Councillor Patterson, Councillor Stoparczyk, Councillor Sutherland (12)

NAYS: Councillor Smith (1)

5. A Recorded Vote was requested by Councillor Garrison.

YEAS: Councillor Garrison, Councillor Meers (2)

NAYS: Mayor Rosen, Councillor Beavis, Councillor Downes, Deputy Mayor Foster, Councillor B. George, Councillor K. George, Councillor Pater, Councillor Patterson, Councillor Smith, Councillor Stoparczyk, Councillor Sutherland (11)

**REPORTS**

**Report No. 72 of the Operations Committee**

2. **THAT** Council approve the Kingston Transit Business Plan financial strategy and that Phase 1 Service Expansion commence September 6, 2005;

–and further–

**THAT** the 2005 Transit Division operating budget be amended to reflect provincial gas tax revenues of \$1,153,917.00; an operating expenditure increase of \$662,000.00; a capital reserve contribution of \$457,407.00; and a transfer of \$34,510.00 to Kingston Access Services, in accordance with provincial gas tax funding guidelines;

–and further–

**THAT** the 2005 capital budget be amended in the amount of \$1,610,415.00 for the purchase of 4 buses with funding of \$800,000.00 in debt financing and \$810,415.00 pay-as-you-go from the Transit Capital Reserve Fund.

**CARRIED**

\*\*\*\*\*

**REPORTS**

**Report No. 73 of the Nominations Committee**

Council consented to the addition of Report No. 73.

Moved by Councillor Beavis

Seconded by Councillor Pater

**THAT** Report No. 73 of the Nominations Committee be received and adopted.

**Report No. 73**

To the Mayor and Members of Council:

The Nominations Committee reports and recommends as follows:



City Council Meeting No. 15  
Minutes  
May 17, 2005

---

May 17, 2005

1. **WHEREAS**, on May 17, 2005, the Nominations Committee met to review applications for appointments to the Kingston Environmental Advisory Forum (KEAF), the Committee of Adjustment (Urban Panel) and the Municipal Accessibility Advisory Committee;

**THEREFORE BE IT RESOLVED THAT** Council approve the following appointments:

- Ree Brennin to the Kingston Environmental Advisory Forum (KEAF) for a term ending November 30, 2006;
- Robert Burge to the Committee of Adjustment (Urban Panel) for a term ending November 30, 2006;
- Mary Margaret Dauphinee to the Kingston Municipal Accessibility Advisory Committee for a term ending November 30, 2005.

**CARRIED**

\*\*\*\*\*

## INFORMATION REPORTS

(1) **Operation Budget Status Report – 1<sup>st</sup> Quarter 2005 (05-168)**

The purpose of this report is to provide Council with a financial status update of the general operating fund as of the end of the 1<sup>st</sup> quarter (March 31, 2005).

(File No. CSU-F05-000-2005)

Councillors Pater and Smith withdrew from the meeting.

(2) **Petition Requesting Council to Amend Smoking By-Law to Include Regulating Smoking on Seasonal Patios Rather than an Outright Prohibition (05-160)**

The purpose of this report is to provide Council with information concerning the petition received from local restaurant owners requesting Council to regulate smoking on seasonal outdoor patios rather than the outright prohibition currently in effect. The petition was forwarded to the Commissioner of Planning & Development Services to review and report back to Council.

(File No. CSU-S08-000-2005)

Councillors Pater and Smith returned to the meeting.

(3) **Phoebe Boat at the Pump House Steam Museum – Storage at Alcan Site (05-171)**

The purpose of this report is to advise Council of staff's decision to temporarily store the Phoebe until the shoreline restoration at the Pump House Steam Museum is completed and to bring back to Council this fall recommendations related to the future plans for the Phoebe, subsequent to Council's review of City De-accessioning/Accessioning policies.

(File No. CSU-R03-000-2005)

(4) **City of Kingston Naming of Corporate Assets Policy (05-186)**

City Council Meeting No. 15  
Minutes  
May 17, 2005

---

The purpose of this report is to provide Council with information as to the existing policy as it relates to the naming of City-owned assets.  
(File No. CSU-F06-000-2005)

\*\*\*\*\*

**MISCELLANEOUS BUSINESS**

\*\*\*\*\*

**MOTIONS**

- (1) Moved by Councillor Garrison  
Seconded by Councillor Meers

**WHEREAS** the Market Square is of important municipal and national historic significance, and;

**WHEREAS** Market Square is also part of the City Hall property, which is our seat of municipal government, and;

**WHEREAS**, especially in this day and age of corporate globalization, we must be very cautious about naming government institutions, particularly those of important historic and symbolic significance, after corporate or private entities;

**THEREFORE BE IT RESOLVED THAT**, despite pressures that may exist to meet the fundraising targets for the renovation of the Market Square, Kingston City Council will not consider the renaming of Market Square;

–and further–

**THAT**, if Council does decide to consider renaming Market Square, it will only do so after full public consultation has taken place.

(File No. CSU-R01-000-2005)

(See Information Report No. 4 (05-186))

**OUT OF ORDER**

Mayor Rosen ruled that Motion No. (1) was contrary to the Report of the Committee of the Whole "In Camera".

Councillor Garrison challenged the ruling of the Chair. A Recorded Vote was held and the challenge was lost.

**YEAS:** Mayor Rosen, Councillor Beavis, Councillor Downes, Deputy Mayor Foster, Councillor B. George, Councillor K. George, Councillor Pater, Councillor Patterson, Councillor Smith, Councillor Stoparczyk, Councillor Sutherland (11)

**NAYS:** Councillor Garrison, Councillor Meers (2)

\*\*\*\*\*

**NOTICES OF MOTION**

City Council Meeting No. 15  
Minutes  
May 17, 2005

---

\*\*\*\*\*

**MINUTES**

Moved by Councillor Meers

Seconded by Councillor Stoparczyk

THAT the Minutes of City Council Meeting No. 12, held April 19, 2005, be confirmed, and;

THAT the Minutes of City Council Meeting No. 13, held April 26, 2005 be amended to show that Councillor Garrison sent his regrets and, as amended, be confirmed.

**CARRIED**

\*\*\*\*\*

**TABLING OF DOCUMENTS**

2005-38      The Public Sector Digest  
April Newswire – April 2005  
(File No. CSU-M04-000-2005)

2005-39      HIV/AIDS Regional Services  
Newsletter – Spring 2005  
(File No. CSU-M04-000-2005)

2005-40      The Cataraqui Region Conservation Authority  
Minutes – Full Authority Meeting – April 27, 2005  
(File No. CSU-C06-000-2005)

2005-41      The Downtown Kingston! Board of Management  
Agenda – Board of Management Meeting – May 11, 2005  
(File No. CSU-C05-000-2005)

2005-42      The Downtown Kingston! Board of Management  
Minutes – Board of Management Meeting – April 13, 2005  
(File No. CSU-C06-000-2005)

2005-43      The Downtown Kingston! Board of Management  
Minutes – Executive Committee Meeting – May 6, 2005  
(File No. CSU-C06-000-2005)

\*\*\*\*\*

**COMMUNICATIONS**

Filed

City Council Meeting No. 15

Minutes

May 17, 2005

- 15-310 From the Globe Foundation, inviting Council to attend the Environment & Energy Conference (EECO) 2005 on May 25-27, 2005 at the Metro Toronto Convention Centre.  
(File No. CSU-A04-000-2005)  
**(Copied to all Members of Council on May 13, 2005)**
- 15-312 From the Ontario Municipal Water Association, inviting Council to attend the Eastern Ontario Municipal Water Association (EOMWA) to be held in Cobourg, Ontario in the fall of 2005, as well as inviting Council to become a member of the Eastern Ontario Municipal Water Association or nominate a member of staff to the board.  
(File No. CSU-A04-000-2005; CSU-E05-000-2005)  
**(Copied to all Members of Council on May 13, 2005)**
- 15-327 From Lynne Livingstone, Executive Director for Strategic Initiatives for the Ministry of Children & Youth Services, acknowledging receipt of Council's resolution concerning the Best Start Program.  
(File No. CSU-S07-000-2005)

**COMMUNICATIONS**

- 15-338 From the Ministry of Consumer & Business Services, informing Council of the success of the Bring Your Own Wine service, which allows Ontarians to bring their own wine to a number of licensed establishments participating in the program.  
(File No. CSU-L11-000-2005)
- 15-340 From the Cataraqui Region Conservation Authority, a summary of the Healthy Watershed Program – Agriculture Accomplishments.  
(File No. CSU-D03-000-2005)  
**(Copied to all Members of Council on May 13, 2005)**

**Referred to All Members of Council**

- 15-311 From the Town of East Gwillimbury, requesting Council's support of a resolution to petition the provincial government to develop a new formula for the gasoline tax rebate to municipalities based on a per lane kilometre of roadway and for both bus and rail transit systems on a per route kilometre basis.  
(File No. CSU-C10-000-2005)  
**(Copied to all Members of Council on May 13, 2005)**
- 15-313 From the County of Prince Edward, requesting Council's support of a resolution to petition the Minister of the Environment to reconsider the position that "municipal responsibility agreements" be required for private, single-owner sewage works in light of the serious long-term financial and strategic consequences for municipalities.  
(File No. CSU-C10-000-2005)  
**(Copied to all Members of Council on May 13, 2005)**
- 15-314 From the Town of East Gwillimbury, requesting Council's support of a resolution to petition the provincial and federal governments to allow municipalities to use expenses such as pre-engineering studies carried out prior to the announcement of the Canada-Ontario Municipal & Rural Infrastructure Fund (COMRIF).  
(File No. CSU-C10-000-2005; CSU-F11-000-2005)  
**(Copied to all Members of Council on May 13, 2005)**
- 15-315 From the Town of East Gwillimbury, requesting Council's support of a resolution to petition the Ministry of Natural Resources to amend the *Aggregates Act* to increase the royalty payment to lower-tier municipalities to 5 cents, as well as review and increase the royalty payment for upper-tier municipalities for the rehabilitation of abandoned pits.

City Council Meeting No. 15  
Minutes  
May 17, 2005

---

(File No. CSU-C10-000-2005)  
**(Copied to all Members of Council on May 13, 2005)**

- 15-316 From the Township of King, requesting Council's support of a resolution to petition the province to enact legislation to protect career firefighters working as volunteers.  
(File No. CSU-C10-000-2005; CSU-P16-000-2005)  
**(Copied to all Members of Council on May 13, 2005)**
- 15-317 From the Association of Municipalities of Ontario, informing Council of an agreement between federal, provincial and municipal officials that will provide funds for affordable housing to communities across Ontario through the existing Federal/Provincial Affordable Housing Initiative.  
(File No. CSU-S13-000-2005)  
**(Distributed by email to all Members of Council on May 3, 2005)**

## COMMUNICATIONS

- 15-318 From the Association of Municipalities of Ontario, information Council of the decision by the Minister of the Environment to direct Waste Diversion Ontario (WDO) to amend the Blue Box Program Plan by May 31, 2005 to reflect the decision in respect to the in-kind contribution by the Canadian Newspaper Association/Ontario Community Newspaper Association (CAN/OCNA).  
(File No. CSU-E07-000-2005)  
**(Distributed by email to all Members of Council on May 3, 2005)**
- 15-319 From Hugh Stafford, requesting that Members of Council speak directly into the microphone in order to allow others to clearly hear what they are saying.  
(File No. CSU-M04-000-2005)  
**(Distributed by email to all Members of Council on May 3, 2005)**
- 15-320 From Brian Nesbitt, President of the Grenville Park Cooperative Housing Association, objecting to the Grenville Park name being used to designate any area of the City other than that officially incorporated and designated as Grenville Park.  
(File No. CSU-M04-000-2005)  
**(Distributed by email to all Members of Council on May 3, 2005)**
- 15-321 From John Senis of the Forno Restaurant, requesting an application for a liquor license from the Alcohol & Gaming Commissioner of Ontario.  
(File No. CSU-P09-000-2005)
- 15-322 From Rebecca Spaulding, urging Council to vote against the proposed renaming of Market Square and requesting Council to explore other options.  
(File No. CSU-M04-000-2005)  
**(Copied to all Members of Council on May 3, 2005)**
- 15-323 From Rebecca Spaulding, urging Council to vote against the plan that would have the proposed Large Venue Entertainment Centre sited on Anglin Bay and opposing the use of publicly accessible waterfront green space for such a project.  
(File No. CSU-M04-000-2005)  
**(Copied to all Members of Council on May 3, 2005)**
- 15-324 From Paul Temple, Senior Vice President of Corporate Development for Pelmorex Communications Inc., informing Council that the Canadian Radio-Television & Telecommunications Commission (CRTC) will be calling for additional applications for an All Channel Alert (ACA) service.

City Council Meeting No. 15  
Minutes  
May 17, 2005

---

(File No. CSU-P03-000-2005)  
(Copied to all Members of Council on May 13, 2005)

- 15-325 From the Association of Municipalities of Ontario, informing Council that the Federal Minister of Labour & Housing and the Minister of Public Infrastructure & Renewal have announced the Canada-Ontario Affordable Housing Program, which confirms the federal and provincial governments' matching contributions for affordable housing in Ontario.  
(File No. CSU-S13-000-2005)  
(Copied to all Members of Council on May 2, 2005)

## COMMUNICATIONS

- 15-326 From the Town of Parry Sound, requesting Council's support of a resolution to petition the Minister of Finance to amend the Ontario Municipal Partnership Fund (OMPF) so that policing costs attributable to providing court security for the Parry Sound District Court House will be shared on an equitable basis with all municipalities within the District of Parry Sound.  
(File No. CSU-C10-000-2005)  
(Copied to all Members of Council on May 13, 2005)
- 15-328 From the Association of Municipalities of Ontario, providing Council with the Association of Municipalities of Ontario's response to the Advisory Council on Drinking Water Quality and Testing Standards Report on Smaller, Private Systems.  
(File No. CSU-E05-000-2005; CSU-L11-000-2005)  
(Distributed by email to all Members of Council on April 26, 2005)
- 15-329 From the Association of Municipalities of Ontario, informing Council that the Ministry of the Environment has released a manual, with accompanying guides and forms, on the revised Permit to Take Water process.  
(File No. CSU-E05-000-2005; CSU-L11-000-2005)  
(Distributed by email to all Members of Council on April 26, 2005)
- 15-330 From the Association of Municipalities of Ontario, informing Council that the Federal Minister responsible for the Canada-Ontario Municipal Rural Infrastructure Fund (COMRIF) and the Minister of Municipal Affairs & Housing have announced program approvals for Intake One.  
(File No. CSU-F11-000-2005)  
(Distributed by email to all Members of Council on April 26, 2005)
- 15-331 From Carol Davy, Kingston & District Branch of the United Empire Loyalists' Association of Canada, requesting that Council proclaim June 12, 2005 as Loyalist Day in Kingston.  
(File No. CSU-M10-000-2005)
- 15-333 From the Minister of Citizenship & Immigration, informing Council of the passing of Bill 118, the *Accessibility for Ontarians with Disabilities Act, 2005*.  
(File No. CSU-A16-000-2005)
- 15-334 From the Minister of Finance and the Minister of State (Infrastructure & Communities), updating Council on the 2005 Federal Budget and the federal government's efforts to improve quality of life through the New Deal for Cities and Communities.  
(File No. CSU-F11-000-2005)

City Council Meeting No. 15  
Minutes  
May 17, 2005

---

- 15-335 From Health Canada – Pest Management Regulatory Agency, informing Council of efforts by the agency in reducing the use of pest control products through the implementation of the Action Plan on Urban Use Pesticides.  
(File No. CSU-S08-000-2005)
- 15-336 From the Association of Municipalities of Ontario, updating Council on the federal government's New Deal for Municipalities, which will more directly involve municipal governments and will aid in the development and design of programs to benefit all communities.  
(File No. CSU-A01-004-2005)  
**(Distributed by email to all Members of Council on May 9, 2005)**

## COMMUNICATIONS

- 15-337 From Jerry Ouellette, Member of Provincial Parliament for the Region of Oshawa, informing Council that Bill 165, the *Elected Officials Immunity Act, 2004*, which would have allowed for greater and fuller debate when determining issues of concern with respect to municipal councils and school boards, was defeated on April 7, 2005.  
(File No. CSU-L11-000-2005)  
**(Copied to all Members of Council on May 13, 2005)**
- 15-339 From the City of North Bay, requesting Council's support of a resolution to petition the Ministry of Municipal Affairs & Housing to amend the Occupiers Liability Act so that those using trail systems are deemed to do so at their own risk, so that owners and volunteer organizations will not be held liable for damages arising from the use of trails by the public.  
(File No. CSU-C10-000-2005)  
**(Copied to all Members of Council on May 13, 2005)**
- 15-341 From the County of Essex, requesting Council's support of a resolution to petition the provincial government to fund Ontario Colleges on a more equitable level, in comparison to funding provided to Ontario universities and secondary schools.  
(File No. CSU-C10-000-2005)  
**(Copied to all Members of Council on May 13, 2005)**
- 15-342 From the Ministry of Community Safety & Correctional Services, advising Council that the City of Kingston has completed all of the necessary steps pursuant to the requirements of the Emergency Management Act, and congratulates the City on its efforts in this regard.  
(File No. CSU-P03-000-2005)  
**(Copied to all Members of Council on May 9, 2005)**
- 15-343 From Greg McLean, Supervisor of Parking Enforcement, requesting that By-Law No. 99-166 "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board" be amended to delete the following people (**Brad Finch, James Wigfield, Craig Lewis, John Thompson, Eric Leclair, Wayne Boudreau**) as By-Law Enforcement Officers for the purpose of issuing tickets on the property of the Kingston (Norman Rogers) Airport Parking Lot.  
(File No. CSU-P01-03-2005)  
**(See By-Law No. (10), 2005-134)**
- 15-344 From Greg McLean, Supervisor of Parking Enforcement, requesting that By-Law No. 99-166 "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The

City Council Meeting No. 15

Minutes

May 17, 2005

---

Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board" be amended to add Ian Richardson as a By-Law Enforcement Officer for the purpose of issuing tickets on the property of the Kingston (Norman Rogers) Airport Parking Lot.

(File No. CSU-P01-03-2005)

(See By-Law No. (11), 2005-135)

**COMMUNICATIONS**

15-345 From Leanne O'Mara, Special Project Coordinator for Tim Hortons Kingston, inviting Council to participate in the annual Tim Hortons Camp Day on Wednesday, June 8, 2005 to help raise money to send local children to summer camp.  
(File No. CSU-M04-000-2005)  
(Copied to all Members of Council on May 6, 2005)

**Referred to the Commissioner of Planning & Development Services**

15-332 From Marjorie & Richard Murray, requesting a variance from By-Law No. 76-26, Section 5 (23)(b) to allow the storage of a recreational vehicle on a driveway during the camping season of May to September.  
(File No. CSU-D14-000-2005)  
(Copied to all Members of Council on May 9, 2005)

\*\*\*\*\*

**BY-LAWS**

Council consented to the addition of By-Law No. 27, (2005-137) – "A By-Law To Accept A Donation To The Market Square Revitalization Campaign And To Name In Perpetuity The Market Square As The Springer Market Square".

(A) Moved by Councillor Beavis  
Seconded by Councillor Pater

THAT By-Laws (1) through (12) be given their first and second reading.

**CARRIED**

(B) Moved by Councillor Beavis  
Seconded by Councillor Stoparczyk

THAT By-Law (27) be given its first and second reading.

**CARRIED (9:3)**  
(See Recorded Vote No. 1)

(C) Moved by Councillor Patterson  
Seconded by Councillor Stoparczyk

THAT Clause 8.9 of By-Law No. 98-1 be suspended for the purpose of giving By-Laws (5), (7) through (9), (11) and (27) three readings.

**CARRIED**  
(Councillor Garrison OPPOSED)



City Council Meeting No. 15  
Minutes  
May 17, 2005

---

- (D) Moved by Councillor Meers  
Seconded by Councillor Sutherland

THAT By-Laws (5), (7) through (9) and (11) through (26) be given their third reading.

CARRIED

## BY-LAWS

- (E) Moved by Councillor Patterson  
Seconded by Councillor Sutherland

THAT By-Law (27) be given its third reading.

CARRIED  
(See Recorded Vote No. 2)

1. A Recorded Vote was requested by Councillor Garrison.

YEAS: Mayor Rosen, Councillor Beavis, Councillor Downes, Deputy Mayor Foster, Councillor K. George, Councillor Patterson, Councillor Smith, Councillor Stoparczyk, Councillor Sutherland (9)

NAYS: Councillor Garrison, Councillor Meers, Councillor Pater (3)

ABSTAINED: Councillor B. George (1)

2. A Recorded Vote was requested by Councillor Garrison.

YEAS: Mayor Rosen, Councillor Beavis, Councillor Downes, Deputy Mayor Foster, Councillor Patterson, Councillor Smith, Councillor Stoparczyk, Councillor Sutherland (8)

NAYS: Councillor Garrison, Councillor K. George, Councillor Meers, Councillor Pater (4)

ABSTAINED: Councillor B. George (1)

- (1) A By-Law To Amend By-Law No. 24 "A By-Law For Regulating Traffic In The Highways Of The City Of Kingston, Subject To The Provisions Of The Highway Traffic Act" (Change Existing Parking Restrictions On MacDonnell Street Across From Winston Churchill Public School).

FIRST AND SECOND READINGS

PROPOSED NO. 2005-125

(Clause (a), Report No. 68)

- (2) A By-Law To Provide For The Temporary Closure Of Sydenham Street From Johnson Street To Brock Street On Tuesday, June 28, 2005 From 12:00 PM To 6:00 PM (Community Purposes – Hotel Dieu Hospital 100 Year Anniversary Celebration).

FIRST AND SECOND READINGS

PROPOSED NO. 2005-126

(Clause (b), Report No. 68)

(Councillor B. George ABSTAINED)

City Council Meeting No. 15

Minutes

May 17, 2005

- 
- (3) A By-Law To Provide For The Temporary Closure Of Ontario Street From Brock Street To Market Street On Saturday, July 23, 2005 From 8:00 AM To 5:00 PM And Sunday, July 24, 2005 From 8:00 AM To 5:00 PM (Community Purposes – **Taste Of Kingston**).  
FIRST AND SECOND READINGS PROPOSED NO. 2005-127  
(Clause (c), Report No. 68)

**BY-LAWS**

- (4) A By-Law To Provide For The Temporary Closure Of Ontario Street From Brock Street To Market Street On Friday, August 12, 2005 From 5:00 PM To 10:00 PM; Saturday, August 13, 2005 From 10:00 AM To 10:00 PM; And Sunday, August 14, 2005 From 12:00 PM To 6:00 PM (Community Purposes – **1000 Island Poker Run**).  
FIRST AND SECOND READINGS PROPOSED NO. 2005-128  
(Clause (d), Report No. 68)
- (5) A By-Law To Exempt Certain Lands On Registered Plan 13M-55 From The Provisions Of Section 50 (5) Of The *Planning Act, RSO 1990*, Chapter P.13, And Amendments Thereto (Lots 1-3 Inclusive And Lots 8-19 Inclusive, Registered Plan 13M-55, Briceland Subdivision, Phase 2).  
THREE READINGS PROPOSED NO. 2005-129  
(Clause (e), Report No. 68)
- (6) A By-Law To Amend By-Law No. 4489 "A By-Law To Regulate, Supervise And Govern The Parking Of Vehicles On Parking Lots And To Fix The Rates And Charges For Parking On Such Parking Lots" (Remove All References To Market Square Lot As A Parking Lot).  
FIRST AND SECOND READINGS PROPOSED NO. 2005-130  
(Clause (f), Report No. 68)
- (7) A By-Law To Amend By-Law No. 32-74, Former Township Of Pittsburgh Zoning By-Law, To Remove The "-H" Holding Symbol Related To The "LSR-H" Zone (Lot 4, Plan 626, Part Of Lot 26, Concession 2 Being Parts 4 & 5, Plan 13R-7013 And Known Municipally As 1741 Bateau Lane).  
THREE READINGS PROPOSED NO. 2005-131  
(Clause (g), Report No. 68)
- (8) A By-Law To Designate 110 Collingwood Street To Be Of Architectural Value Pursuant To The Provisions Of The *Ontario Heritage Act* (Inglewood).  
THREE READINGS PROPOSED NO. 2005-132  
(Clause (1), Report No. 70)
- (9) A By-Law To Designate 86 Sunny Acres Road To Be Of Historical And Architectural Value Pursuant To The Provisions Of The *Ontario Heritage Act* (Peter Wartman House).  
THREE READINGS PROPOSED NO. 2005-133  
(Clause (2), Report No. 70)

City Council Meeting No. 15

Minutes

May 17, 2005

- 
- (10) A By-Law To Amend By-Law No. 99-166 "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board" (Delete Brad Finch, James Wigfield, Craig Lewis, John Thompson, Eric Leclair, Wayne Boudreau – Kingston (Norman Rogers) Airport).  
FIRST AND SECOND READING PROPOSED NO. 2005-134  
(Communication No. 15-343)

**BY-LAWS**

- (11) A By-Law To Amend By-Law No. 99-166 "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board" (Add Ian Richardson – Kingston (Norman Rogers) Airport).  
THREE READINGS PROPOSED NO. 2005-135  
(Communication No. 15-344)
- (12) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, May 17, 2005.  
THREE READINGS PROPOSED NO. 2005-136  
(City Council Meeting No. 15-2005)
- (13) A By-Law To Establish The Land Designated As Part 1 On Reference Plan 13R-17807, Bath Road, City Of Kingston, As Part Of The Public Highway In Accordance With Section 31 Of The *Municipal Act, Chapter 25, SO 2001*.  
THIRD READING PROPOSED NO. 2005-101  
(Clause (a), Report No. 61)
- (14) A By-Law To Provide For The Temporary Closure Of Various Streets At Various Times On Sunday, June 5, 2005 (Community Purposes – **Beat Beethoven Run**).  
THIRD READING PROPOSED NO. 2005-103  
(Clause (c), Report No. 61)
- (15) A By-Law To Provide For The Temporary Closure Of Various Streets At Various Times On Sunday, July 31, 2005 (Community Purposes – **The K-Town Triathlon**).  
THIRD READING PROPOSED NO. 2005-104  
(Clause (d), Report No. 61)
- (16) A By-Law To Amend By-Law No. 24 "A By-Law For Regulating Traffic In The Highways Of The City Of Kingston, Subject To The Provisions Of The Highway Traffic Act" (Temporary Establishment Of Traffic Patterns On Various Streets; K-Town Triathlon – July 31, 2005).  
THIRD READING PROPOSED NO. 2005-105  
(Clause (d), Report No. 61)

City Council Meeting No. 15

Minutes

May 17, 2005

- 
- (17) A By-Law To Establish General Municipal, Fire, Garbage, And Special Tax Rates To Provide For A Final Tax Levy For 2005; To Provide For Late Payment Charges To Be Charged On Unpaid Taxes; And To Provide For Payment Of Taxes By Instalment.  
THIRD READING PROPOSED NO. 2005-108  
(Clause (g), Report No. 61)

- (18) A By-Law To Provide For The Construction, Demolition, Change Of Use And Transfer Of Permits And Inspections.  
THIRD READING PROPOSED NO. 2005-99  
(Clause (3), Report No. 62)

**BY-LAWS**

- (19) A By-Law To Repeal By-Law No. 8790 – "A By-Law To Regulate The Erection And Provide For The Safety Of Buildings And Structures".  
THIRD READING PROPOSED NO. 2005-110  
(Clause (3), Report No. 62)

- (20) A By-Law To Repeal By-Law No. 8819 – "A By-Law To Provide For A Building Permit Deposit For The Construction Of A Swimming Pool (Possible Damage To Streets, Sidewalks, Watermains Or Any Other Public Work)"; Former Township Of Pittsburgh".  
THIRD READING PROPOSED NO. 2005-111  
(Clause (3), Report No. 62)

- (21) A By-Law To Repeal By-Law No. 23-96 – "A By-Law Respecting Construction, Demolition, And Change Of Use Permits And Inspections".  
THIRD READING PROPOSED NO. 2005-112  
(Clause (3), Report No. 62)

- (22) A By-Law To Repeal By-Law No. 24-96, "A By-Law To Provide For A Damage Deposit For All New Structures And Additions To Structures Valued At \$10,000.00 Or More".  
THIRD READING PROPOSED NO. 2005-113  
(Clause (3), Report No. 62)

- (23) A By-Law To Repeal Former Township Of Kingston By-Law No. 85-25 – "A By-Law To Provide For The Enforcement Of The *Building Code Act, RSO 1980*, Chapter 51, As Amended, In The Township Of Kingston, And The Issuing Of Building Permits Pursuant To The Authority Thereof, And To Repeal By-Law Number 79-46 And All Amendments Thereto".  
THIRD READING PROPOSED NO. 2005-114  
(Clause (3), Report No. 62)

- (24) A By-Law For Prescribing Standards For The Maintenance And Occupancy Of Property Within The City Of Kingston.  
THIRD READING PROPOSED NO. 2005-100  
(Clause (5), Report No. 62)

- (25) A By-Law To Repeal By-Law No. 8597 "The Property Standards By-Law".

City Council Meeting No. 15  
Minutes  
May 17, 2005

THIRD READING  
(Clause (5), Report No. 62)

PROPOSED NO. 2005-115

**BY-LAWS**

- (26) A By-Law To Amend By-Law No. 99-166 "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board" (The Hotel Dieu Hospital – Appoint (Jesse Abbott, Derrick Gardener, Richard Harper, Corey Bowes, James Haryett, Julie Kastner, Alastair McLellan, Emily Shaw, Thomas Wilson, Lindsay England, Angela Hogle, Peter Pacheco, Alan Pike, Joseph Schreuer, Don Kirk, Kyle Ruttan, Paulo Silverstre; Remove (Michael Parr-Pearson, Samuel W. MacEachern, Francis Kennedy, Catherine Bowden, Michael Kelly, Jacques Lemiux, Jacqueline Cormier, R. Davies, J. Ayers, M. Billinger, Brent Martin, Gordan Kenward, Fred Dunn, Lauren Brown, Ronald Scott, Matthew Parlene, Wanda Spirak).

THIRD READING

PROPOSED NO. 2005-123

(Communication No. 14-306)

- (27) A By-Law To Accept A Donation To The Market Square Revitalization Campaign And To Name In Perpetuity The Market Square As The Springer Market Square.

THREE READINGS

PROPOSED NO. 2005-137

(The Committee of the Whole "In Camera")

\*\*\*\*\*

**ADJOURNMENT**

Moved by Councillor Stoparczyk  
Seconded by Councillor B. George

**THAT** Council do now adjourn.

**CARRIED**

Council adjourned at 11:05 pm.

(Signed)

Carolyn Downs  
City Clerk

Harvey Rosen  
Mayor