

CITY COUNCIL MEETING NO. 06-2009

The Regular Meeting of City Council was held on Tuesday, February 17, 2009, and was called to order at 7:00 pm in the Council Chamber, City Hall. Regular business commenced at 7:45 pm. His Worship Mayor Harvey Rosen presided.

There was an "In Camera" meeting of the Committee of the Whole from 7:05 pm to 7:40 pm in the Councillors' Lounge.

(Council Chamber)

ROLL CALL

Present: Mayor Rosen, Councillor Foster, Councillor Garrison (arrived at 7:04 pm), Councillor Gerretsen (arrived at 7:02 pm), Councillor Glover, Councillor Hector, Councillor Hutchison (arrived at 7:01 pm), Councillor MacLeod-Kane, Councillor Matheson, Councillor Meers, Councillor Osanic, Deputy Mayor Schmolka (arrived at 7:04 pm), Councillor Smith (13)

Absent: (0)

(Councillors' Lounge)

Administrative Staff Present:

Ms. C. Beach, Commissioner of Sustainability and Growth
Mr. J. Bolognone, Deputy City Clerk
Mr. G. Hunt, Chief Administrative Officer
Mr. S. Kanellos, Director, Growth and Initiatives
Mr. J. Keech, President and CEO, Utilities Kingston
Mr. D. Leger, Commissioner of Corporate Services
Mr. H. Linscott, Director, Legal Services
Mr. A. McLeod, Senior Legal Counsel, Legal Services

COMMITTEE OF THE WHOLE "IN CAMERA"

(1) Moved by Councillor Foster
Seconded by Councillor Glover

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

- (a) A proposed or pending acquisition or disposition of land by the municipality or local board – Tri-Service Project
- (b) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose - Memorial Centre and Kingston District Agricultural Society

CARRIED

(Council Chamber)

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Administrative Staff Present:

Ms. C. Beach, Commissioner of Sustainability and Growth
Mr. J. Bolognone, Deputy City Clerk
Mr. J. Hale, Driver/Labourer, Public Works
Mr. G. Hunt, Chief Administrative Officer
Mr. J. Keech, President and CEO, Utilities Kingston
Mr. D. Leger, Commissioner of Corporate Services
Mr. H. Linscott, Director, Legal Services
Mr. P. MacLatchy, Director, Strategy, Environment and Communications
Mr. D. Mignault, Research and Grants Coordinator, H R & Organization Development
Mr. M. Morris, Director, Transportation
Mr. J. Thompson, Committee Clerk

REPORT OF THE COMMITTEE OF THE WHOLE "IN CAMERA"

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

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

CARRIED

DISCLOSURE OF PECUNIARY INTEREST

Councillor Osanic declared a pecuniary interest in the matter of Motion (2) in regard to a funding request for long-term care beds as she is employed by the Ministry of Health and Long-Term Care which establishes and implements policies regarding funding of long-term care facilities.

PRESENTATIONS

None

DELEGATIONS

- (1) Liz Schell, President, Domino Theatre Incorporated., spoke to Council in regard to Motion (3), and the possibility of constructing a new playhouse and learning centre in the barn located in Roden Park on Norman Rogers Drive.

BRIEFINGS

- (1) Mr. Gerard Hunt, Chief Administrative Officer, briefed Council on Information Report, Clause (1), the Corporate Strategic Plan for 2009-2011.

PETITIONS

None

MOTIONS OF CONGRATULATIONS/CONDOLENCES/SPEEDY RECOVERY

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Council consented to add Motions of Congratulations (1) and (2) and Motions of Condolences (1), (2), (3) and (4).

Motions of Congratulations

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

THAT the congratulations of Kingston City Council be extended to Councillor Rob Matheson on the occasion of his 40th birthday, which he will celebrate on February 24th, 2009.

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

THAT the congratulations of Kingston City Council be extended to Mrs. Vivian Downey, long-time resident of the City of Kingston, on the occasion of her 80th birthday which she will celebrate on March 8, 2009.

Motions of Condolence

- (1) Moved by Deputy Mayor Schmolka
Seconded by Councillor MacLeod-Kane

THAT the sincere condolences of Kingston City Council be extended to Ken McGuirk and family on the death of his father, Ernest "John" McGuirk, retired Kingston Fire Department Captain, on February 5, 2009.

- (2) Moved by Councillor MacLeod-Kane
Seconded by Councillor Meers

THAT the sincere condolences of Kingston City Council be extended to Sue Hitchcock and family on the death of her mother, Margaret O'Neil, on February 10, 2009.

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

THAT the sincere condolences of Kingston City Council be extended to Donald Cox and family on the death of his wife, Rosemary Cox, lifelong resident of Kingston, on February 13, 2009.

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

THAT the sincere condolences of Kingston City Council be extended to Doug Werden and family on the recent death of his father-in-law, Joseph McKeown, long time resident of Kingscourt, local businessman, and former Catholic School Board Trustee.

CARRIED

REPORTS

Report No. 23 of the Chief Administrative Officer (Consent)

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Moved by Councillor Smith
Seconded by Councillor Glover

THAT Report No. 23 of the Chief Administrative Officer (Consent) be received and adopted.

Report No. 23

Council consented to separate Clauses (a), (d) and (e).

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) **Creation of an Accessible Parking Space on Sydenham Street at Central Public School**

THAT City Council amend By-law 81-218 "A by-law to provide for exempting, pursuant to permits issued, the owners and drivers of vehicles operated by or carrying a disabled person from the provisions of By-laws of the City of Kingston prohibiting or regulating the parking, standing or stopping of motor vehicles on any highway or part thereof in the City of Kingston", as amended, to create a designated accessible parking space on Sydenham Street, east side, 17 metres north of Colborne Street, northerly 6 metres;

- and further-

THAT City Council amend By-law 24 "A by-law for regulating traffic in the highways of the City of Kingston, subject to the provisions of the Highway Traffic Act", Section 18(1), and Section 19 , as amended, to apply a 30 minute maximum stay time limit to the proposed accessible parking space and to reduce the no parking zone on Sydenham Street, east side, between Colborne Street and 23 metres north of Colborne Street by 6 metres to accommodate the proposed accessible parking space.

(See By-Law No. (2), 2009-37, No. (3), 2009-38)

(The Report of the Commissioner of Corporate Services (09-061) was attached to the agenda as Schedule Pages 1-6)
(File No. CSU-T02-000-2009)

CARRIED

REPORTS (CONTINUED)

REPORT NO. 23 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

(b) **Tir Nan Óg – St. Patrick's Day Celebration Temporary Road Closure on Market Street**

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THAT a By-law be presented to City Council to provide for the temporary closure of Market Street, from Ontario Street to King Street, on Tuesday, March 17, 2009 from 6:00 a.m. to 1:00 a.m. Wednesday March 18, 2009, for a community related purpose (St. Patrick's Day celebration);

- and further -

THAT the applicant shall pay for the cost of advertising the temporary street closure, as invoiced by the City of Kingston;

- and further -

THAT 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;

- and further-

THAT 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.

(See By-Law No. (1), 2009-36)

(The Report of the President and CEO of Utilities Kingston (09-063) was attached to the agenda as Schedule Pages 7-10)

(File No. CSU-T08-000-2009)

(c) RFP (F31-SG-CO-2008-2) Award for Print Advertising for the City of Kingston

THAT RFP F31-SG-CO-2008-2 for the purchase of print advertising at a rate of 0.91 cents per agate line for audited circulation delivery of City notices be awarded to the Kingston Whig-Standard.

(The Report of the Commissioner of Sustainability and Growth (09-065) was attached to the agenda as Schedule Pages 11-13)

(File No. CSU-F31-000-2009)

REPORTS (CONTINUED)

REPORT NO. 23 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

(d) 2009 City of Kingston Arts Fund

THAT Council accepts the Kingston Arts Council's Business Plan as the basis for an agreement with the Kingston Arts Council (KAC) to administer the 2009 City of Kingston Arts Fund on behalf of the City; and

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THAT the Mayor and Clerk be directed to enter into an agreement acceptable to the Commissioner of Sustainability and Growth and the Director of Legal Services providing for the extension of the existing agreement with the Kingston Arts Council to provide for the administration of the City Arts Fund for 2009; and

THAT Council appoint two Councillors and a City staff member to participate on each of the review committees (the operating grants review committee for arts organizations and the projects grants review committee for arts projects).

(The Report of the Commissioner of Sustainability and Growth (09-074) was attached to the agenda as Schedule Pages 14-16)
(File No. CSU-F25-000-2009)

CARRIED

(e) **Central Airways Ltd. Lease of Room 127 Kingston Airport Terminal Building**

THAT Council authorize the Mayor and Clerk to execute a lease between the City and Central Airways Ltd. for a term of four (4) years commencing on February 1, 2009, at a rental rate of \$1,865.96 for the first year, \$2,686.44 for the second year, \$3,201.84 for the third year and \$3,717.36 for the fourth year, plus Goods and Services Tax.

(The Report of the Commissioner of Corporate Services (09-076) was attached to the agenda as Schedule Pages 17-20)
(File No. CSU-L15-000-2009)

CARRIED

(f) **Ratification Of Appointments To The Citizen Committee To Review Council Remuneration**

THAT the following citizens, representing the various sectors, be ratified for appointment to the Citizen Committee to Review Council Remuneration:

- Nick Waterfield, representing the business community
- Clarence Wilms, representing the healthcare sector
- Cam Jay, representing the organized labour community
- Dr. Kurt Schobel, representing the education sector
- Jim Docherty, representing the non-profit sector

(The Report of the City Clerk (09-083) was attached to the agenda as Schedule Pages 21-23)
(File No. CSU-C12-000-2009)

CARRIED

REPORTS (CONTINUED)

Report No. 24 of the Chief Administrative Officer (Recommend)

Moved by Councillor Gerretsen
Seconded by Councillor Meers

THAT Report No. 24 of the Chief Administrative Officer (Recommend) be received and adopted, clause by clause.

Report No. 24

To the Mayor and Members of Council:

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The Chief Administrative Officer reports and recommends as follows:

(1) **Candidate Projects for Senior Government Infrastructure Investment**

THAT Council endorse the Water Master Plan Upgrades and the John Counter Boulevard Expansion projects as priority shovel-ready infrastructure projects for submission for funding opportunities under the federal government's Building Canada Fund and the Infrastructure Stimulus Fund; and

THAT staff submit the necessary applications to align the above noted projects with the appropriate funding program and that the Mayor and Clerk be authorized to execute any necessary documents.

(The Report of the Chief Administrative Officer (09-062) was attached to the agenda as Schedule Pages 24-31)
(File No. CSU-F11-000-2009)

CARRIED

(2) **RFP (F31-SG-ST-2009-1) Award for the Development of a Kingston Integrated Community Sustainability Plan (Kingston ICSP)**

THAT Council authorize the Mayor and Clerk to sign a contract with Jacques Whitford Ltd. for the creation of an Integrated Community Sustainability Plan at a cost of \$109,115 plus GST, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Sustainability and Growth (09-080) was attached to the agenda as Schedule Pages 32-38)
(File No. CSU-F31-000-2009)

CARRIED

REPORTS (CONTINUED)

Report No. 25 of the Arts, Recreation and Community Policies Committee

Moved by Councillor Hutchison

Seconded by Councillor Glover

THAT Report No. 25 of the Arts, Recreation and Community Policies Committee be received and adopted.

Report No. 25

To the Mayor and Members of Council:

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

All items listed on the Arts, Recreation and Community Policies 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.

January 29, 2009

a) **Naming Conventions for Utility Infrastructure Facilities**

THAT Council endorse the following naming conventions for utility infrastructure facilities:

- a) For plants used to treat water for consumption or for waste water treatment the name used to identify the facility will be based on a geographical reference to the area in which it is located where feasible or will utilize the street name from which access to the facility is achieved; and
- b) Waste water facilities will be identified "sewage treatment plant" where the nature of facility warrants such a designation, and facilities used to produce potable water will have the suffix "water treatment plant"; and
- c) Other facilities used as part of the sanitary collection system will have the suffix "pumping station"; facilities used in the water distribution system will have the suffix "booster station"; and facilities used in the gas distribution system will have the suffix "regulating station"
- d) Names used for facilities used in the distribution and collection systems (water, sewer and gas) will be selected on the basis of the street upon which the facility derives its municipal address from; and
- e) The following names are approved: Ravensview Sewage Treatment Plant, Cataraqui Bay Sewage Treatment Plant, Cana Sewage Treatment Plant, Point Pleasant Water Treatment Plant, King Street Water Treatment Plant and Cana Water Treatment Plant and City Gate Regulating Station;

The Report of the President and CEO, Utilities Kingston (09-012) was attached to the Arts, Recreation and Community Policies (ARCP) agenda as Schedule Pages 53-58.

DEFERRED
(See Motion To Defer Which Was CARRIED)
(See Motion To Amend Which Was LOST)

REPORTS (CONTINUED)

Report No. 25 of the Arts, Recreation and Community Policies Committee

Moved by Councillor Gerretsen
Seconded by Councillor Glover

THAT Clause a), Report No. 25, be deferred and referred back to staff for consideration regarding the naming conventions, with a staff report to be brought back to Council at the March 3, 2009 meeting.

CARRIED

Moved by Councillor Foster
Seconded by Councillor Hector

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THAT Clause (a), section (e) of Report No. 25, The Arts, Recreation and Community Policies Committee, be amended to change the name of the Ravensview Sewage Treatment Plant to Ravensview Environmental Centre.

LOST (5:8)
(See Recorded Vote)

A Recorded Vote was requested by Councillor Smith

YEAS: Councillor Foster, Councillor Gerretsen, Councillor Hector, Mayor Rosen, Councillor Smith (5)

NAYS: Councillor Garrison, Councillor Glover, Councillor Hutchison, Councillor MacLeod-Kane, Councillor Matheson, Councillor Meers, Councillor Osanic, Deputy Mayor Schmolka, (8)

ABSENT: (0)

Councillor Foster left the meeting at 8:50 pm.

INFORMATION REPORTS

Council consented to the addition of Information Report (2).

(1) **Corporate Strategic Plan: 2009-2011**

The Purpose of this report is to provide Council with an outline of the Corporate Strategic Plan for 2009 to 2011.

(The Report of the Chief Administrative Officer (09-071) was attached to the agenda as Schedule Pages 39-41)

Note: Exhibits A and B were distributed separately

(File No. CSU-C08-000-2009)

(2) **Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of December 2008**

The purpose of this report is to advise Council of tenders/RFPs approved and contracts awarded greater than \$50,000 that meet the established criteria of delegated authority for the month of December 2008 and report additional information on contracts awarded by senior staff between the \$20,000 and \$50,000 level for the month of December 2008.

(The Report of the Director of Financial Services (09-049) was redistributed separately from the agenda on February 13, 2009)

(File No. CSU-F31-000-2009)

MISCELLANEOUS BUSINESS

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

THAT Council accept the resignation of Dr. Tamsin Laing (Royal Military College) from the Kingston Environmental Advisory Forum (KEAF) with regret;

- and further-

THAT Council extends their appreciation to Dr. Laing for her time and effort on KEAF;

- and further -

THAT Council approve the appointment of Dr. Barbara Zeeb (Royal Military College) as her replacement.

CARRIED

MOTIONS

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

THAT the information report on the Administration for the 2009 Kingston Arts Fund be forwarded to the Arts Recreation and Community Policies Committee for the purpose of reviewing selection criteria and that they be asked to host in March as part of their regular meeting or otherwise, a review of the report to receive public input on questions and concerns including but not limited to the following:

- a) Should an amateur organization that has as part of its mandate or mission a focus on artistic endeavour, either creation or presentation, be eligible for funding; and
- b) Should the Agnes Etherington Arts Centre, which has a special relationship with the City of Kingston that originates in the original bequest, in recognition of that relationship, be funded by the City of Kingston by means other than the Kingston Arts Fund; and
- c) Should an organization that uses the arts for social purposes be eligible for funding?

THAT the Arts Recreation and Community Policies Committee be asked to report its recommendations to Council in June, 2009 for consideration for implementation for the 2010 funding year.

CARRIED
(with agreed to amendments)

Note: On a 2/3 vote, Council consented to substitute this motion, in place of that which appeared in the February 17th, 2009 Council agenda.

Councillor Osanic withdrew from the meeting.

MOTIONS (CONTINUED)

- (2) Moved by Deputy Mayor Schmolka
Seconded by Councillor Gerretsen

WHEREAS Extencicare has announced that it does not plan to proceed with the construction of a 160-bed long-term care facility at St. Lawrence College as planned, and

WHEREAS these long-term care beds are urgently needed in the community, and

WHEREAS the provincial government has allocated funds for this 160-bed project in Kingston,

THEREFORE BE IT RESOLVED THAT the City of Kingston ask the South East Local Health Integration Network and our member of the provincial legislature, the Honourable John Gerretsen, to do everything possible to ensure that the

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provincial funding for 160 new long-term care beds continues to be allocated to Kingston and that a project go forward as soon as possible.

CARRIED

Councillor Osanic returned to the meeting.

- (3) Moved by Councillor Gerretsen
Seconded by Councillor Glover

WHEREAS The Domino Theatre ("The Theatre") has been a part of Kingston's Arts Community for over half a century; and

WHEREAS until recently the City of Kingston ("The City") had provided permanent accommodations for The Theatre for several decades; and

WHEREAS The Theatre has expressed interest in exploring the opportunity to enter into a long-term lease agreement with The City for the barn located in Roden Park on Norman Rogers Drive ("The Barn"); and

WHEREAS it is understood that The Theatre is prepared to discuss taking The Barn "as is" to construct a new playhouse and learning centre;

THEREFORE BE IT RESLOVED THAT by passing this resolution The Council of the City of Kingston ("The Council") indicates that it wishes to explore the possibilities of entering into a long-term lease agreement with The Domino Theatre ("The Theatre") for the barn located in Roden Park on Norman Rogers Drive and the adjacent parking area ("The Barn");

- and further -

THAT the Arts Recreation and Community Policies Committee (ARCP) be directed to hold a public meeting, duly advertised by The City of Kingston's Communication's Department, prior to its regular meeting in March 2009, for the purpose of soliciting feedback from the public regarding the possibility of the aforementioned long-term lease agreement;

- and further -

THAT City of Kingston staff be directed to consult with The Theatre and prepare a report to be presented to ARCP no later than the regular meeting in April, 2009, outlining various municipal use options or the possibility of entering into a long-term lease agreement with the Theatre along with financial implications;

- and further -

MOTIONS (CONTINUED)

THAT following the public and staff input ARCP be directed to bring a recommendation to Council regarding a long-term lease agreement of The Barn to The Theatre.

CARRIED

NOTICES OF MOTION

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

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THAT the City of Kingston hereby endorses the following resolution from the City of Ottawa in respect to the Provincial Review of Property Assessment System:

WHEREAS the City of Ottawa's property taxes are based on a rate set by the municipality (for local purposes) and the provincial government (for education purposes) applied against the assessed value of a property, as determined by rules set by the provincial government;

WHEREAS the provincial government's property assessment system is based on current market value of a property, as assessed by the Municipal Property Assessment Corporation, based on market sales;

WHEREAS Ottawa's housing market has led to significantly higher housing prices, leading to higher assessments of residential properties, leading in turn to higher property taxes for many homeowners, despite no increase in City services and unrelated to any change to the homeowner's income;

WHEREAS the current provincial re-assessment of residential properties will lead to over 90,000 homes in Ottawa (over one-third) facing property tax increases as a result of higher assessments, causing distress particularly to young families with children and seniors with retirement incomes, who now face tax increases through no action of the City of Ottawa and no change in their financial circumstances;

WHEREAS this creates a taxation system that lacks accountability, creates financial hardship without relation to either the value of municipal services being provided or the taxpayer's ability to pay;

THEREFORE BE IT RESOLVED THAT the City of Ottawa urge the Provincial Government, through the Premier of Ontario, the Minister of Finance, and the Minister of Municipal Affairs & Housing, to begin a public review of its system of property assessment, including review of possible alternatives; and

THAT the Association of Municipalities in Ontario be requested to endorse this request by the City of Ottawa for such a public review of Ontario's system of property assessment; and

THAT this motion be copied to Ottawa – area M.P.P.s and the Municipal Affairs critics of the two opposition parties, and other municipalities in Ontario; and

THAT the City of Ottawa be provided with a copy of this motion.

MINUTES

Moved by Councillor Gerretsen

Seconded by Councillor Hector

THAT the Minutes of City Council Meeting No. 04-2009, held Tuesday, January 20, 2009 and the Minutes of City Council Meeting No. 05-2009 held Tuesday, February 3, 2009 be confirmed.

CARRIED

TABLING OF DOCUMENTS

2009-19 Cataraqui Source Protection Committee
Agenda – February 12, 2009
(File No. CSU-D03-000-2009)

2009-20 Cataraqui Region Conservation Authority
Newsletter – "Cat Tails" – Winter 2009
(File No. CSU-D03-000-2009)

2009-21 Kingston, Frontenac and Lennox & Addington Public Health (KFL&A)

Board Agenda – January 28, 2009

(File No. CSU-S08-001-2009)

COMMUNICATIONS

Filed

06-089 From the Committee of Adjustment, a Notice of Decision for the following applications:

MINOR VARIANCE – In respect of an application to request permission for a minor variance to Zoning By-Law No. 8499 for the property at 284 Frontenac Street, the Committee decided that the application **SHOULD BE DENIED**. The final date for appeal is February 17, 2009.

MINOR VARIANCE – In respect of an application to request permission for a minor variance to Zoning By-Law No. 32-74 for the property at 841 Highway 15, the Committee decided that the application **SHOULD BE APPROVED**. The final date for appeal is February 17, 2009.

MINOR VARIANCE – In respect of an application to request permission for a minor variance to Zoning By-Law No. 76-26 for the property at 2435 Princess Street, the Committee decided that the application **SHOULD BE APPROVED**. The final date for appeal is February 17, 2009.

MINOR VARIANCE – In respect of an application to request permission for a minor variance to Zoning By-Law No. 8499 for the property at 223 Division Street, the Committee decided that the application **SHOULD BE APPROVED**. The final date for appeal is February 17, 2009.

MINOR VARIANCE – In respect of an application to request permission for a minor variance to Zoning By-Law No. 32-74 for the property at 1592 St. Lawrence Avenue, the Committee decided that the application **SHOULD BE APPROVED**. The final date for appeal is February 17, 2009.

MINOR VARIANCE – In respect of an application to request permission for a minor variance to Zoning By-Law No. 32-74 for the property at 1306 Channelview Road, the Committee decided that the application **SHOULD BE APPROVED**. The final date for appeal is February 17, 2009.

CONSENT – In respect of an application to sever the property at 523 Gardiners Road at 672 Golden Mile Road, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is February 17, 2009.

COMMUNICATIONS (CONTINUED)

Filed

CONSENT – In respect of an application to sever the property at 1177 Montreal Street, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is February 19, 2009.

CONSENT – In respect of an application to sever the property at 1462 Woodfield Crescent, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is February 23, 2009.

(File No. CSU-D19-000-2009)

06-091 From the City of Hamilton, acknowledging receipt of Council's resolution regarding "Christmas Wrapping Paper".

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(File No. CSU-E07-000-2009)

- 06-094 From the Association of Municipalities of Ontario (AMO), suggesting that municipalities that are interested in investigating the issue of limiting the use of bottled water and using municipal tap water in municipal facilities, to contact those municipalities that have taken action.
(File No. CSU-E07-000-2009)
(Digitally distributed to all Members of Council on February 6, 2009)
- 06-099 From the Ontario Good Roads Association (OGRA), announcing that the Federal Minister of Finance tabled a budget on January 27, 2009 that will provide municipalities with funding for infrastructure that will stimulate economic activity.
(File No. CSU-F05-000-2009)
(Digitally distributed to all Members of Council on January 28, 2009)
- 06-100 From the Honorable John Gerretsen, M.P.P., Kingston and the Islands, acknowledging receipt of Council's resolution regarding "Christmas Wrapping Paper".
(File No. CSU-E07-000-2009)
- 06-101 From the City of Pickering, acknowledging receipt of Council's resolution regarding "Christmas Wrapping Paper".
(File No. CSU-E07-000-2009)
- 06-102 From the County of Peterborough, acknowledging support of Council's resolution regarding "Christmas Wrapping Paper".
(File No. CSU-E07-000-2009)
- 06-103 From the City of Guelph, acknowledging receipt of Council's resolution regarding "Christmas Wrapping Paper".
(File No. CSU-E07-000-2009)
- 06-118 From the Ontario Municipal Board (OMB), advising of an oral decision regarding an appeal of an application for a Proposed Official Plan Amendment.
(File No. CSU-L01-001-2008)

COMMUNICATIONS (CONTINUED)

Filed

- 06-120 From the Regional Municipality of Durham, acknowledging receipt of Council's resolution regarding "Christmas Wrapping Paper".
(File No. CSU-E07-000-2009)
- 06-124 From the Ontario Municipal Board, advising of the decision of the Board on a minor variance for the property located at 32 Simcoe Street.
(File No. CSU-L01-001-2009)

Referred to the City Clerk

- 06-092 From Mr. Rod Ellis, Vice-President Southeast Branches Council, Canadian Red Cross, asking that Council proclaim 2009 as the "Canadian Red Cross Centennial Year" in the City of Kingston.

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(File No. CSU-M10-000-2009)

Referred to the City Clerk

- 06-113 From Ms. Sheila Carson, Chair, Teachers of English as a Second Language Association of Ontario, asking that Council proclaim December 6th -12th, 2009, as "English as a Second Language Week" in the City of Kingston.
(File No. CSU-M10-000-2009)

Referred to All Members of Council

- 06-090 From the Association of Municipalities of Ontario (AMO), urging municipalities to review and respond to the government's Initial Proposed Accessibility for Ontarians with Disabilities Act (AODA) Information and Communications draft standard by the February 6, 2009 deadline.
(File No. CSU-L11-000-2009, CSU-S14-000-2009)
(Digitally distributed to all Members of Council on January 28, 2009)

- 06-093 From the Corporation of the County of Prince Edward, asking for Council's support of a resolution that the Federal and Provincial government agencies responsible for public health, energy creation and energy management complete the following:

- 1) Dedicate resources to the necessary scientific research to consider the impact of
 - a. low frequency noise and,
 - b. electrical and electromagnetic disturbances in areas of industrial wind turbines with the intent to confirm/deny public health implications; and
- 2) Create and provide authoritative regulations and guidelines for the locating of wind turbines to municipalities and wind energy developers.

(File No. CSU-C10-000-2009)

(Digitally distributed to all Members of Council on February 6, 2009)

COMMUNICATIONS (CONTINUED)

Referred to All Members of Council

- 06-095 From the Corporation of the Township of Madawaska Valley, asking for Council's support of a resolution that the County of Renfrew lobby the Provincial Government on behalf of all rural municipalities to ensure an increase in Homecare Access Programs including increased funding, support and assistance.
(File No. CSU-C10-000-2009)
(Digitally distributed to all Members of Council on February 6, 2009)

- 06-096 From the Corporation of the Township of Madawaska Valley, asking for Council's support of a resolution that the Province of Ontario change the legislation of assessment to add a freeze at the year 2008 rate for the next four years, a more realistic value for property owners based on the current market and a more realistic value for a tax rate to be based on, and also back to a one-year annual assessment better to react to a current real estate market and that legislation be drafted to allow for a 2nd class of tax to recognize waterfront properties and the significant tax burden carried by those owners who may be forced to sell their homes due to the unrealistic assessed value provided for their homes.
(File No. CSU-C10-000-2009, CSU-F22-000-2009)
(Digitally distributed to all Members of Council on February 6, 2009)

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- 06-097 From the Association of Municipalities of Ontario (AMO), inviting members to support the World Wildlife Fund (WWF) Earth Hour on March 28, 2009, 8:30 – 9:30 pm. and the Ontario Power Authority (OPA) Energy Conservation Week May 17-23, 2009.
(File No. CSU-E05-000-2009)
(Digitally distributed to all Members of Council on February 6, 2009)
- 06-098 From the Local Authority Services Ltd. (LAS), providing information on a one-day free workshop on RETScreen Software which can help estimate possible savings from energy efficiency and renewable energy projects.
(File No. CSU-A01-004-2009)
(Digitally distributed to all Members of Council on February 9, 2009)
- 06-104 From the Township of South Algonquin, asking for Council's support of a resolution that Council investigate and promote the possibility of pursuing the use of low grade wood waste to create electric power as an alternative to wind-generated power.
(File No. CSU-C10-000-2009)
- 06-105 From the Tay Valley Township, asking for Council's support of a resolution that the Association of Municipalities of Ontario be asked to seek confirmation from the Province of Ontario, Waste Diversion Ontario and Stewardship Ontario that the tenets and covenants of Ontario's Waste Diversion Act 2002, particularly the 50% cost-sharing of recycling costs, will not be jeopardized by the current state of affairs in the recycling industry.
(File No. CSU-C10-000-2009, CSU-E07-001-2009)
- 06-106 From the City of Ottawa, asking for Council's support of a resolution that the City of Ottawa urge the Provincial Government, through the Premier of Ontario, the Minister of Finance, and the Minister of Municipal Affairs and Housing, to begin a public review of its system of property assessment, including review of possible alternatives.
(File No. CSU-C10-000-2009, CSU-F22-000-2009)

COMMUNICATIONS (CONTINUED)

Referred to All Members of Council

- 06-108 From Fareed Amin, Deputy Minister, Ministry of Municipal Affairs and Housing, announcing that nominations are now open for the 2008 Long-standing Service Awards.
(File No. CSU-C00-000-2009)
- 06-109 From Guy Oram, Sustainable Practices Leave A Sustainable Heritage (SPLASH), suggesting that the emissions from the Poker Run be taken into account in the GHG Local Action Plan.
(File No. CSU-E05-000-2009)
- 06-112 From Dr. Robert Mason, Chair, Board of Martha's Table, thanking Council and staff for their support of the programs designed to address the needs of disadvantaged citizens of the City.
(File No. CSU-M04-000-2009)
- 06-114 From the Association of Municipalities of Ontario (AMO), providing a copy of a letter that was sent to the Honourable Madeleine Meilleur, Minister of Community and Social Services, advising the Minister to consider the full impact of the proposed Information and Communication Standard on municipal property taxes and local economies.
(File No. CSU-S14-000-2009)
(Digitally distributed to all Members of Council on February 6, 2009)

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- 06-121 From the Honourable John Gerretsen, MPP Kingston and The Islands, Minister of the Environment of Ontario, assuring Council members and residents in the City of Kingston that he is committed to making progress on waste reduction and recycling in Ontario.
(File No. CSU-E07-000-2009)
- 06-122 From Operation Clean Sweep, providing information on the Clean Sweep Campaign, Pitch-In-Canada Week, April 20-26, 2009.
(File No. CSU-E07-000-2009)
- 06-123 From the Municipal Waste Association Markets, Operations and Contracts Committee providing information on a workshop that was held on February 5, 2009 in Oakville, Ontario.
(File No. CSU-A04-000-2009)
- 06-116 From Ms. Debbie Zimmerman, Chair, Municipal Property Assessment Corporation (MPAC) Board of Directors, urging Council's continued support in asking the province to address an issue fundamental to the property assessment system in Ontario.
(File No. CSU-F22-000-2009)
- 06-117 From Glenda Gies, Executive Director, Waste Diversion Ontario, Gemma Zecchini, CEO, Stewardship Ontario and Peter Hume, President, Association of Municipalities of Ontario, encouraging the City of Kingston to continue to direct Blue Box materials to available markets while WDO, Stewardship Ontario and AMO continue to seek opportunities to support and strengthen Ontario's markets for secondary resources.
(File No. CSU-E07-001-2009)
(Digitally distributed to all Members of Council on January 28, 2009)

COMMUNICATIONS (CONTINUED)

Referred to All Members of Council

- 06-119 From Dr. B.J. Fugère, Vice-Principal of Research, Dean of Graduate Studies, Royal Military College of Canada, recommending that Dr. Barbara Zeeb be re-appointed to the Kingston Environmental Advisory Forum (KEAF) for the next three year period.
(File No. CSU-C12-000-2009)

Referred to the Commissioner of Corporate Services

- 06-110 From Dustin White, lodging a complaint with regards to the treatment received while riding on a Kingston Transit Bus.
(File No. CSU-T03-000-2009)

Referred to the Commissioner of Community Development Services

- 06-111 From Dustin White, expressing his frustration with regards to finding affordable housing
(File No. CSU-S18-000-2009)

Referred to the President and CEO of Utilities Kingston

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- 06-107 From the Kingston, Frontenac and Lennox & Addington Public Health, providing a copy of the 2008 Sewage System Report.
(File No. CSU-E01-000-2009)

Referred to the Environment, Infrastructure and Transportation Policies Committee

- 06-115 From Ian MacDonald Gemmill, MD, Medical Officer of Health, Kingston, Frontenac and Lennox & Addington Public Health, confirming that the Ontario Building Code does not require water fountains in public buildings; it only requires that the water be potable. While they understand the environmental concerns regarding the use of bottles and strongly prefer the municipal water that is provided by Utilities Kingston, they would consider a prohibition of the availability of bottled water in a municipal venue a step backwards from a health point of view, when high-caloric beverages are the only other option.
(File No. CSU-E07-000-2009)

BY-LAWS

- (A) Moved by Councillor Osanic
Seconded by Councillor Matheson

THAT By-Laws (1) through (4) be given their first and second reading.

CARRIED

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

THAT By-Law (4) be given third reading.

CARRIED

- (1) A By-Law To Authorize The Temporary Closing Of A Portion Of Market Street From Ontario Street To Mid-Block, On Tuesday, March 17, 2009 From 6:00 A.M. Until 1:00 A.M. Wednesday, March 18, 2009 (Community Purposes – St. Patrick's Day Celebration)
FIRST AND SECOND READINGS PROPOSED NO. 2009-36
(See Clause (b), Report No. 23)

- (2) A By-Law To Amend By-Law No. 81-218, "A By-Law To Provide For Exempting, Pursuant To Permits Issued, The Owners And Drivers Of Vehicles Operated By Or Carrying A Disabled Person From The Provisions Of By-Laws Of

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The City Of Kingston Prohibiting Or Regulating The Parking, Standing Or Stopping Of Motor Vehicles On Any Highway Or Part Thereof In The City Of Kingston"

FIRST AND SECOND READINGS

PROPOSED NO. 2009-37

(See Clause (a), Report No. 23)

- (3) 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"

FIRST AND SECOND READINGS

PROPOSED NO. 2009-38

(See Clause (a), Report No. 23)

- (4) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, February 17, 2009

THREE READINGS

PROPOSED NO. 2009-39

(City Council Meeting No. 06-2009)

ADJOURNMENT

Moved by Councillor Smith
Seconded by Councillor Glover

THAT Council do now adjourn.

CARRIED

Council adjourned at 9:20 pm.

(Signed)

Carolyn Downs
City Clerk

Harvey Rosen
Mayor