

CITY COUNCIL MEETING NO. 07-2007

The Regular Meeting of City Council was held on Tuesday, March 6, 2007 at 6:05 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 6:10 pm to 7:40 pm in the Councillors' Lounge and from 10:00 pm to 10:25 pm.

(Council Chambers)

ROLL CALL

Present: Mayor Rosen, Councillor Foster, Councillor Garrison, Councillor Gerretsen, Councillor Glover, Councillor Hector, Councillor Hutchison, Councillor MacLeod-Kane, Councillor Matheson, Deputy Mayor Meers, Councillor Osanic, Councillor Schmolka, Councillor Smith (arrived at 6:10 pm) (13)

Absent: (0)

(Councillor's Lounge)

Administrative Staff Present:

Mr. G. Laubenstein, Chief Administrative Officer
Ms. C. Beach, Commissioner of Sustainability and Growth
Mrs. C. Downs, City Clerk
Mr. T. Fleming, Senior Legal Counsel, Legal Services
Ms. S. Hickey, Director, Organizational Effectiveness
Mr. G. Hunt, Commissioner of Finance and Corporate Performance
Mr. S. Kanellos, Director, Growth and Initiatives
Mr. D. Leger, Commissioner of Corporate Services
Mr. H. Linscott, Director, Legal Services
Ms. S. Rideout, Council Committee Supervisor

COMMITTEE OF THE WHOLE "IN CAMERA"

Council consented to the addition of Item (c).

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

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

- (a) Proposed or pending disposition of land by the municipality
- (b) A personal matter about an identifiable individual
- (c) Employee negotiation

CARRIED
(Councillor Garrison OPPOSED)

(Council Chambers)

Administrative Staff Present:

Mr. G. Laubenstein, Chief Administrative Officer
Ms. C. Beach, Commissioner of Sustainability and Growth
Mr. G. Coons, Executive Assistant, Office of the Mayor
Mrs. C. Downs, City Clerk
Mr. G. Grange, Director, Community and Family Services

Administrative Staff Present (continued):

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Mr. G. Hunt, Commissioner of Finance and Corporate Performance
Ms. L. Hurdle, Director, Project Development, Sustainability and Growth
Ms. D. Kennedy, Director, Financial Services
Mr. D. Leger, Commissioner of Corporate Services
Mr. H. Linscott, Director, Legal Services
Ms. S. Rideout, Council Committee Supervisor
Mr. M. Segsworth, Commissioner of Public Works and Emergency Services
Mr. L. Thurston, Commissioner of Community Development Services
Mr. T. Willing, Director, Building and Licensing

REPORT OF THE COMMITTEE OF THE WHOLE "IN CAMERA"

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

THAT Council rise from the Committee of the Whole "In Camera" without reporting.

CARRIED

DISCLOSURE OF PECUNIARY INTEREST

Councillor Foster declared a possible pecuniary interest in the matter of Clause 3 of Report No. 26 of the Nominations Committee. The Nominations Committee has recommended appointing to the KEDCO board an employee of Bombardier, a company in which she and her husband have a financial interest.

Councillor Osanic declared a possible pecuniary interest in the matter of Clause 3 of Report No. 26 of the Nominations Committee due to a family member applying for the KEDCO Board.

PRESENTATIONS

Council consented to the addition of Presentation No. 1.

- (1) Mayor Rosen spoke to Council regarding the Mayor's Task Force on Poverty and introduced the members as follows:
- Ms. Hersh Sehdev
 - Mr. Sandy Singers
 - Ms. Rose Mercier
 - Mr. Bill Crosier
 - Councillor Rob Hutchison

DELEGATIONS

BRIEFINGS

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- (1) Ms. Cynthia Beach, Commissioner of Sustainability and Growth, Ms Lana Holmes, Program Director, and Ms. Sue Egles, Senior Vice President and Partner of Navion Financial Development Systems Inc., were present and spoke to Council regarding the fundraising report for the Kingston Regional Sports and Entertainment Centre.
(See Report No. 07-095)

Moved by Councillor Garrison
Seconded by Councillor Matheson

THAT Council resolve itself into the Committee of the Whole in order to allow additional questions of the presenters.

CARRIED

Moved by Councillor Foster
Seconded by Councillor Gerretsen

THAT Council rise from the Committee of the Whole "In Camera" without reporting.

CARRIED

PETITIONS

MOTIONS OF CONGRATULATIONS/CONDOLENCES/SPEEDY RECOVERY

Motions of Congratulations

- (1) Moved by Councillor MacLeod-Kane
Seconded by Councillor Gerretsen

THAT the congratulations of Kingston City Council be extended to the family of Speros Kanellos, Director of Growth and Initiatives, and his wife, Petula, on the birth of their son, Michael, on March 4th, 2007.

Motions of Condolence

- (1) Moved by Mayor Rosen
Seconded by Councillor Smith

THAT the sincere condolences of Kingston City Council be extended to the family of the late Joyce Mosier, a long-time Kingston resident, who passed away on February 24th, 2007.

- (2) Moved by Mayor Rosen
Seconded by Councillor Hector

THAT the sincere condolences of Kingston City Council be extended to the family of the late Bill Douglas, former Building Inspector for the City of Kingston, who passed away on February 26th, 2007.

CARRIED

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REPORTS

Report No. 24 the Chief Administrative Officer (Consent)

Moved by Councillor Smith
Seconded by Councillor Osanic

THAT Report No. 24 of the Chief Administrative Officer (Consent) be received and adopted.

Council consented to the separation of Clause (a).

Report No. 24

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

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

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

(a) **Affordable Housing Development Grant for 129 Van Order Drive**

THAT Council approve a grant of \$290,032 to Kingston & Frontenac Housing Corporation to offset development charges, building permit and impost fees for the 49 unit seniors' affordable housing development at 129 Van Order Drive.

(The Report of the Commissioner of Community Development Services (07-073) was attached as Schedule Pages 1-4)

(File No. CSU-F25-000-2007)

CARRIED

(b) **Tax Write-Offs for Uncollectible Amounts**

THAT Council approve the treasurer's recommendation to write-off uncollectible taxes in the amount of \$3,569,921.76 for properties that failed to sell under the tax sale provisions in the *Municipal Act* and that \$532,076.95 be recovered from the school boards.

(The Report of the Commissioner of Finance and Corporate Performance (07-079) was attached as Schedule Pages 5-8)

(File No. CSU-F22-000-2007)

(c) **Appointment of Municipal By-Law Enforcement Officers**

THAT a by-law be presented to amend By-Law No. 98-9 *"A By-Law To Appoint Municipal Law Enforcement Officers Of The Corporation Of The 'New' City of Kingston"* under Section 1, to include Yvon Godard and Angela Hogle as By-Law Enforcement Officers who will be appointed as Municipal Law Enforcement Officers who shall be Peace Officers for the purpose of enforcing the by-laws of the Municipality, as provided for under Section 15 of the Police Services Act RSO 1990(c) P15, as amended;

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Report No. 24 the Chief Administrative Officer (Consent)

- and further -

THAT the by-law receive all three readings.

(The Report of the Commissioner of Community Development Services (07-088) was attached as Schedule Pages 9-12)

(File No. CSU-P01-000-2007)

(See By-Law No. (2), 2007-71)

(d) **Authority for New Members of the Kingston Municipal Heritage Committee to Undertake Site Visits**

THAT a by-law be presented to amend By-Law number 2005-230, "A By-Law To Authorize Specific Individuals To Undertake Site Visits Or Site Inspections Of Property Designated Or Property Proposed To Be Designated Pursuant To The *Ontario Heritage Act, R.S.O. 1990, c. O.18*"

(The Report of the Commissioner of Community Development Services (07-090) was attached as Schedule Pages 13-18)

(File No. CSU-P18-000-2007)

(See By-Law No. (1), 2007-70)

(e) **Continuation of Flight Inspection Services Agreement with Nav Canada**

THAT Council authorize the Mayor and Clerk to execute an agreement with Nav Canada for flight inspection services for the Instrument Landing System at an estimated cost of \$35,000 per year in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Public Works and Emergency Services (07-091) was attached as Schedule Pages 19-21)

(File No. CSU-L04-000-2007, CSU-T11-000-2007)

(f) **Temporary Closure of Market Street for March 17 to 18, 2007 for a St. Patrick's Day Celebration**

THAT a by-law be presented to City Council to provide for the temporary closure of Market Street, from Ontario Street to mid-block, from 7:00 a.m. on Saturday, March 17, 2007 to 1:00 a.m. on Sunday, March 18, 2007 inclusive for a community-related purpose (St. Patrick's Day celebration).

(The Report of the Commissioner of Public Works and Emergency Services (07-092) was attached as Schedule Pages 22-27)

(File No. CSU-T08-000-2007)

(See By-Law No. (3), 2007-72)

CARRIED

REPORTS (Continued)

Report No. 25 of the Planning Committee

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Moved by Councillor Schmolka
Seconded by Deputy Mayor Meers

THAT Report No. 25 of the Planning Committee be received and adopted.

Report No. 25

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

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

February 22, 2007

1. **Final Report of the Strategic Design Plan for the Extension of the Cataraqui Estates Business Park**

THAT that the Strategic Design Plan for the Extension of the Cataraqui Estates Business Park, dated November 2006, be accepted in fulfilment of the terms of the contract with Clark Consulting Services; and,

BE IT FURTHER RESOLVED THAT the study be referred to the Growth & Initiatives Department for implementation by preparation of a Plan of Subdivision for the first phase of the extension; and,

BE IT FURTHER RESOLVED THAT the following work be undertaken in conjunction with the Plan of Subdivision process: a Phase 1 Archaeological Assessment of the Study Area; a Tree Inventory and Tree Preservation and Protection Plan of the Study Area; and, a review by the Ministry of Natural Resources of those areas identified as potential alvar sites; and,

BE IT FURTHER RESOLVED THAT the Cataraqui Region Conservation Authority be requested to determine what the percentage of urban forest cover for the City of Kingston would be with the removal of these woodlands from the study area.

(Note – A copy of the final report of the Strategic Design Plan for the Extension of Cataraqui Estates Business Park was distributed separately from the Planning Agenda by memorandum from Mr. George Wallace dated February 12, 2007 and was intended to accompany Staff Report No. PC-07-010, which was distributed with the Planning Committee agenda for February 22, 2007. This report is attached to the Minutes in the City Clerk's Department.)

2. **Zoning By-Law Amendment for the Property at 991 Sydenham Road to Permit One Dwelling Unit in an Existing Building Containing Commercial Use**

THAT the Application for Zoning By-Law Amendment (Our File No. D14-078-2007) submitted by Judy Caldwell for the property municipally known as 991 Sydenham Road, **BE APPROVED**.

AND BE IT FURTHER RESOLVED THAT the Township of Kingston Zoning By-Law No. 76-26, as amended, be further amended as follows:

REPORTS (Continued)

Report No. 25 of the Planning Committee

1. That the following Section 20(3)(o) be amended as follows:

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"(o) C3-15 991 Sydenham Road (Amending By-Law No. 2007-73)

Notwithstanding the provisions of Section 20(1) and 20(2)(e) to the contrary, the lands designated C3-15 on Schedule "A" hereto may only be used for a retail store, restaurant and one dwelling unit, in accordance with the following provisions:

- (i) FRONT YARD DEPTH (minimum) 9.7 feet
- (ii) GROSS FLOOR AREA, including accessory structures (maximum) 204 sq. metres
- (iii) ACCESS: No driveway will be permitted within 15 metres of any residentially zoned property."

AND BE IT FURTHER RESOLVED THAT the amending by-law be presented for all three readings.
(See By-Law No. (4), 2007-73)

3. **Zoning By-Law Amendment to Permit the Expansion of a Home Occupation at 1559 Highway #15 to Permit the Retail Sale of Items Not Made on the Premises**

THAT the Application for Zoning By-Law Amendment (Our File No. D14-080-2007) submitted by Wanda McCumber for the property municipally known as 1559 Highway #15, **BE APPROVED**.

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

1. That Map 1 of Schedule "A" to Zoning By-Law No. 32-74 be amended to rezone the subject site known municipally as 1559 Highway #15 from the existing Restricted Rural 'A1' Zone to a Special Restricted Rural 'A1-58' Zone, as shown on Schedule "A" attached to and forming part of By-Law No. 2007-74.

2. By **Adding** a new Section 23(3)(A1-58)(fff) as follows:

"(fff) Notwithstanding the regulations in Section 5(7) of Zoning By-Law No. 32-74 to the contrary, the following regulations shall apply: (Amending By-Law No. 2007-74)

- (i) No more than one person, other than a resident of the dwelling shall be employed in the home occupation.
- (ii) There shall be no external display or advertising, other than a legal sign, to indicate to persons outside, that any part of the dwelling house, dwelling unit or lot is being used for a purpose other than residential.
- (iii) The maximum gross floor area to be utilized for the purpose of a home occupation shall not exceed 31 square metres.
- (iv) The home occupation shall be permitted to sell goods, wares and merchandise not produced on the premises.
- (v) A minimum of 2 parking spaces shall be dedicated to the home occupation use.
- (vi) A home occupation shall be permitted within a private garage attached to the dwelling unit.
- (vii) A nursery/Garden Centre/Greenhouse use as defined in By-Law No. 32-74 is **PROHIBITED**.
- (viii) The outdoor display of goods, wares or merchandise shall be permitted on the lands immediately abutting the main structure and shall not exceed 31 square metres.
- (ix) No permanent outdoor display of goods, wares or merchandise is permitted."

AND BE IT FURTHER RESOLVED THAT the amending by-law be presented for all three readings.
(See By-Law No. (5), 2007-74)

REPORTS (Continued)

Report No. 25 of the Planning Committee

4. **Zoning By-Law Amendment for the Property Located at 1208-1210 Westbrook Road to Recognize the Existing Semi-detached Dwelling and to Fulfil a Condition of the Consent Approval**

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THAT the application for Zoning By-Law Amendment (Our File No. D14-077-2007) submitted by Trevor and Jennifer Riehl, for the property located at 1208-1210 Westbrook Road, **BE APPROVED**.

AND BE IT FURTHER RESOLVED THAT Zoning By-Law No. 76-26, of the former Township of Kingston, as amended, be further amended as follows:

1. That Zone Map 2 of Zoning By-Law No. 76-26, as amended, is hereby further amended by changing the zone symbol of the subject site from 'R1' to 'R1-67' as shown on Schedule "A" attached hereto and forming part of By-Law No. 2007-75.

2. That a new Section 12(3) of the by-law be **added** as follows:

"(b) R1-67 (1208-1210 Westbrook Road) Amending By-Law No. 2007-75:

1. Notwithstanding the provisions of Sections 12(1) and 12(2) of this by-law, the lands zoned 'R1-67' on Schedule 'A' to this by-law, may be used in accordance with the following provisions:

(i) **PERMITTED USES:**

The only permitted uses shall be:

(a) **RESIDENTIAL USE**

an existing semi-detached dwelling.

(b) **NON-RESIDENTIAL USES**

a home occupation;

a public use in accordance with the provisions of Section 5(18) hereof.

(ii) The existing semi-detached dwelling is required to be served by public water and sanitary sewer systems.

(iii) For the purpose of lot area, lot frontage and side yard regulations, the existing dwelling with common party walls shall be considered as one building occupying one lot.

(iv) **LOT AREA (minimum):** 766 square metres (8,245 square feet)

(v) **LOT FRONTAGE (minimum):** 22.8 metres (75 feet)

(vi) **INTERIOR SIDE YARD WIDTH (minimum):** 2.72 metres (8.9 feet)

(vii) **DWELLING UNIT AREA (minimum):** 164 square metres (1,765.3 square feet).

AND BE IT FURTHER RESOLVED THAT the amending by-law be presented for all three readings.
(See By-Law No. (6), 2007-75)

5. **Zoning By-Law Amendment for the Property at 1150-1202 Division Street and 86 Dalton Avenue for an Additional 8,703 Square Metres to Allowable Gross Leaseable Retail Floor Area of Proposed Retail Power Centre**

THAT the application for Zoning By-Law Amendment (Our File No. D14-062-2006) submitted by KCAP King's Crossing Inc., for the property located at 1150 - 1202 Division Street and 86 Dalton Avenue, **BE APPROVED**.

AND BE IT FURTHER RESOLVED THAT Zoning By-Law No. 8499, of the City of Kingston, as amended, be further amended as follows:

1. That Section 326 to Part VIII – **EXCEPTIONS TO VARIOUS ZONE CLASSIFICATIONS** of the by-law be **replaced** in its entirety, with the following:

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"326. On the approximately 26 ha parcel of land located on the south west corner of Dalton Avenue and Division Street, and zoned 'C2.326' on Zoning Maps No. 2 and 3 attached to and forming part of amending By-Law No. 2007-76, the following regulations shall apply to the entire area zoned 'C2.326':

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- (a) Any supermarket permitted under Section 22.2 of the by-law shall have a maximum gross leaseable floor area of 7,432 square metres.
- (b) The maximum combined Gross Leaseable Area of all permitted uses on the site shall be 39,992 square metres.
- (c) All buildings shall be set back a minimum of 30 metres from the CN Railway right-of-way in conjunction with an earthen berm.
- (d) A minimum horizontal buffer of 15 metres is required between the 'EPA' Zone located along the west side of the site and any impervious surface such as a driveway, parking lot, outdoor storage area or structure.
- (e) A minimum horizontal buffer of 10 metres is required between the 'EPA' Zone located in the north east portion of the site and any impervious surface such as a driveway, parking lot, outdoor storage area or structure.
- (f) A minimum horizontal buffer of 10 metres is required from any stormwater management facility located in the 'C2.326' Zone."

AND BE IT FURTHER RESOLVED THAT the amending by-law be presented for all three readings.

AND BE IT FURTHER RESOLVED THAT the Site Plan Control application be "bumped up" to Planning Committee for final approval.

(See By-Law No. (7), 2007-76)

6. **Zoning By-Law Amendment for the Property at 2435 Princess Street to Construct a Four Storey, 44 Unit Residential Apartment Building, Office Building, Additional Retail Buildings and to Renovate the Existing Plaza**

THAT the application for Zoning By-Law Amendment (Our File No. D14-072-2006) submitted by Mr. Peter Splinter, for the property located at 2435 Princess Street, **BE APPROVED**.

AND BE IT FURTHER RESOLVED that Zoning By-Law No. 76-26, of the former Township of Kingston, as amended, be further amended as follows:

1. That Section 22(3)(g) of the by-law be **replaced** with the following:

"(g) C5-7-H (2435 Princess Street):

1. Subject to the removal of the '-H' Symbol pursuant to the *Planning Act*, and notwithstanding any provisions of the by-law to the contrary, the provisions of Section 22 for the 'C5' Zone shall apply to the 'C5-7' Zone except that:
 - (a) Notwithstanding the provisions of the Section 22(1)(a) hereof to the contrary, the lands designated 'C5-7' on Schedule "A" attached to the Agenda may also be used for an apartment dwelling house.
 - (b) LOT COVERAGE (maximum): 30%
 - (c) HEIGHT OF BUILDING (maximum): 17.1 metres
 - (d) GROSS LEASABLE FLOOR AREA (maximum):
 - (i) retail use: 14,000 square metres
 - (ii) office use: 4,500 square metres
 - (iii) residential use: 5,416 square metres

REPORTS (Continued)

Report No. 25 of the Planning Committee

- (e) DWELLING UNITS PERMITTED (maximum): 44
- (f) PLANTING STRIP ADJOINING RESIDENTIAL ZONED LANDS: (minimum): 3.0 metres
- (g) CHILD'S PLAY AREA (minimum): 2.0 square metres per dwelling unit. The child's play area must be not less than 8 metres from a ground floor habitable room window and not less than 15 metres from any street line.

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- (h) PRIVACY YARDS: for an apartment dwelling house, a privacy yard, clear and unobstructed by any parking area or any vehicular driveway shall be provided adjoining each habitable room window of every dwelling unit with a minimum depth measured at right angles from such wall it adjoins in accordance with the following table:

MINIMUM PRIVACY YARDS

EXTERIOR WALL WINDOW REQUIRING A PRIVACY YARD	APARTMENT DWELLING HOUSE OF MORE THAN 10 DWELLING UNITS	APARTMENT DWELLING HOUSE OF UP TO 10 DWELLING UNITS	
	PARKING AREA OR VEHICULAR DRIVEWAY	SURFACE PARKING	VEHICULAR DRIVEWAY AREA
GROUND FLOOR LIVING ROOM WINDOW	7.6 METRES	8 METRES	8 METRES
GROUND FLOOR HABITABLE ROOM WINDOW	8 METRES	8 METRES	3 METRES

The following shall apply to any apartment dwelling house containing more than 10 dwelling units:

Within the privacy yard, an area unobstructed by a public or joint pedestrian access surface shall be provided extending 3 1/2 metres from any ground floor habitable room window, this distance being measured radially from any point on the window. A window shall be considered to be located on the ground floor if any portion of the glazing is less than 2 1/2 metres above the adjacent exterior ground level.

2. PERMITTED INTERIM USES: In accordance with Section 22(1)(b).
3. PERMITTED INTERIM HEIGHT OF BUILDING: In accordance with Section 22(3)(g)(1)(c).
4. PERMITTED INTERIM GROSS LEASABLE FLOOR AREA: In accordance with Section 22(3)(g)(1)(d)(i) and Section 22(3)(g)(1)(d)(ii).
5. The '-H' Symbol shall only be removed once the following conditions have been complied with:
 - (i) Submission of a Record of Site Condition to the satisfaction of the City;
 - (ii) All applicable Municipal and Agency requirements have been complied with;
 - (iii) All necessary Agreements, including the Site Plan Control Agreement, have been registered on title; and,
 - (iv) City Council has passed a further amendment to the Zoning By-Law to remove the '-H' Symbol pursuant to the Planning Act."

AND BE IT FURTHER RESOLVED THAT the amending by-law be presented for all three readings.

REPORTS (Continued)

Report No. 25 of the Planning Committee

AND BE IT FURTHER RESOLVED THAT the Site Plan Control application be "bumped up" to Planning Committee for final approval in order to ensure a 5.0 metre planting strip buffer zone adjoining residential zones is provided. (See By-Law No. (8), 2007-77)

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7. **Zoning By-Law Amendment for the Properties at 554 and 551 Frontenac Street to Convert the Existing Duplex Building (544 Frontenac St.) to a Triplex and to Add Four Two Bedroom Units to the Rear of the Existing Duplex (551 Frontenac St.)**

A - 544 Frontenac Street:

THAT the application by Luke and Lory Kaufman for amendments to Zoning By-Law No. 8499 of the former City of Kingston to change the zone on the lands located at 544 (File Number D14-069-2006), **BE APPROVED**;

AND BE IT RESOLVED THAT the former City of Kingston Zoning By-Law No. 8499, as amended, be further amended as follows:

1. That Map 19 to Zoning By-Law No. 8499 of the City of Kingston be amended so as to rezone the approximately 357 square metre parcel of land, known municipally as 544 Frontenac Street from Zone 'A' to a Site Specific 'A.368' Zone, as shown on Schedule "A" attached to the Agenda and forming part of Amending By-Law No. 2007-78.
2. By **Adding** Part VIII, Section 368 – Exceptions to Various Zone Classifications:
"368. On the approximately 357 square metre parcel of land located north of Princess Street and on the west side of Frontenac Street, known municipally as 544 Frontenac Street, and zoned 'A.368' on Schedule A to By-Law No. 2007-78, a maximum of three dwelling units shall be permitted in accordance with the following provisions:
 - i. Maximum Gross Floor Area shall be limited to the existing 580 square metres as approved by Committee of Adjustment Decision Notice D10-025-2005;
 - ii. Maximum Residential Building Depth - 14.3 metres; and,
 - iii. Minimum Lot Area - 350 square metres."

AND BE IT FURTHER RESOLVED THAT the amending by-law be presented for three readings.

B - 551 Frontenac Street:

THAT the application by Luke and Lory Kaufman for amendments to Zoning By-Law No. 8499 of the former City of Kingston to change the Zone on the lands located at 551 Frontenac Street (File Number D14-069-2006), **BE APPROVED**.

AND BE IT RESOLVED THAT no additional statutory meeting under the *Planning Act* is required to deal with the revised proposal by the Applicant because it is lower in intensity and similar to the original proposal.

AND BE IT FURTHER RESOLVED THAT the former City of Kingston Zoning By-Law No. 8499, as amended, be further amended as follows:

1. That Map 19 to Zoning By-Law No. 8499 of the City of Kingston be amended so as to rezone the approximately 546 square metres parcel of land, known municipally as 551 Frontenac Street from Zone 'A' to a Site Specific 'B.369' Zone, as shown on Schedule "A" attached to the Agenda and forming part of By-Law No. 2007-79.

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2. By **Adding** Part VIII, Section 369 - Exceptions to Various Zone Classifications:
"369. On the approximately 546 square metre parcel of land located north of Princess Street and on the east side of Frontenac Street, known municipally as 551 Frontenac Street, and zoned 'B.369' on Schedule A to By-Law No. 2007-79, the following provisions shall apply in addition to Section 13:
 - i) The minimum side yard setback shall be 0.2 metres on one side and 2.7 metres on the other side; and,

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- ii) The maximum number of units shall be 3 units with 10 bedrooms”;

AND BE IT FURTHER RESOLVED that the amending by-law be presented for three readings.
(See By-Law No. (9), 2007-78, and By-Law No. (10), 2007-79)

8. **Zoning By-Law Amendment for Greenwood Park (Phase 9A) to Lift ‘-H’ Symbol and to Request Amendments to Zone Provisions to Accommodate Proposed Residential Development**

THAT the Application for Zoning By-Law Amendment (File No. D14-081-2007) submitted by Greenwood Park Limited Partnership No. 1, for Greenwood Park, Phase 9, **BE APPROVED**.

AND BE IT FURTHER RESOLVED THAT Zoning By-Law No. 32-74, of the former Township of Pittsburgh, as amended, be further amended as follows:

1. That Map 4 of Schedule “A”, as amended, is hereby further amended by By-Law No. 2007-80 by removing the ‘-H’ Symbol for Greenwood Park, Phase 9A, so as to rezone these lands from ‘R4-5-H’ Modified Residential Type 4 Holding Zone to ‘R4-5’ Modified Residential Type 4 Zone, and shown as “Lands to be rezoned from R4-5-H to R4-5” on Schedule “A” attached to the Agenda.

2. That Section 11A(3)(e) of the by-law be replaced by the following:

“(e) Special Requirements (R4-5-H) (Amending By-Law No. 2006-80, Amending By-Law No. 2007-80)

Notwithstanding any provisions of Section 11A(2) to the contrary, the lands zoned ‘R4-5’ on Schedule ‘A’ shall be used for a detached single family dwelling house, home occupation or public use in accordance with the following provisions:

- | | | |
|--------|---|--|
| (i) | LOT AREA (minimum) | 270 square metres |
| (ii) | LOT FRONTAGE (minimum) | |
| | (a) Corner Lot | 11.5 metres |
| | (b) Other Lot | 9.15 metres |
| (iii) | FRONT YARD DEPTH (minimum) | 3.0 metres |
| (iv) | EXTERIOR SIDE YARD WIDTH (minimum) | 3.0 metres |
| (v) | INTERIOR SIDE YARD WIDTH (minimum) | 1.2 metres on one side, 0.6 metres on the other, except for the following: |
| | (a) where a side lot line abuts a 0.3 m reserve, the minimum interior side yard width shall be 3.0 metres; and | |
| | (b) on a lot where there is no attached private garage or attached carport, the minimum interior side yard width shall be 2.4 metres on one side and 1.2 metres on the other. | |
| (vi) | REAR YARD DEPTH (minimum) | 7.4 metres |
| (vii) | DWELLING UNIT AREA (minimum) | 93 square metres |
| (viii) | LANDSCAPED OPEN SPACE (minimum) | 30% |

REPORTS (Continued)

Report No. 25 of the Planning Committee

- | | | |
|-------|---|-------------|
| (ix) | LOT COVERAGE (maximum) | |
| | (a) 48% for lots less than 340 square metres | |
| | (b) 45% for lots 340 square metres or greater in area | |
| (x) | HEIGHT OF BUILDING (maximum) | 10.5 metres |
| (xi) | DWELLING HOUSES PER LOT (maximum) | 1 only |
| (xii) | ACCESSORY USES, PARKING ETC: | |

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That notwithstanding the maximum allowable lot coverage provisions of this zone, an additional 20 square metres of lot coverage shall be permitted for only unenclosed porches, balconies, ramps or steps located in a front yard or exterior side yard.

(xiii) GARAGE LOCATION

Notwithstanding any other provision of this by-law hereof to the contrary, no garage, either attached or detached from the dwelling, shall be located closer than 6.0 metres to the front lot line.

(xiv) SIGHT TRIANGLES

That notwithstanding the provisions of Section 4(125) hereof to the contrary, the lands zoned R4-5 on Schedule 'A', shall measure the sight triangle 3.0 metres from the point of intersection of the street lines.

(xv) '-H' Holding Zone Provisions

The lifting of the '-H' Holding Zone Provisions shall be subject to Section 5(24)."

AND BE IT FURTHER RESOLVED that the amending by-law be presented for all three readings.
(See By-Law No. (11), 2007-80)

CARRIED

REPORTS

Report No. 26 of the Nominations Committee

Moved by Councillor Schmolka
Seconded by Councillor Garrison

THAT Report No. 26 of the Nominations Committee be received and adopted.

Council consented to the separation of Clause 3.

Report No. 26

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

February 27, 2007

1. **Recommendation for Appointment to the Taxi Commission**

THAT Council approve the appointment of Mr. Ken Matthews to the Taxi Commission for a term ending 30th November, 2007.

CARRIED

REPORTS (Continued)

Report No. 26 of the Nominations Committee

2. **Recommendation for Appointments to the Affordable Housing Committee**

THAT Council recommend the following appointments to Affordable Housing Committee for a term ending 30th November, 2007:

- Barb Butler
- Chris Cobley
- Carolyn Davies
- Nicola Diak
- Bryan J. Metcalfe

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- Mark Michener
- Jeff Scott
- Lisa Stiglitz

CARRIED

Councillors Foster and Osanic withdrew from the meeting.

3. **Recommendation for Appointments to the KEDCO Board**

THAT Council recommend the following appointments to the KEDCO Board of Directors for a term ending 31st March 2008:

- Shailesh (Shai) Dubey
- Nancy Nash Foster
- Bill Gray
- Gordon C. MacDougall
- David Rutenberg
- Curtis J. Smith
- Debi Wells
- Derek Winton

CARRIED (10:1)
(See Recorded Vote)

A Recorded Vote was requested by Councillor Garrison

YEAS: Mayor Rosen, Councillor Garrison, Councillor Gerretsen, Councillor Glover, Councillor Hutchison, Councillor MacLeod-Kane, Councillor Matheson, Deputy Mayor Meers, Councillor Schmolka, Councillor Smith (10)

NAYS: Councillor Hector (1)

ABSENT: Councillor Foster, Councillor Osanic (2)

Councillors Foster and Osanic returned to the meeting.

INFORMATION REPORTS

(1) **2006 - 4th Quarter Report - Provincial Offences Court Administration, Legal Services Department**

The purpose of this report is to provide information of the 4th Quarter (October 1 – December 31, 2006) and full year fine revenues and expenditures of the Provincial Offences Court, as well as caseload volumes.

(The Report of the Commissioner of Corporate Services (07-058) was attached as Schedule Pages 28-33)
(File No. CSU-F10-000-2007)

(2) **Statement of Remuneration and Expenses Paid to Council Members for the Year 2006**

The purpose of this report is to provide to Council an itemized statement on remuneration of expenses paid in the previous year to each member of Council in respect of his or her services as a member of Council.

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(The Report of the Commissioner of Finance and Corporate Performance (07-070) was attached as Schedule Pages 34-39)

(File No. CSU-F16-000-2007)

(3) **Fundraising Report for the Kingston Regional Sports and Entertainment Centre**

The purpose of this report is to present the fundraising report from Navion Financial Development Systems Inc. (DVA Navion), an international fundraising company.

(The Report of the Commissioner of Sustainability and Growth (07-095) was attached as Schedule Pages 40-42)

(Note: Copies of the Fundraising Strategic Plan were distributed separately from the agenda.)

(File No. CSU-R05-001-2007)

MISCELLANEOUS BUSINESS

MOTIONS

Council consented to the addition of Motions No. 1 and 2.

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

WHEREAS recent cost overruns associated with the Kingston Regional Sports and Entertainment Centre ('the Centre') are of concern to the people of the City of Kingston; and,

WHEREAS significant information regarding 'the Centre' has taken an unacceptable amount of time to be presented to Council and further to be made public; and,

WHEREAS the residents of the City of Kingston deserve to be made aware at the earliest possible time of any cost overruns, organizational or logistical problems associated with this project;

THEREFORE BE IT RESOLVED THAT City Council direct the Chief Administration Officer and the Commissioner of Sustainability and Growth to provide:

1. An emergency audit of the project conducted by an auditor independent from 'the Centre' project or any other City of Kingston major project.
2. An evaluation by an external consultant independent from 'the Centre' project or any other City of Kingston major project of the analytical reports on 'the Centre' project including 07-084 and 07-081 and attendant reports.

MOTIONS

- and further -

BE IT RESOLVED THAT

3. The selection of the auditor and external consultant is to be chosen with the input of staff by an ad hoc committee of three Council members of City Council, the membership of which is to be chosen by nomination or self-nomination of Councillors at the same Council meeting as, and immediately after, this motion is passed; the ad hoc committee will determine the date the audit and evaluation report will be submitted to Council and the public and will also advise Council of any further public consultation they may feel is appropriate.

- and further -

BE IT RESOLVED THAT

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4. A report including the Project Management Team monthly report for 'the Centre' be provided to Council at the first Council meeting of each month until the project is complete, and that such reports are also to include:
 - a. An updated review of the capital project financing plan including any potential cost overruns; this should include a budget update and budget variance table (as included in the report of February 14, 2007, section c).
 - b. The project's milestones outlining whether or not the project is on schedule and by what timelines it is ahead or behind schedule, as well as indicating any potential associated costs or benefits.
 - c. Any other organizational and logistical issues or problems that may impact on the timely, cost established delivery of this project.

DEFERRED

(See Motion To Defer Which Was CARRIED)

Moved by Councillor Gerretsen
Seconded by Councillor Garrison

THAT the Motion of Councillors Gerretsen and Hutchison be deferred and referred to staff for a report back for the March 20th Council meeting to outline the costing for the audit, as well as the impact, of this resolution on staff workload.

CARRIED

Moved by Councillor Gerretsen
Seconded by Councillor Garrison

THAT Council resolve itself into the Committee of the Whole in order to discuss Motion No. 2.

CARRIED

Moved by Councillor Garrison
Seconded by Councillor MacLeod-Kane

THAT Council rise from the Committee of the Whole and the Chair report.

CARRIED

(2) Moved by Councillor Glover
Seconded by Councillor Schmolka

WHEREAS to promote efficiency in the conduct of public business there is in place a policy which permits senior staff within specific parameters to sign contracts; and,

MOTIONS (Continued)

WHEREAS it is in the public interest of openness of government that there be a mechanism which currently does not exist for reporting such actions; and,

WHEREAS since approximately July 2006 several contracts have been authorized by senior staff all relating to the LVEC project; and,

WHEREAS the lack of a requirement for disclosure of such contracts has aided the climate of secrecy which as surrounded the LVEC project;

THEREFORE BE IT RESOLVED THAT:

1. The Chief Administrative Officer is required to report publicly and in writing every contract over \$20,000 signed by senior staff within 14 days of the date of that contract; and,
2. Such report shall include a summary account of the need for the contract, and confirmation that the value of the contract is within the amount of the budget line item used to pay for the contract; and,

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3. The Chief Administrative Officer shall report on the year-to-date expenditure and the variances from the line item paying for the contract and its implications on the larger budget envelope that includes the line item;
- and further -
4. The Chief Administrative Officer shall report in similar terms at the next meeting of Council on all contracts over \$20,000 authorized by staff from 1 January 2006 to 06 March 2007 inclusive; and,
5. The Chief Administrative Officer shall report on all such contracts signed prior to 1 January 2006 which have not yet been completed; and further,
6. That the contracts that relate to In Camera matters must also be included in the reporting process to Council; and that these In Camera reports be provided to Council through the usual In Camera process.

CARRIED AS AMENDED (9:4)
(See Recorded Vote No. 1)
(See Motion To Amend Which Was CARRIED)
(See Motion To Defer Which Was LOST)

Moved by Councillor Hutchison
Seconded by Councillor Garrison

THAT the wording in section 1 be changed from "within seven days" to "within 14 days", so that it now reads as follows:

1. The Chief Administrative Officer is required to report publicly and in writing every contract over \$20,000 signed by senior staff within 14 days of the date of that contract; and,

CARRIED

Moved by Councillor Smith
Seconded by Councillor Foster

THAT the Motion of Councillors Glover and Schmolka be deferred and referred to staff for a report back to Council that would outline the implications of this motion.

LOST (3:10)
(See Recorded Vote No. 2)

- (1) A Recorded Vote was requested by Councillor Garrison

YEAS: Councillor Garrison, Councillor Gerretsen, Councillor Glover, Councillor Hutchison, Councillor MacLeod-Kane, Councillor Matheson, Deputy Mayor Meers, Councillor Osanic, Councillor Schmolka (9)

NAYS: Mayor Rosen, Councillor Foster, Councillor Hector, Councillor Smith (4)

MOTIONS (Continued)

- (2) A Recorded Vote was requested by Councillor Smith

YEAS: Councillor Foster, Councillor Hector, Councillor Smith (3)

NAYS: Mayor Rosen, Councillor Garrison, Councillor Gerretsen, Councillor Glover, Councillor Hutchison, Councillor MacLeod-Kane, Councillor Matheson, Deputy Mayor Meers, Councillor Osanic, Councillor Schmolka (10)

Moved by Councillor Schmolka
Seconded by Councillor Osanic

THAT the report of the Committee of the Whole be received and adopted.

CARRIED

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NOTICES OF MOTION

MINUTES

Council consented to the addition of amendments to the minutes.

Moved by Councillor Hector

Seconded by Councillor MacLeod-Kane

THAT the Minutes of City Council Meeting No. 05-2007, held Tuesday, February 6, 2007 be amended to include the following after the section rising from the Committee of the Whole "In Camera" on page 127:

MOTIONS

Moved by Councillor Hutchison

Seconded by Councillor Matheson

THAT staff be directed to report on the status of major projects undertaken by the City including the Market Square, multiplex, Sports and Entertainment Complex, new Police Building and the Ravensview expansion including the capacity of existing senior project management staff to effectively manage the respective projects, identification of any requirements for additional staff necessary to successfully complete the projects and associated costs;

- and further -

THAT the Chief Administrative Officer be a signatory to that report;

- and further -

THAT the rules of By-Law No. 98-1, "Council Procedural By-Law", be waived in order to deal with this matter this evening.

CARRIED

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

BY-LAWS

Moved by Councillor Glover

Seconded by Councillor Hector

THAT By-Law (5) be given first and second reading.

CARRIED

Moved by Councillor Glover

Seconded by Councillor Hector

THAT By-Law (5) be given third reading.

CARRIED

MINUTES (Continued)

(5) *A By-Law To Confirm The Proceedings Of Council At Its Meeting Commencing On Tuesday, February 6, 2007 At 11:10 PM And Ending On Wednesday, February 7, 2007 At 1:20 AM*

THREE READINGS

PROPOSED NO. 2007-47A

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(City Council Meeting No. 05-2007)

and as amended be confirmed.

CARRIED

TABLING OF DOCUMENTS

- 2007-15 KFL&A Public Health
Agenda – Board Meeting – February 28, 2007
(File No. CSU-S08-001-2007)
- 2007-16 Cataraqui Region Conservation Authority
Agenda – Full Authority Meeting – February 28, 2007
(File No. CSU-D03-000-2007)
- 2007-17 Cataraqui Region Conservation Authority
Minutes – Full Authority Meeting – February 7, 2007
(File No. CSU-D03-000-2007)
- 2007-18 Kingston Frontenac Public Library Board
Minutes – Regular Meeting # 2007-01 – January 24, 2007
(File No. CSU-R02-000-2007)

COMMUNICATIONS

Filed

- 07-162 From the Panda Garden Restaurant, located at 1036 Princess Street, an application for a liquor licence from the Alcohol and Gaming Commission of Ontario.
(File No. CSU-P09-000-2007)
- 07-163 From the Government of Ontario, the Ministry of Natural Resources and the Ontario Power Authority, announcing a new program to encourage the use of energy efficient products in the construction of new housing built under the Canada-Ontario Affordable Housing Program.
(File No. CSU-E11-000-2007)
- 07-173 From the Office of the Minister of Public Works and Government Services, acknowledging receipt of Council's resolution regarding the current lease arrangement for the Marine Museum of the Great Lakes at Kingston.
(File No. CSU-R03-000-2007)

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- 07-174 From the Office of the Minister of Canadian Heritage and Status of Women, acknowledging receipt of Council's resolution regarding the current lease arrangement for the Marine Museum of the Great Lakes at Kingston.
(File No. CSU-R03-000-2007)
- 07-176 From the Ontario Ministry of Labour, providing information regarding a new Musculoskeletal Disorder (MSD) Prevention Guideline, which will offer employers and workers in-depth information about hazards in the workplace so they can be addressed and controlled.
(File No. CSU-H04-000-2007)
- 07-177 From the Committee of Adjustment, a Notice of Decision for the following applications:
MINOR VARIANCE – In respect of an application for a minor variance from Zoning By-Law No. 8499 for the property at 31 Ellice Street, that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is March 19, 2007.
MINOR VARIANCE – In respect of an application for a minor variance from Zoning By-Law No. 76-26 for the property at 1354 Stoneridge Drive, that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is March 19, 2007.
MINOR VARIANCE – In respect of an application for a minor variance from Zoning By-Law No. 8499 for the property at 56 Cameron Street, that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is March 19, 2007.
CONSENT – In respect of an application to sever the property at 99 Dalton Avenue, that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is March 20, 2007.
MINOR VARIANCE – In respect of an application for a minor variance from Zoning By-Law No. 8499 for the property at 99 Dalton Avenue, that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is March 19, 2007.
MINOR VARIANCE – In respect of an application for minor variances from Zoning By-Law No. 8499 for the property at 57 Bay Street, that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is March 19, 2007.

COMMUNICATIONS (Continued)

- MINOR VARIANCE – In respect of an application for minor variances from Zoning By-Law No. 8499 for the property at 142 Union Street, that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is March 19, 2007.
MINOR VARIANCE – In respect of an application for minor variances from Zoning By-Law No. 76-26 for the property at 1028 Pinewood Place, that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is March 19, 2007.
MINOR VARIANCE – In respect of an application for minor variances from Zoning By-Law No. 3077 for the property at 20 & 24 Maitland Street, that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is March 19, 2007.
(File No. CSU-D19-000-2007)
- 07-178 From the Ontario Ministry of Municipal Affairs and Housing, advising that the McGuinty government is celebrating the second anniversary of the Greenbelt, which permanently protects more than 1.8 million acres of agricultural and environmentally sensitive land around the Greater Golden Horseshoe.
(File No. CSU-D03-000-2007)

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- 07-179 From the Association of Municipalities of Ontario (AMO), providing highlights from the AMO President's remarks addressed to the OGRA/ROMA Conference on February 27th, 2007.
(File No. CSU-A04-000-2007)
(Digitally distributed to all Members of Council on February 28, 2007.)

Referred to All Members of Council

- 07-164 From the City of Stratford, asking for Council's support of a resolution regarding certain matters and issues concerning poverty or those people who experience financial hardship.
(File No. CSU-C10-000-2007)
- 07-165 From the Association of Municipalities of Ontario (AMO), providing information regarding the 1st Canadian Municipal Wireless Applications Conference and Exhibition "Driving Service Quality, Innovation and Productivity Through Technology", to be held in Toronto from May 28th to 30th, 2007.
(File No. CSU-A04-000-2007)
(Digitally distributed to all Members of Council on February 20, 2007.)
- 07-166 From the Town of Midland, providing information regarding the 54th Annual Ontario Small Urban Municipalities (OSUM) Conference and Trade Show, to be held in Midland from May 2nd to 4th, 2007.
(File No. CSU-A04-000-2007)
- 07-167 From Mr. Michael Parent, providing information regarding a letter he sent to the Haldimand County Council in reference to the lost tax base in Caledonia and the federal government's response.
(File No. CSU-A16-000-2007)

COMMUNICATIONS (Continued)

- 07-168 From Mr. William A. Starna, expressing his concerns regarding mercury pollution created by Portland cement plants.
(File No. CSU-E05-000-2007)
- 07-169 From the Association of Municipalities of Ontario (AMO), advising that the federal government is asking Canadians for their input as it prepares its next budget, which is to be tabled on March 19th.
(File No. CSU-F05-000-2007)
(Digitally distributed to all Members of Council on February 22, 2007.)
- 07-170 From the Ministry of Municipal Affairs and Housing, providing a schedule of events for provincial cabinet ministers speaking at the Ontario Good Roads Association/Rural Ontario Municipal Association (OGRA/ROMA) Conference to be held in Toronto on February 26th and 27th, 2007.
(File No. CSU-A04-000-2007)

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- 07-171 From Ms. Bhavana Varma, President of the United Way serving KFL&A, providing information regarding their annual Volunteer Awards and Appreciation Night to be held on March 26th, 2007 at the Ambassador Conference Resort.
(File No. CSU-M02-000-2007)
- 07-172 From the Honourable Ernie Hardeman, MPP, inviting attendees of the OGRA/ROMA Conference to attend his hospitality suite on February 26th, 2007.
(File No. CSU-A04-000-2007)
- 07-175 From the Association of Municipalities of Ontario, providing information regarding the Rural-Northern Plan Discussion Paper, which was unveiled on February 26th, 2007 at the OGRA/ROMA Conference.
(File No. CSU-A04-000-2007)
(Digitally distributed to all Members of Council on February 27, 2007.)
- 07-180 From the Kingston & Frontenac Housing Corporation, advising that the current Board of Directors wishes to re-affirm the position of the former Board of Directors to encourage the City of Kingston to approve a grant of \$290,032 to offset development charges, building permit and impost fees for the 49 unit seniors' affordable housing development at 129 Van Order Drive.
(File No. CSU-F25-000-2007)
- 07-181 From Mr Vincent Géracitano, President and Founder of All Points Bulletin TV, providing information regarding their public security television network, which works together with police forces to instantly broadcast photos and videos of suspects and photos of missing persons around the clock, and asking for Council's support in sending a letter to the CRTC.
(File No. CSU-P17-000-2007)
(Distributed to all Members of Council on March 2, 2007.)

COMMUNICATIONS (Continued)

Referred to the Commissioner of Corporate Services

- 07-160 From Ms. Amy Paauw, Public Education and Promotions Coordinator for the City of Kingston, requesting that Council proclaim May 20th to 26th, 2007 as "National Public Works Week".
(File No. CSU-M10-000-2007)
- 07-161 From Ms. Andrea Gunn, Policy/Communications Coordinator for the Greater Kingston Chamber of Commerce, requesting that Council proclaim Friday, April 27th, 2007 as "Pitch-In Kingston Day 2007".
(File No. CSU-M10-000-2007)

Moved by Councillor Gerretsen
Seconded by Councillor Smith

THAT Council resolve itself into the Committee of the Whole "In Camera" to consider an item regarding an identifiable individual.

CARRIED
(Councillor Garrison OPPOSED)

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Moved by Councillor Foster
Seconded by Councillor Hector

THAT Council rise from the Committee of the Whole "In Camera" without reporting.

CARRIED

BY-LAWS

Council consented to the withdrawal of By-Law (13).

(A) Moved by Councillor Gerretsen
Seconded by Councillor Garrison

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

CARRIED

(B) Moved by Councillor Hutchison
Seconded by Councillor MacLeod-Kane

THAT Clause 8.9 of By-Law No. 98-1 be suspended for the purpose of giving By-Laws (2) and (3) three readings.

CARRIED

(C) Moved by Deputy Mayor Meers
Seconded by Councillor Osanic

THAT By-Laws (14) through (18) be given their third reading.

CARRIED

BY-LAWS (Continued)

(1) A By-Law To Amend By-Law No. 2005-230, "A By-Law To Authorize Specific Individuals To Undertake Site Visits Or Site Inspections Of Property Designated Or Property Proposed To Be Designated Pursuant To The *Ontario Heritage Act, R.S.O. 1990, c. O.18*"

FIRST AND SECOND READINGS
(See Clause (d), Report No. 24)

PROPOSED NO. 2007-70

(2) A By-Law To Amend By-Law No. 98-9 "A By-Law To Appoint Municipal Law Enforcement Officers Of The Corporation Of The 'New' City of Kingston" (add Yvon Godard and Angela Hogle)

THREE READINGS
(See Clause (c), Report No. 24)

PROPOSED NO. 2007-71

(3) A By-Law To Authorize The Temporary Closing Of A Portion Of Market Street From Ontario Street To Mid-Block, From 7:00 A.M. On Saturday, March 17, 2007 To 1:00 A.M. On Sunday, March 18, 2007 (Community Purposes – St. Patrick's Day Celebration)

THREE READINGS
(See Clause (f), Report No. 24)

PROPOSED NO. 2007-72

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- (4) A By-Law To Amend By-Law No. 76-26, "Former Kingston Township Zoning By-Law" (991 Sydenham Road, Modify The Existing 'C3-15' Special Highway Commercial Zone)
THREE READINGS PROPOSED NO. 2007-73
(See Clause (2), Report No. 25)
- (5) A By-Law To Amend By-Law No. 32-74, "Township Of Pittsburgh Zoning By-Law" (Zone Change From Restricted Rural 'A1' Zone To Special Restricted Rural' A1.58' Zone, 1559 Highway #15)
THREE READINGS PROPOSED NO. 2007-74
(See Clause (3), Report No. 25)
- (6) A By-Law To Amend By-Law No. 76-26, "Former Kingston Township Zoning By-Law" (Modify Site Specific Zoning – 'R-67', 1208 – 1210 Westbrook Road)
THREE READINGS PROPOSED NO. 2007-75
(See Clause (4), Report No. 25)
- (7) A By-Law To Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law Of The Corporation Of The City of Kingston" (1150 – 1202 Division Street And 86 Dalton Avenue)
THREE READINGS PROPOSED NO. 2007-76
(See Clause (5), Report No. 25)
- (8) A By-Law To Amend By-Law No. 76-26, "Former Kingston Township Zoning By-Law" (Modify Site Specific Zoning – 'C5-7-H', 2435 Princess Street)
THREE READINGS PROPOSED NO. 2007-77
(See Clause (6), Report No. 25)

BY-LAWS (Continued)

- (9) A By-Law To Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston" (Site Specific Zone From 'A' One Family And Two Family Residential Zone To 'A.368' Modified One To Two Family Residential Zone, 544 Frontenac Street)
THREE READINGS PROPOSED NO. 2007-78
(See Clause (7), Report No. 25)
- (10) A By-Law To Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston" (Site Specific Zone From 'A' One Family And Two Family Residential Zone To 'B.369' Modified One To Two Family Residential Zone, 551 Frontenac Street)
THREE READINGS PROPOSED NO. 2007-79
(See Clause (7), Report No. 25)
- (11) A By-Law To Amend By-Law No. 32-74, "Township Of Pittsburgh Zoning By-Law" (Zone Change From 'R4-5-H' Modified Residential Type 4 Holding Zone To 'R4-5' Modified Residential Type 4 Zone And Text Amendments To 'R4-5' Zone)
THREE READINGS PROPOSED NO. 2007-80
(See Clause (8), Report No. 25)

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- (12) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, March 6, 2007
THREE READINGS PROPOSED NO. 2007-81
(City Council Meeting No. 07-2007)
- (13) A By-Law To Amend "Schedule A" of 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 change the rates and times that payment is required, converting the Lower Robert Bruce Parking Lot from attended to Pay and Display operation)
THIRD READING PROPOSED NO. 2007-48
(See Clause (b), Report No. 14)
WITHDRAWN
- (14) A By-Law To Repeal By-Law No. 2003-464, A By-Law To Adopt A New Emergency Response Plan For The City Of Kingston"
THIRD READING PROPOSED NO. 2007-49
(See Clause (a), Report No. 19)
- (15) A By-Law To Adopt A New Emergency Response Plan For The City Of Kingston
THIRD READING PROPOSED NO. 2007-50
(See Clause (a), Report No. 19)

BY-LAWS (Continued)

- (16) A By-Law To Amend By-Law No. 2004-52, "A By-Law To Regulate Noise" (to delete Activity #2 of Schedule "B", being "Operation of construction equipment for the removal of snow")
THIRD READING PROPOSED NO. 2007-51
(See Clause (c), Report No. 19)
- (17) A By-Law To Amend Clause 'D' of Schedule 'A' of By-Law No. 80-63, "A By-Law To Designate Certain Properties Within the Municipality To Be Of Historic Or Architectural Value Or Interest"
THIRD READING PROPOSED NO. 2007-66
(See Clause (11), Report No. 16)
- (18) A By-Law To Amend By-Law No. 80-100, "A By-Law To Designate The Newlands Pavilion In Macdonald Park As Being Of Architectural Value Or Interest Under The Provisions Of The *Ontario Heritage Act, 1974*",
THIRD READING PROPOSED NO. 2007-67
(See Clause (12), Report No. 16)

CARRIED

ADJOURNMENT

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Moved by Councillor Gerretsen
Seconded by Councillor Glover

THAT Council do now adjourn.

CARRIED

Council adjourned at 10:30 pm.

(Signed)

Carolyn Downs
City Clerk

Harvey Rosen
Mayor