

## CITY COUNCIL MEETING NO. 20-2009

The Regular Meeting of City Council was held on Tuesday, October 20, 2009, and was called to order at 5:30 pm in the Council Chamber, City Hall. Regular business commenced at 8:30 pm. His Worship Mayor Harvey Rosen presided.

There was an "In Camera" meeting of the Committee of the Whole from 5:35 pm to 7:10 pm in the Councillors' Lounge.

There was a Kingston & Frontenac Housing Corporation Shareholders meeting from 7:15 pm to 8:24 pm.

### (Council Chamber)

#### ROLL CALL

Present: Mayor Rosen, Councillor Foster, Councillor Garrison (arrived at 6:05 pm), Councillor Gerretsen, Councillor Glover, Councillor Hector, Councillor Hutchison, Councillor MacLeod-Kane (arrived at 6:05 pm), Deputy Mayor Matheson, Councillor Meers, Councillor Osanic, Councillor Schmolka, Councillor Smith (13)

Absent: (0)

### (Councillors' Lounge)

#### Administrative Staff Present:

Ms. C. Beach, Commissioner of Sustainability and Growth  
Mr. J. Bolognone, Deputy City Clerk  
Mrs. C. Downs, City Clerk  
Mr. G. Hunt, Chief Administrative Officer  
Ms. L. Hurdle, Director, Recreation & Leisure Services  
Mr. S. Kanellos, Director, Real Estate & Construction Services  
Mr. H. Linscott, Director, Legal Services  
Mr. L. Thurston, Commissioner of Community Development Services  
Mr. G. Wallace, Director, Planning and Development

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### COMMITTEE OF THE WHOLE "IN CAMERA"

(1) Moved by Councillor Foster  
Seconded by Councillor Hutchison

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 – Cataraqui West Subdivision

CARRIED

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### (Council Chamber)

#### Administrative Staff Present:

Ms. C. Beach, Commissioner of Sustainability and Growth  
Mr. J. Bolognone, Deputy City Clerk  
Ms. P. Burns, Director, Human Resources and Organization Development  
Mr. J. de Hoop, Director, Community and Family Services  
Mrs. C. Downs, City Clerk  
Mr. J. Garrah, CEO, Kingston Economic Development Corporation  
Mr. J. Giles, Manager, Solid Waste  
Mr. J. Hale, Driver/Labourer, Public Works  
Ms. C. Hitchen, Manager, Community Programs Administration Unit, Community and Family Services

#### Administrative Staff Present (continued):

Mr. G. Hunt, Chief Administrative Officer

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Mr. D. Leger, Commissioner of Corporate Services  
Mr. H. Linscott, Director, Legal Services  
Mr. P. MacLachy, Director, Strategy, Environment and Communications  
Mr. L. Thurston, Commissioner of Community Development Services  
Mr. G. Wallace, Director, Planning and Development

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

(2) Moved by Councillor Glover  
Seconded by Councillor Smith

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

**CARRIED**

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**DISCLOSURE OF PECUNIARY INTEREST**

Councillor Garrison declared a possible pecuniary interest in the matter of Motion No. (2) as he is employed by the Algonquin and Lakeshore Catholic District School Board (ALCDSB).

Councillor Hector declared a possible pecuniary interest in the matter of In Camera Item 1a) and subsequent public motion(s) with respect to a proposed or pending acquisition or disposition of land by the municipality or local board – Affordable Housing which were considered on October 6, 2009, Clause 1 of Report No. 102 of the Committee of the Whole "In Camera", Clause (3) of Report No. 104 of the Chief Administrative Officer (Recommend) and Clause 6 of Report No. 107 of the Kingston Municipal Heritage Committee (LACAC) as she has a contract with Hughes/Downey Architects.

Councillor MacLeod-Kane declared a possible pecuniary interest in the matter of Motion No. (2) as she is an employee of the Limestone District School Board.

Councillor Gerretsen declared a possible pecuniary interest in the matter of Motion No. (2) as his mother is employed by the Algonquin and Lakeshore Catholic District School Board (ALCDSB).

Moved by Councillor Gerretsen  
Seconded by Councillor Garrison

THAT Council waive the rules of By-Law No. 98-1, "Council Procedural By-Law", in order to amend the Orders of the Day to consider the following items following the Motions of Congratulations/Condolence/Speedy Recovery:

- Clause 1 of Report No. 102 of the Committee of the Whole "In Camera" – Purchase of Federal Surplus lands for the creation of affordable housing in Barriefield Village.
- Clause (3) of Report No. 104 of the Chief Administrative Officer (Recommend) – Exploring Merits of Affordable Housing Development in Barriefield Village on Surplus Federal Lands
- Clause (2) of Report No. 95 of the Chief Administrative Officer (Recommend) – Rideaucrest Home Organizational Development Strategy-Status Report
- Motion No. (6)

and the following item following Delegation No (1):

- Motion No. (8).

**CARRIED**

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

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**PRESENTATIONS**

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**DELEGATIONS**

Council consented to the amendment of Delegation No. (3), a change of the order of the Delegations, and the addition of Delegation No. (4).

- (1) Ted Hsu, Executive Director of SWITCH, was present and spoke to Council regarding the 1000 Solar Rooftops Challenge.  
(See Motion No. (8), Page No. 639)

Note: Motion No. (8) was dealt with at this point in the meeting.

Councillor Hector withdrew from the meeting.

- (2) Christine Synowich was present and spoke to Council regarding the "In Camera" matter reported out at the Council meeting on October 6, 2009, regarding the acquisition of DND lands in Barriefield.  
(See Clause 1, Report No. 102, Page No. 622)

- (3) Betsy Donald was present and spoke to Council regarding the "In Camera" matter reported out at the Council meeting on October 6, 2009, regarding the acquisition of DND lands in Barriefield.  
(See Clause 1, Report No. 102, Page No. 622)

Moved by Deputy Mayor Matheson  
Seconded by Councillor Schmolka

THAT Council waive the rules of By-Law No. 98-1, "Council Procedural By-Law", in order to allow Mary Fleming to appear as a delegation regarding the social housing project proposed for Barriefield Village on the former DND land.

**CARRIED**

- (4) Mary Fleming was present and spoke to Council regarding the "In Camera" matter reported out at the Council meeting on October 6, 2009, regarding the acquisition of DND lands in Barriefield.  
(See Clause 1, Report No. 102, Page No. 622)

Councillor Hector returned to the meeting.

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**BRIEFINGS**

- (1) Zaineb Zimmerman and Marijana Matovic of the Kingston Community Roundtable on Poverty Reduction provided Council with an update on their activities, accomplishments and future plans.

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**PETITIONS**

- (1) A petition bearing approximately 114 signatures was received by the Clerk's Department and referred to Mayor and Council and reads as follows:

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"We, the undersigned, who are not resident of Barriefield, wish to register our displeasure at the intent of Kingston Council to build a housing project on the "buffer lands" attached to the village. We also wish to register our concern about the secretive and undemocratic nature by which the Kingston Council has approached this issue."

**REFERRED TO MAYOR AND COUNCIL**

- (2) A petition bearing approximately 13 signatures was received by Councillor Hutchison and referred to the Commissioner of Sustainability and Growth and reads as follows:

"New Frills Downtown Renewal Project

Supporting Citizen Involvement in the Decision Making Process with Regards to the January 2009 closure of "No Frills" on Bagot St.

We, the undersigned Citizens of Kingston, are concerned about the closure of the Bagot Street "No Frills" store and insist that our voices be heard with regards to the future of this location. We want to ensure that we are integral to the decision making process about what happens to the current site of "No Frills"."

**REFERRED TO THE COMMISSIONER OF SUSTAINABILITY AND GROWTH**

- (3) A petition bearing approximately 37 signatures was received by Councillor MacLeod-Kane and referred to the Administrative Policies Committee and reads as follows:

"We the undersigned, as residents in the City of Kingston draw the attention of Kingston City Council to the following:

**WHEREAS**, in 2006, the Minister of Natural Resources for the Province of Ontario introduced Sunday hunting to address the need to better manage and control wildlife populations; to reduce the significant amount of crop and livestock damage associated with burgeoning wildlife populations; and to address the growing public safety threat from wildlife/car collisions, and

**WHEREAS**, Sunday hunting has proven to be an economic benefit to many local communities, and

**WHEREAS**, Sunday hunting provides additional family hunting opportunities for those who work through the week or on shift work, and

**WHEREAS**, since 2006 almost 140 local municipalities across southern Ontario have passed resolutions in support of Sunday hunting;

**THEREFORE BE IT RESOLVED** that your petitioners call upon Kingston City Council to pass a resolution in support of Sunday hunting and that said resolution be forwarded to the Ministry of Natural Resources for inclusion in the regulation.

**REFERRED TO THE ADMINISTRATIVE POLICIES COMMITTEE**

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

Council consented to the addition of Motion of Condolence No. (2) and Motions of Congratulations No. (1) and (2).

### Motions of Condolence

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

**THAT** the sincere condolences of Kingston City Council be extended to the family of Derrick H. Ball, a long-time Council watchdog, who passed away on October 7, 2009.

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

**THAT** the sincere condolences of Kingston City Council be extended to the family of the late Mrs. Eileen McConnell, long-time resident of the City of Kingston and avid Council-watcher, who passed away on Friday, October 16, 2009.

**Motions of Congratulations**

- (1) Moved by Deputy Mayor Matheson  
Seconded by Councillor Garrison

**THAT** the congratulations of Kingston City Council be extended to former Member of Parliament and Order of Canada Recipient Judge John Matheson on the recent dedication of the CFB entrance from Hwy 15 in his name. Your outstanding service to your community and our nation is very much appreciated.

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

**THAT** the congratulations of Kingston City Council be extended to the Honourable Peter Milliken for his years of service, now both the longest-sitting Member of Parliament for Kingston and the Islands, and the longest-serving Speaker of the House of Commons.

**CARRIED**

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Councillor Hector withdrew from the meeting.

Note: Clause 1 of Report No. 102 of the Committee of the Whole "In Camera" was dealt with at this point in the meeting.  
(See Page No. 622)

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**REPORTS**

**Report No. 102 the Committee of the Whole "In Camera"**

Moved by Councillor Hutchison

Seconded by Councillor Meers

**Report No. 102**

To the Mayor and Members of Council:

**THAT** the Committee of the Whole "In Camera" forwards the following staff recommendation, which is outlined as Clause 1 of Report No. 102 to Council for consideration.

October 6, 2009

Moved by Councillor MacLeod-Kane

Seconded by Councillor Garrison

1. **THAT** Council continues to pursue the purchase of Federal Surplus lands identified as Parcel 3 Parts 2 & 3 through the Surplus Federal Real Property for Homelessness Initiative (SFRPHI) for the creation of affordable housing;

- and further -

**THAT** staff continue with the necessary research, planning, and public consultation with respect to these parcels of land and that a Council report be prepared to identify partnership options and potential funding sources and community concerns;

- and further -

**THAT** staff be directed to also pursue an investigation as to whether lands can be purchased to buffer Barriefield Village.

**CARRIED AS AMENDED (9:3)**

**(See Recorded Vote)**

**(See Motions To Amend Which Were CARRIED)**

A Recorded Vote on the motion as amended was requested by Councillor Garrison

YEAS: Councillor Garrison, Councillor Hector, Councillor Hutchison, Councillor MacLeod-Kane, Councillor Matheson, Councillor Meers, Councillor Osanic, Mayor Rosen, Councillor Schmolka, Councillor Smith (9)

NAYS: Councillor Foster, Councillor Gerretsen, Councillor Glover (3)

ABSENT: Councillor Hector (1)

Moved by Councillor Glover

Seconded by Councillor Gerretsen

**THAT** Council waive the rules of By-Law No. 98-1, "Council Procedural By-Law", in order to allow Councillor Foster additional time to speak to Clause 1 of Report No. 102 of the Committee of the Whole "In Camera".

**CARRIED**

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

**REPORTS (CONTINUED)**

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Report No. 102 the Committee of the Whole "In Camera"

Moved by Councillor Foster

Seconded by Councillor Gerretsen

**THAT** Clause 1 of Report No. 102 of the Committee of the Whole "In Camera" be amended by inserting the following as Paragraph 3:

"**THAT** staff be directed to also pursue an investigation as to whether lands can be purchased to buffer Barriefield Village."

**CARRIED**

Moved by Councillor Schmolka

Seconded by Councillor Hutchison

**THAT** Clause 1 of Report No 102 of the Committee of the Whole "In Camera" be amended by inserting in Paragraph 2, the words "with respect" following the words "public consultation"; and further by deleting the words "bring" and "to construction ready status"; and further by inserting the words "and community concerns" at the end of said paragraph.

**CARRIED**

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Councillor Hector returned to the meeting.

Moved by Councillor Schmolka

Seconded by Councillor Hutchison

**THAT** Council waive the rules of By-Law No. 98-1, "Council Procedural By-Law", in order to amend the Orders of the Day to consider the following time sensitive matters at this point in the meeting:

- Miscellaneous Business Item No. (2)
- Report No. 109 of the Environment, Infrastructure and Transportation Policies Committee
- Clause 1 of Report No. 107 of the Kingston Municipal Heritage Committee (LACAC)
- Clause (4) of Report No. 104 of the Chief Administrative Officer (Recommend)
- Clause (3) of Report No. 104 of the Chief Administrative Officer (Recommend)

**CARRIED**

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

Moved by Councillor Foster

Seconded by Councillor Hutchison

**THAT** Council waive the rules of By-Law No. 98-1, "Council Procedural By-Law", in order to extend the meeting to 11:15 pm.

**CARRIED (10:3)**

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

**(See Recorded Vote)**

A Recorded Vote was requested by Councillor Smith

YEAS: Councillor Foster, Councillor Garrison, Councillor Gerretsen, Councillor Hector, Councillor Hutchison, Councillor Matheson, Councillor Osanic, Mayor Rosen, Councillor Schmolka, Councillor Smith (10)

NAYS: Councillor Glover, Councillor MacLeod-Kane, Councillor Meers (3)

Moved by Councillor Gerretsen

Seconded by Councillor Smith

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THAT Council waive the rules of By-Law No. 98-1, "Council Procedural By-Law", in order to extend the meeting to 11:30 pm.  
**CARRIED**  
**(A 2/3 Vote Of Council Was Received)**

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**REPORTS (CONTINUED)**

Report No. 103 the Chief Administrative Officer (Consent)

**Report No. 103**

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) **Capital Budget Amendment for Conveyor Repairs at the Kingston Area Recycling Centre**

THAT a capital budget amendment in the amount of \$80,000 from the Solid Waste equipment reserve fund for conveyor repairs and upgrade be approved.

(The Report of the President and CEO of Utilities Kingston (09-304) was attached as Schedule Pages 1-2)  
(File No. CSU-V00-000-2009)

(b) **Award of Contract for Corporate Intranet RFP No. F31-CS-IS-2009-2 to OA Solutions Inc.**

THAT Council authorize the Mayor and Clerk to enter into a time and materials contract with OA Solutions Inc., in a form satisfactory to the Director of Legal Services, in reference to RFP No. F31-CS-IS-2009-2, for an amount not exceeding \$80,000, and the annual product maintenance fees not exceeding \$20,000.

(The Report of the Commissioner of Sustainability and Growth and the Commissioner of Corporate Services (09-305) was attached as Schedule Pages 3-7)  
(File No. CSU-F31-000-2009)

(c) **Support for the Queen's University Solar Design Team**

**WHEREAS** the Queen's University Solar Design Team is endeavouring to advance the state of knowledge and practice of sustainable residential housing design and construction in Kingston; and,

**WHEREAS** their successes in this field will be of benefit to the City of Kingston's aspirations for greenhouse gas emissions reduction, increase in sustainable residential housing stock and development of alternative energy solutions;

**BE IT RESOLVED THAT** the City of Kingston support the Queen's University Solar Design Team in their application to become participants in the 2011 Solar Decathlon Competition.

(The Report of the Commissioner of Sustainability and Growth (09-316) was attached as Schedule Pages 8-15)  
(File No. CSU-E11-000-2009)

**DEFERRED**  
**(Clauses (a) through (c))**

**REPORTS (CONTINUED)**

Report No. 103 the Chief Administrative Officer (Consent)

Moved by Councillor Garrison



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Seconded by Councillor Meers

- (d) **Award of RFP No. F31-SGG-RLS-2009-14 for Fitness Centre Equipment for the INVISTA Centre to the Fitness Depot**

**THAT** the RFP F31-SGG-RLS-2009-14 for the purchase of 33 pieces of fitness centre equipment for the INVISTA Centre be awarded to the Fitness Depot for the purchase price of \$178,510 (excluding taxes);

- and further -

**THAT** the Mayor and Clerk be authorized to enter into a contract with Fitness Depot, to the satisfaction of the Director of Legal Services, for the purchase of fitness centre equipment at a cost of \$178,510.

(The Report of the Commissioner of Sustainability and Growth (09-319) was attached as Schedule Pages 16-19)

(File No. CSU-V00-000-2009)

**CARRIED**  
**(Councillor Smith Opposed)**

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**Report No. 95 of the Chief Administrative Officer (Recommend)**

**Report No. 95**

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

- (2) **Rideaucrest Home Organizational Development Strategy – Status Report**

**THAT** Council receive Report Number 09-300 from the Commissioner of Community Development Services and endorse in principle strategies to further improve public accountability, resident-centred care and human resource development within Rideaucrest Home, as outlined in the attached report entitled, *Rideaucrest Home: Organizational Development Framework – Status Report, dated September 30, 2009*,

- and further -

**THAT** Council direct the Commissioner of Community Development Services to prepare a strategic implementation report, no later than the end of February 2010 for consideration, that will:

- a) Set out objectives for meeting the mandate of providing quality resident-centred care at levels of service that are in keeping with comparable municipal long-term care facilities;
- b) Lay out the steps and time lines required to bring the performance indicators of Rideaucrest in line with comparable municipal long-term care facilities; and
- c) Provide the phasing plan and time lines for reducing the municipal subsidy by up to 1.5M by the year 2014;

- and further -

**THAT** Council direct the Commissioner to provide semi-annual update reports on the progress being made on implementation strategies contained within the Rideaucrest organizational development framework and as approved by Council.

(The Report of the Commissioner of Community Development Services (09-300) was distributed separately from the agenda on Friday, October 2, 2009)

(File No. CSU-S02-000-2009)

**DEFERRED**  
**(See Motion to Defer Which Was CARRIED)**

**REPORTS (CONTINUED)**

**Report No. 95 of the Chief Administrative Officer (Recommend)**

Moved by Councillor Schmolka

Seconded by Councillor Gerretsen

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**THAT** consideration of Clause (2) of Report No. 95 of the Chief Administrative Officer (Recommend) be considered in the Committee of the Whole at the beginning of the November 3, 2009, Council meeting.

**CARRIED**

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**Report No. 104 of the Chief Administrative Officer (Recommend)**

**Report No. 104**

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

**(1) Agreement with MultiGen HealthCare Corporation (MultiGen)**

**THAT** Council authorize the Mayor and City Clerk to execute a one year agreement on behalf of the City of Kingston with MultiGen HealthCare Corporation to provide on-site dental and oral hygiene services for residents of Rideaucrest Home;

- and further -

**THAT** Council hereby delegates authority to the Commissioner of Community Development Services or his delegates to execute service agreements on behalf of the City of Kingston, in a form satisfactory to the Director of Legal Services, with providers of health care and health related services and programs not offered through the City of Kingston to the residents of Rideaucrest Home for services such as dental care and oral hygiene, physiotherapy, and pharmacy and prescription drug dispensing services that are made available on premises to the residents of Rideaucrest Home from time to time.

(The Report of the Commissioner of Community Development Services (09-246) was attached as Schedule Pages 20-22)

(File No. CSU-S02-000-2009)

**DEFERRED**

Moved by Councillor Schmolka

Seconded by Councillor Garrison

**THAT** Council waive the rules of By-Law No. 98-1, "Council Procedural By-Law", in order to consider Clause (2) of Report No. 104 of the Chief Administrative Officer (Recommend), deemed a time sensitive matter, at this point in the meeting.

**CARRIED**

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

**REPORTS (CONTINUED)**

**Report No. 104 of the Chief Administrative Officer (Recommend)**

Moved by Councillor Garrison

Seconded by Councillor Foster

**(2) Approval of Creation or Expansion of Licenced Childcare Spaces Best Start Grant Applications**

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**THAT** Council approve the disbursement of up to \$658,865.00 from the Best Start Childcare Expansion Fund to support the development of 210 new childcare spaces.

(The Report of the Commissioner of Community Development Services (09-311) was attached as Schedule Pages 23-27)

(File No. CSU-S01-000-2009)

**CARRIED**

Councillor Hector withdrew from the meeting.

Moved by Councillor Schmolka

Seconded by Councillor Garrison

**(3) Exploring Merits of Affordable Housing Development in Barriefield Village on Surplus Federal Lands**

**THAT** subject to its approval of Clause 1, Report No. 102 on the October 20, 2009, Council agenda (Barriefield affordable housing concept), Council hereby:

1. Receive the preliminary affordable housing development concept plan prepared by Hughes/Downey Architects attached to Report No. 09-312 of the Commissioner of Community Development Services as Exhibit A, for lands described as Part 3 on Plan 13R-18296 as shown on the map contained in the concept plan report, showing 32 units in 8 buildings;
2. Direct staff to undertake a broad and inclusive public consultation process to seek neighbourhood and community input into the question of developing the subject lands for affordable housing purposes in accordance with the concept plan developed by Hughes/Downey Architects;
3. Direct staff to investigate and report back on development partnership opportunities with a local housing provider;
4. Earmark up to \$2.46 million from the city's DOOR Affordable Housing Construction Reserve towards the possible development of twenty (20) housing units as phase one on lands labeled as Part 3 consistent with the concept prepared by Hughes/Downey architects;
5. Authorize staff to submit an application for funding through the Canada-Ontario Affordable Housing Extension 2009 – Year Two, or subsequent funding programs as they may become available, for an additional twelve (12) housing units on the remaining portion of land described as Part 3 on Plan 13R18296, consistent with the concept prepared by Hughes/Downey architects.

(The Report of the Commissioner of Community Development Services (09-312) was attached as Schedule Pages 28-46)

(File No. CSU-S18-000-2009)

**DEFERRED**

**(See Motion To Defer Which Was CARRIED)**

Moved by Councillor Schmolka

Seconded by Councillor MacLeod-Kane

**THAT** consideration of Clause (3) of Report No. 104 of the Chief Administrative Officer (Recommend) be deferred to the November 3, 2009, Council meeting.

**CARRIED**

**REPORTS (CONTINUED)**

**Report No. 104 of the Chief Administrative Officer (Recommend)**

Councillor Hector returned to the meeting.

Moved by Councillor Smith

Seconded by Councillor Schmolka

**(4) 11 Queen Street Demolition and Declaration of Surplus**

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Council consented to the separation of Paragraphs 1 and 2 of Clause (4).

**THAT** Council direct staff to demolish the former police headquarters building at 11 Queen Street, prepare the site for use as a construction staging area during the lower Princess Street road reconstruction and approve a capital budget amendment of \$1.2 million to cover the cost of the above work, to be funded from debt financing, and repaid from the Municipal Capital Reserve Fund;

**CARRIED (10:3)**  
**(See Recorded Vote No. 1)**

- and further -

**THAT** Council give two readings to the by-law attached as Exhibit B, and authorize and direct the City Clerk, in accordance with the City of Kingston Notice By-Law No. 2003-15 as amended, to give notice of Council's intention to declare surplus to municipal need.

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

(The Report of the Commissioner of Corporate Services (09-315) was attached as Schedule Pages 47-54)  
(File No. CSU-D25-000-2009)  
**(See By-Law No. (1), 2009-152)**

1. A Recorded Vote was requested by Councillor Gerretsen

YEAS: Councillor Foster, Councillor Gerretsen, Councillor Glover, Councillor Hector, Councillor Hutchison, Councillor MacLeod-Kane, Councillor Osanic, Mayor Rosen, Councillor Schmolka, Councillor Smith (10)

NAYS: Councillor Garrison, Deputy Mayor Matheson, Councillor Meers (3)

2. A Recorded Vote was requested by Councillor Garrison

YEAS: Councillor Foster, Councillor Gerretsen, Councillor Hector, Councillor Hutchison, Mayor Rosen, Councillor Smith (6)

NAYS: Councillor Garrison, Councillor Glover, Councillor MacLeod-Kane, Deputy Mayor Matheson, Councillor Meers, Councillor Osanic, Councillor Schmolka (7)

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**REPORTS (CONTINUED)**

Report No. 105 of the Planning Committee

**Report No. 105**

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.

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October 1, 2009

1. **Public Hearing and Comprehensive Report, Zoning By-Law Amendment - 725 Arlington Park Place, Applicant: Kingston Independent Nylon Workers Union, File No. D14-149-2009**

THAT the Application for Zoning By-Law Amendment (Our File No. D14-149-2009) submitted by Kingston Independent Nylon Workers Union for the property municipally known as 725 Arlington Park Place, **BE APPROVED**.

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

1. That Section 25(3)(v) of the By-Law be deleted in its entirety and replaced with the following:

“(v) M2-22

In addition to the uses permitted in Section 25(1)(b) and notwithstanding the provisions of Section 5(6)(b) of this By-Law to the contrary, the lands zoned M2-22 on Schedule “A” hereto may also be used for a business or professional office, a union hall, a free-standing restaurant, a church, a commercial school, an animal hospital, a clinic, a health club and such uses shall be developed in accordance with the following special provision:

- a. RESTRICTIONS ADJACENT TO FLOOD PLAINS:

No building or structure shall be erected or altered within 60 metres (200 ft.) of a floodplain except with the approval of the local Conservation Authority.”

**AND BE IT FURTHER RESOLVED** that the Amending By-Law be presented to City Council for all three readings.

(Note: A copy of the by-law was attached as Schedule Pages 55-56)

(See By-Law No. (9), 2009-160)

**DEFERRED**

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**Report No. 106 of the Administrative Policies Committee**

**Report No. 106**

To the Mayor and Members of Council:

The Administrative Policies Committee reports and recommends as follows:

All items listed on the Administrative 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.

**REPORTS (CONTINUED)**

**Report No. 106 of the Administrative Policies Committee**

October 8, 2009

1. **Harmonized Discharge of Firearms By-Law**

- a) **THAT** the draft by-law attached as Appendix “A”, “A By-Law to Regulate the Discharge of Firearms”, be approved with the amendment to add clause ‘e’ to Section 5.2 entitled Exempted Activities which will read as follows:

*(e) implementing remedial actions under the Kingston Airport's Wildlife Control Plan to reduce wildlife hazards on airport lands to aircraft and airport operations.*

- and further -

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b) **THAT** a by-law be presented to amend By-Law No. 10, "A By-Law Respecting Streets", of the former City of Kingston by deleting section 65 in its entirety;

- and further -

c) **THAT** by-laws be presented to repeal (1) By-Law No. 69-23, "A By-Law to Prohibit the Discharge of Guns or Other Firearms, Air Guns and Spring Guns within the Limits of that part of the Municipal Corporation of the Township of Kingston South of 401 Highway", of the former Township of Kingston, (2) By-Law No. 92-42, "A By-Law to Amend By-Law 69-23 Regarding Discharge of Guns South of 401 Highway", of the former Township of Kingston, (3) By-Law No. 92-63, "A By-Law to Amend By-Law 69-23 as amended by By-Law 92-42 and to Define Firearm", of the former Township of Kingston, and (4) By-Law No. 94-103, "A By-Law to Amend By-Law 69-23 Regarding Discharge of Firearms South of Highway 401", of the former Township of Kingston;

- and further -

d) **THAT** a by-law be presented to repeal By-Law No. 49-92, "Being a By-Law to Regulate the Discharge of Firearms within the Township of Pittsburgh", of the former Township of Pittsburgh.  
(See **By-Law No. (2), 2009-153, By-Law No. (3), 2009-154, By-Law No. (4), 2009-155, By-Law No. (5), 2009-156, By-Law No. (6), 2009-157, By-Law No. (7), 2009-158, By-Law No. (8), 2009-159**)  
(Note: A copy of Appendix "A" as amended was attached as Schedule Pages 57-62. A copy of the By-Law to amend By-Law No. 10 was attached as Schedule Page 63. A copy of the By-Laws to amend By-Law No. 69-23, By-Law No. 92-42, By-Law No. 92-63, and By-Law No. 94-103 were attached as Schedule Pages 64-67. A copy of the By-Law to repeal By-Law No. 49-92 was attached as Schedule Page 68)

2. **New Administrative Fee for Property Tax Accounts**

**THAT** effective January 1, 2010, a fee of \$25.00 per tax account be implemented for each new assessment roll created and for each time that the tax roll is updated for an ownership change.

**DEFERRED**

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**Report No. 107 of the Kingston Municipal Heritage Committee (LACAC)**

**Report No. 107**

To the Mayor and Members of Council:

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

**REPORTS (CONTINUED)**

**Report No. 107 of the Kingston Municipal Heritage Committee (LACAC)**

All items listed on the Kingston Municipal Heritage 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.

October 5, 2009

Moved by Councillor Glover

Seconded by Councillor Schmolka

1. **Approval of an Application for the Replacement of Stairs and Railings at 135-137-139 Alfred Street**

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THAT Application P18-369-070-2009 for a property located at 135-137-139 Alfred Street requesting approval to replace stairs and railings **BE APPROVED** noting details described within a submission filed July 20, 2009, and deemed complete by the Planning and Development Department July 28, 2009, and with the understanding that either Option A or Option B provided on pages 1 and 2 of the submission within the October 5, 2009, agenda be implemented;

- and further -

THAT a Building Permit is required for deck replacement with post fastening detail to be in accordance with S.B. -7, or that an engineered design be submitted.

CARRIED

2. **Denial of an Application for the Replacement of Four Windows on the Third Floor of the Building at 165 King Street East**

THAT Application P18-186-084-2009 for a property located at 165 King Street East requesting approval for the replacement of four windows on the third floor of the building with details described within a submission filed August 28, 2009, and deemed complete by the Planning and Development Department September 4, 2009, **BE DENIED**;

- and further -

THAT the applicant be invited to submit a new application for the restoration of the existing windows;

- and further -

WHERE Council refuses the application, the owner may, within thirty days after receipt of the notice under Subsection (4) of Section 33 of the Ontario Heritage Act, apply to Council for a hearing before the Conservation Review Board;

- and further -

THAT applications requesting a hearing before the Conservation Review Board may be filed with the office of the Clerk of the City of Kingston, 216 Ontario Street, Kingston, ON K7L 2Z3 within 30 days of the receipt of this notice.

**REPORTS (CONTINUED)**

Report No. 107 of the Kingston Municipal Heritage Committee (LACAC)

3. **Approval of an Application for the Installation of New Windows, and the Painting of Doors and Window Frames at 128 Ontario Street**

THAT Application P18-262-080-2009 for a property located at 128 Ontario Street requesting approval for the installation of new windows on the second and third levels of the Ontario Street façade, the installation of new windows at the back of the building facing King Street, painting of all doors and window frames on the Ontario Street façade, painting of all doors and window frames at the back of the building facing King Street **BE APPROVED** in accordance with details described within a submission filed August 27, 2009, and deemed complete by the Planning and Development Department September 04, 2009, with the understanding that the windows will be two over two on the second and third floors with a spacer bar placed between the glass and a muntin bar placed on the outside and inside of each window;

- and further -

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THAT a preference for colours under consideration noted on page 12 of the submission not include bronze;

- and further -

THAT a photographic record of all windows be made prior to initiation of the works;

- and further -

THAT a renewed application for an encroachment permit for the appropriate time period required to complete the work be obtained by contacting Brad Morton at 613-546-4291 ext. 3147 or via email at [bmorton@cityofkingston.ca](mailto:bmorton@cityofkingston.ca).

4. **Approval of an Application for the Replacement of a Window and Painting of Trim at 132-134-136 Ontario Street**

THAT Application P18-263-093-2009 for a property located at 132-134-136 Ontario Street requesting approval for the replacement of a window and painting of trim **BE APPROVED** in accordance with details described within a submission filed September 18, 2009, and deemed complete by the Planning and Development Department September 22, 2009, and that the approval be subject to a site visit to view windows at 136 Ontario Street;

- and further -

THAT a renewed application for an encroachment permit for the appropriate time period required to complete the work be obtained by contacting Brad Morton at 613-546-4291 ext. 3147 or via email at [bmorton@cityofkingston.ca](mailto:bmorton@cityofkingston.ca).

5. **Approval of an Application for the Replacement and Refurbishment of Front Porch and Minor Repairs to the Platform at 151 Earl Street**

THAT Application P18-633-089-2009 for a property located at 151 Earl Street also known as the Vosper House requesting approval for repair and replacement of front porch (railings, balusters, newel posts) and minor repairs and painting of the platform that is located only on 151 Earl Street and which are not shared with 149 Earl Street **BE APPROVED** in accordance with details described within a submission filed September 09, 2009 and deemed complete by the Cultural Services Department September 16, 2009 with the understanding that the work will complement the porch at 149 Earl Street and will follow the original proportions.

## REPORTS (CONTINUED)

Report No. 107 of the Kingston Municipal Heritage Committee (LACAC)

6. **Approval of an Application for the Installation of a Wood Window Unit within the Existing Frame at 16 Market Street also known as 37 Clarence Street**

THAT Application P18-252-096-2009 for a property located at 16 Market Street also known as 37 Clarence Street requesting approval for the installation of a wood window unit within the existing frame **BE APPROVED** in accordance with details described within a submission filed September 14, 2009, and deemed complete by the Cultural Services Department September 22, 2009;

- and further -

THAT a submission for a temporary encroachment permit for the alteration encroaching in the public right-of-way (i.e. scaffolding, dumpsters) be made by contacting Brad Morton at 613-546-4291 ext. 3147 or via email at [bmorton@cityofkingston.ca](mailto:bmorton@cityofkingston.ca).



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7. **Approval of an Application for the Replacement of 3 Vinyl Windows with Wooden Metal Clad Windows within Existing Window Openings at 404 Regent Street**

THAT Application P18-434-094-2009 for a property located 404 Regent Street requesting approval for the replacement of 3 vinyl windows with wooden metal clad windows within existing window openings **BE APPROVED** in accordance with details described within a submission filed September 17, 2009, and deemed complete by the Cultural Services Department September 22, 2009 with the understanding that interior and exterior applied muntins will be applied for either option;

- and further -

THAT a submission for a temporary encroachment permit for the alteration encroaching in the public right-of-way (i.e. scaffolding, dumpsters) be made by contacting Brad Morton at 613-546-4291 ext. 3147 or via email at [bmorton@cityofkingston.ca](mailto:bmorton@cityofkingston.ca).

8. **Approval of an Application for the Replacement of the Roof, Repointing of Chimneys and Relocation of Interior Attic/Roof Access at 297 King Street East**

THAT Application P18-214-095-2009 for a property located 297 King Street East also known as the Bank of Montreal requesting approval for the replacement of the roof, repointing of chimneys and relocation of interior attic/roof access **BE APPROVED** in accordance with details described within a submission filed September 18, 2009, and deemed complete by the Cultural Services Department September 22, 2009, subject to the application of copper for the flashing;

- and further -

THAT a submission for a temporary encroachment permit for the alteration encroaching in the public right-of-way (i.e. scaffolding, dumpsters) be made by contacting Brad Morton at 613-546-4291 ext. 3147 or via email at [bmorton@cityofkingston.ca](mailto:bmorton@cityofkingston.ca).

9. **Approval of an Application for an Addition at the Rear of an Existing Rear Wing at 110 Rideau Street**

THAT Application P18-351-097-2009 for a property located 110 Rideau Street requesting approval for an addition at the rear of an existing rear wing **BE APPROVED** in accordance with details described within a submission filed September 18, 2009, and deemed complete by the Cultural Services Department September 22, 2009;

- and further -

## REPORTS (CONTINUED)

### Report No. 107 of the Kingston Municipal Heritage Committee (LACAC)

THAT as the property is subject to an Ontario Heritage Act easement held by the Frontenac Heritage Foundation, that prior to the issuance of any permit under the Ontario Building Code, the applicant provide the Planning and Development Department with correspondence from the Frontenac Heritage Foundation indicating their approval of the proposed works and outlining any relevant conditions;

- and further -

THAT the applicant is to confirm Clear Title to Part 4 of Registered Plan 13R-5348 as it would seem that Part 4 may have been provided right-of-way access to the rear of 112 Rideau Street;

- and further -

THAT it be understood that the slab on grade foundation will leave archaeological resources undisturbed.

10. **Approval of an Application for the Removal of a Garage at 390 King Street West**

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THAT Application P18-714-090-2009 for a property located at 390 King Street West also known as the former Stella Buck Building requesting approval for the removal of a garage (a non-character defining element) **BE APPROVED** upon Site Plan approval in accordance with details described within a submission filed September 18, 2009, and deemed complete by the Cultural Services Department September 22, 2009;

- and further -

THAT the following conditions identified within the Heritage Impact Statement be carried out:

- the building be photographed prior to demolition
- demolition be monitored in case there is any sign of an earlier structure encased within it
- if there is to be work which extends below grade, that the necessary archaeological review and monitoring be undertaken.

11. **Approval of an Application for the Addition of two Peaked Dormers on the King Street Side and the Addition of a Second Level over the Brick Addition at the Rear of the Stone Building with a Third Level Gabled Dormer at 218 King Street East**

THAT Application P18-196-085-2009 for a property located at 218 King Street East requesting approval regarding the addition of two peaked dormers on the King Street side and the addition of a second level over the brick addition at the rear of the stone building with a third level gabled dormer **BE APPROVED** in accordance with details described within a submission filed August 28, 2009, and deemed complete by the Cultural Services Department September 22, 2009;

- and further -

THAT the Engineering Department have confirmed that parking will not be permitted on the boulevard in accordance with By-Law No. 10, 'A By-Law Respecting Streets', and that it be noted that there are currently two spaces available for parking with the garage, and additions and alterations to the building may require additional parking which can be confirmed with the Planning Department.

**DEFERRED**

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**REPORTS (CONTINUED)**

Report No. 108 of the Municipal Accessibility Advisory Committee

**Report No. 108**

To the Mayor and Members of Council:

The Municipal Accessibility Advisory Committee reports and recommends as follows:

October 1, 2009

1. **Accessibility Retrofit for the Grand Theatre**

THAT the communications strategy for the Grand Theatre Accessibility Project, as attached, be approved.

(Note: A copy of the communications strategy was attached as Schedule Page 69)

**DEFERRED**

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Report No. 109 of the Environment, Infrastructure and Transportation Committee

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Moved by Councillor Foster  
Seconded by Councillor Glover

**THAT** Report No. 109 of the Environment, Infrastructure and Transportation Committee be received and adopted.

**Report No. 109**

To the Mayor and Members of Council:

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

October 13, 2009

1. **Natural Gas Procurement**

**THAT** Council adopt the Statement of Policy and Goals included in Exhibit A for use by Utilities Kingston in managing the natural gas procurement program.

(Note: A copy of Exhibit A was attached as Schedule Page 70)

**CARRIED**

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**INFORMATION REPORTS**

(1) **Council Priorities Status Matrix – Third Quarter Update**

This third quarter update is provided to Council as a report card on progress of Council's established priorities, specific initiatives, major projects and assignments from Council committees.

(The Report of the Chief Administrative Officer (09-262) was attached as Schedule Pages 71-79)

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

**DEFERRED**

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**MISCELLANEOUS BUSINESS**

(1) **THAT**, at the request of the Salvation Army, Council proclaim November 20 to December 24, 2009, as "Salvation Army Month" in the City of Kingston.

(See Communication No. 20-483)

(Distributed to all Members of Council on October 9, 2009)

**DEFERRED**

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

**THAT**, at the request of Hemophilia Ontario, Council proclaim October 27, 2009, as "Commemorative Day of the Canadian Tainted Blood Tragedy" in the City of Kingston.

(See Communication No. 20-484)

(Distributed to all Members of Council on October 9, 2009)

**CARRIED**

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**MOTIONS**

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

**WHEREAS** the District system is the preferred choice of this and previous Councils' since amalgamation, representing the desires for governance of the majority of Citizens in Kingston; and,

**WHEREAS** it has been 10 years since amalgamation and Kingston has experienced growth and population redistribution; and,

**WHEREAS** currently there is not a process in place to review Kingston's electoral District system nor the current boundaries; and,

**WHEREAS** each District should be divided as closely as possible by population numbers, so that citizens are fairly represented;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk report back with a process to review Kingston's current District boundaries and population distribution within each, with a suggested timeline for review, that allows for public input and adequate Council deliberation; and,

**BE IT FURTHER RESOLVED THAT** this review process be brought back to Council for consideration by February 2010, for a target date for review by within the 2<sup>nd</sup> year of office of the next Council, so that any new District format would be in place by 2014.

**DEFERRED**

Moved by Councillor Garrison  
Seconded by Councillor Meers

**THAT** Motion No. (3) be amended to add the following:

- and further -

**THAT** as part of this process, the Clerk take into account such factors as, but not limited to, the following:

1. The importance of established neighbourhoods and communities, socio-demographic factors, geographic boundaries, natural barriers and identifiable growth areas;

**MOTIONS (CONTINUED)**

2. The under-representation of certain demographic groups (e.g. students, renters) in the current census data and the need to obtain population data from other sources such as, but not limited to, the Kingston Community Profile;

**LOST (4:5)**

3. The need for input from independent experts with experience in issues pertaining to establishing electoral boundaries;

**LOST**

- and further -

**THAT** as part of this process, the Clerk be authorized to consider the possibility of increasing the number of electoral districts.

**LOST (3:6)**

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

**WHEREAS** communities across Ontario are concerned with the Accommodation Review Committee process and the impact this flawed process has on the socio-economic fabric of our municipalities; and,

**WHEREAS** many schools are the hubs of their communities, a better accommodation review system is needed to address the educational facility needs of our residents; and,

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**WHEREAS** a system to address the educational facility needs in Ontario must ensure that school boards and municipal councils partner on decisions regarding education infrastructure; and,

**WHEREAS** greater accountability for school board decisions is needed; and,

**WHEREAS** a thorough review of the governance model for school accommodation decisions must include an opportunity to appeal these decisions; and,

**WHEREAS** the accommodation review process should respect and value the input of students, parents, the community and municipality;

**NOW THEREFORE BE IT RESOLVED THAT** the Province of Ontario be petitioned to implement a "smart moratorium" on disputed school closings to provide the opportunity for the Ministry of Education, school boards and municipalities to work together to develop policies addressing such issues as planning for declining enrolments, a mutually agreed upon Accommodation Review Committee process, a review of funding to rural and small community schools, and transparency and accountability between municipalities and school boards;

**AND BE IT FURTHER RESOLVED THAT** a copy of this resolution be sent to The Honourable Kathleen Wynne, Minister of Education, Mowat Block, 900 Bay Street, Toronto, Ontario M7A 1L2, Canada and to the Community Schools Alliance, 399 Ridout Street N, London, Ontario, N6A 2P1, [reycraft@mdlsx.ca](mailto:reycraft@mdlsx.ca)

**DEFERRED**

- (3) Moved by Councillor Garrison  
Seconded by Councillor Osanic

**THAT** the following motion, considered at the July 14<sup>th</sup>/15<sup>th</sup>, 2009 Council be reconsidered:

*"THAT a by-law be presented to amend By-Law 2006-122 being "A By-Law to Provide for the Regulation of Water Supply for the City of Kingston" to allow for the use of children's water sprinklers/toys during the period June 15 to September 15 for the sole purpose of allowing children to play and remain cool during the summer, it being understood that children must be present when these toys are in use, and the devices are not to be used as a means to circumvent the watering by-law; and*

**MOTIONS (CONTINUED)**

*THAT staff report back regarding enforcement at the August 4<sup>th</sup>, 2009 Council meeting, prior to Third Reading."*

**DEFERRED**

- (4) Moved by Councillor MacLeod-Kane  
Seconded by Councillor Osanic

**WHEREAS** Council has asked the Arts, Recreation and Community Policies Committee to review the Fire & Rescue Action Plan 2010-2015; and,

**WHEREAS** a Maclean's magazine report on cities, July 27, 2009, gives Kingston's fire services a "D" rating for effectiveness, judged by monetary losses per fire, and ranks costs to taxpayers per dwelling at \$394, significantly higher than, for example, top ranking Quebec City of \$198 per dwelling and Saskatoon at \$295 per dwelling;

**NOW THEREFORE BE IT RESOLVED THAT** Council asks the Arts, Recreation and Community Policies Committee to include in its report to Council on the Fire & Rescue Action Plan any recommendations it deems appropriate with respect to the effectiveness and costs of fire services in Kingston.

**DEFERRED**

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

**WHEREAS** the City's lease on the British Whig is coming to an end in the near future; and,

**WHEREAS** Kingston Utilities has indicated the need to expand their building on John Counter Boulevard; and,

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**WHEREAS** the current economic situation should encourage Council to practice fiscal restraint;

**THEREFORE BE IT RESOLVED THAT** City staff make all preparations necessary to have the Midland Ave Building ready for occupancy, as a minimum, for the following staff, Planning, Engineering, and Buildings and Licensing Departments and a payment centre no later than February 2010; and,

**BE IT FURTHER RESOLVED THAT** Kingston Utilities report to Council on the probable impact of their office space requirements over the next ten years, including the need to expand the building, if the Planning, Engineering, and Building and Licensing Departments vacate their current space, no later than the first Council meeting in September 2009.

(See Clause (4), Report No. 90, which was approved and in part resulted in Council re-endorsing 1211 John Counter Blvd. as the administrative hub and including 1425 Midland Ave. as part of a parcel of land to be assembled for employment lands)

**DEFERRED**

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

**WHEREAS** the Hay Group was hired to undertake an independent, objective review of the management and operations of Rideaucrest Home in 2006; and,

**WHEREAS** Council received the report of the Hay Group on April 17, 2007, with the understanding that the report recommendations would serve as the basis for developing and implementing a multi-year action plan to improve the overall effectiveness of management and efficiency of operations in the Home; and,

**WHEREAS** on October 6, 2009, the Commissioner of Community Development Services will be providing Council with a comprehensive update report on the progress made to date on implementing the action plan; and,

**WHEREAS** it is timely and prudent to receive an independent assessment of the progress being made to improve the management and operations of the Home;

**MOTIONS (CONTINUED)**

**THEREFORE BE IT RESOLVED THAT** the CAO be directed to commission an independent review of the progress to date on addressing the recommendations of the 2007 Hay Group Report;

- and further -

**THAT** a report from the independent firm detailing its findings be submitted to Council no later than January 31, 2010.

**DEFERRED**

- (7) Moved by Councillor Hutchison  
Seconded by Councillor Garrison

**WHEREAS** Ontario's 2009 budget has proposed to harmonize sales taxes, the implementation of which will apply to electricity rates starting July 1, 2010, having the effect of increasing electricity rates by 8% across the Province; and,

**WHEREAS** this increase in taxation on electricity bills will provide undue hardship to the residents and businesses of Ontario, particularly middle and low income families who are being hard pressed during the current economic recession due to reduced incomes and job losses and small businesses that are struggling to stay financially viable;

**THEREFORE BE IT RESOLVED THAT** the Province of Ontario be requested to exempt electricity sales from the provincial portion of the single harmonized sales tax;

- and further -

**THAT** this resolution be forwarded to all Ontario municipalities with a population over 50,000 for their support;

- and further -

**THAT** this Resolution be forwarded to the Premier, Deputy Premier/Minister of Energy and Infrastructure, Minister of Finance, Minister of Municipal Affairs and Housing, and the AMO.

**DEFERRED**

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- (8) Moved by Councillor Gerretsen  
Seconded by Councillor Foster

**WHEREAS** SWITCH is a local not-for-profit organization committed to the concepts of diverting from fossil fuel usage in the production of energy to energies based on the concept of renewable resources; and,

**WHEREAS** SWITCH is a large contributor to making Kingston a centre for renewable energy; and,

**WHEREAS** SWITCH current receives its funding from membership fees, the Ontario Trillium Foundation (which expires this year, 2009) and periodic short term grants from the federal government; and,

**WHEREAS** Kingston City Council was recently in receipt of a request made by SWITCH to partner in their 1000 Solar Rooftops Challenge;

**THEREFORE BE IT RESOLVED THAT** Kingston City Council acknowledge receipt of the letter from SWITCH dated September 14, 2009;

- and further -

**THAT** The City of Kingston Commit to the following:

- 1. That the City of Kingston (The City) officially sanction the Kingston 1000 Solar Rooftops Challenge (The Challenge) and allow the use of its name and logo as a partner in the promotion of 1000 Solar Rooftops (subject to the requirements outlined in the City's policy on the usage of its logo);
- 2. That The City donate a regular block of space in The City announcements sections that appears in newspapers, as well as on its website, in order for The Challenge to encourage participation, post a graphic on the progress of The Challenge, and tell residents how they can get help, information, or register their rooftop for this challenge (it being understood that all communication content would be subject to the final approval of The City's Communication Department);

**MOTIONS (CONTINUED)**

- 3. That The City's Communication Department help with the promotion of The Challenge, as their time permits;
- 4. That The City financially supports this important initiative by becoming a member of SWITCH at an annual membership fee of \$1000.00 to be paid for from the Working Fund Reserve this year (2009) and built into the operating budget in future years (which would be subject to budget approval).

**CARRIED**

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**NOTICES OF MOTION**

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**REPORTS (CONTINUED)**

Report No. 101 of the Committee Of The Whole

**Report No. 101**

To the Mayor and Members of Council:

The Committee of the Whole reports and recommends as follows:

- 1. 2010 Operating Budget Direction

September 29, 2009

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THAT staff be directed to prepare the 2010 City of Kingston Operating Budget for consideration by Council, which reflects a 3.5% tax rate increase.

DEFERRED

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MINUTES

THAT the Minutes of City Council Meeting No. 17-2009, held Tuesday, September 1, 2009, and Meeting No. 18-2009, held Tuesday, September 15, 2009, be confirmed.

DEFERRED

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TABLING OF DOCUMENTS

2009-74      Cataraqui Region Conservation Authority  
Agenda – Cataraqui Source Protection Committee – October 8, 2009  
(File No. CSU-D03-000-2009)

2009-75      Kingston Frontenac Public Library Board  
Minutes – Regular Meeting #2009-06 – June 24, 2009  
(File No. CSU-R02-000-2009)

TABLING OF DOCUMENTS (CONTINUED)

2009-76      Cataraqui Region Conservation Authority  
Minutes – Full Authority Meeting – September 23, 2009  
(File No. CSU-D03-000-2009)

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COMMUNICATIONS

Council consented to the addition of Communications 20-487 through 20-552, attached to the addeds.

Filed

20-477      From the Association of Municipalities of Ontario (AMO), advising that the Ontario government hosted three information sessions to provide a general overview of two recently announced federal and provincial broadband infrastructure programs.  
(File No. CSU-A03-000-2009)  
**(Digitally distributed to all Members of Council on September 22, 2009)**

20-478      From the Association of Municipalities of Ontario (AMO), providing information regarding the Ontario government's release of the initial proposed Accessible Built Environment Standard under the Accessibility for Ontarians with Disabilities Act and encouraging municipalities to respond to the review.  
(File No. CSU-S14-000-2009)  
**(Digitally distributed to all Members of Council on September 28, 2009)**



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- 20-479 From the Association of Municipalities of Ontario (AMO), advising that the Government of Canada is now accepting applications under the Southern Ontario Development Program (SODP), which was established to promote economic development, economic diversification, job creation and sustainable communities in Southern Ontario.  
(File No. CSU-D25-000-2009)  
**(Digitally distributed to all Members of Council on October 6, 2009)**
- 20-480 From the Ontario Good Roads Association, providing information regarding nominations to the 2010-2011 Board of Directors.  
(File No. CSU-C12-000-2009)  
**(Digitally distributed to all Members of Council on October 5, 2009)**
- 20-481 From Don Hale, expressing his concerns regarding the vines growing on Queen's buildings.  
(File No. CSU-E04-000-2009)
- 20-485 From Kingston WritersFest, thanking Council for endorsing the City of Kingston Arts Fund grant which they recently received.  
(File No. CSU-M04-000-2009)

## COMMUNICATIONS (CONTINUED)

### Referred to All Members of Council

- 20-483 From the Salvation Army, asking that Council proclaim November 20 to December 24, 2009, as "Salvation Army Month" in the City of Kingston.  
(File No. CSU-M10-000-2009)  
**(See Miscellaneous Business Item No. 1)**  
**(Distributed to all Members of Council on October 9, 2009)**
- 20-484 From Hemophilia Ontario, asking that Council proclaim October 27, 2009, as "Commemorative Day of the Canadian Tainted Blood Tragedy" in the City of Kingston.  
(File No. CSU-M10-000-2009)  
**(See Miscellaneous Business Item No. 2)**  
**(Distributed to all Members of Council on October 9, 2009)**

Letters and/or emails were received from the following parties, expressing their opinions regarding the social housing project proposed for Barriefield Village on the former DND land:

- 20-487 Michael and Claudia Rosebery  
20-488 Nadia Patience  
20-489 Steve Page  
20-490 Joanne Page  
20-491 Lynn Byrne  
20-492 Jane Flood  
20-493 George Lovell  
20-494 Jackie Davis  
20-495 Maureen Garvie

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20-496 Arnold Gaudet  
20-497 Laurie and Andre Labrie  
20-498 Melia Holder and David Gay  
20-499 Elaine and Hamish Taylor  
20-500 Gisele Beaulieu and George Mainguy  
20-501 Joan Axelrad  
20-502 Thomas Rivoire  
20-503 Megan Willoughby and Chris Macrae  
20-504 John Reid  
20-505 Richard Tryon  
20-506 Maureen Farr-Eagan  
20-507 Kathy Burke and Takis Peponoulas  
20-508 Karl-Heinz O'Higgins  
20-509 Cathleen Crudden  
20-510 Liz and Ralph Westgarth  
20-511 Alicia Gordon  
20-512 Janice Couch and Craig Sim  
20-513 Barry Gordon  
20-514 J.R. McDougall  
20-515 Michael Harris  
20-516 Sean Conboy and Bonnie Thompson  
20-517 Joe and Shirley Stertz

**COMMUNICATIONS (CONTINUED)**

20-518 Helga and John Grodzinski  
20-519 Marc Claege and Dennis LaRocque  
20-520 Graham Mutch and Fran O'Heare  
20-521 Stephen Burnett and Helene Lavoie  
20-522 Julia du Prey  
20-523 Daryl Bell  
20-524 Pierre du Prey  
20-525 Paul and Kathryn Jennings  
20-526 Wanda Adams Lazure  
20-527 Barb Carr and David Craig  
20-528 Barbara Langmuir  
20-529 Maureen and Fraser Saunders  
20-531 V.E. Hayes  
20-532 John Fisher and Eva Toth  
20-533 Robert H. Crandall  
20-534 Alex and Pat Wakeling  
20-535 Edi Alvarez  
20-536 Elisa Paloschi  
20-537 Frank Wilcox  
20-538 Drew and Colleen Webster  
20-539 Robert and Elizabeth Cardwell  
20-540 B. and B. Bowen  
20-541 R.C. Davies  
20-542 Ben Darrah and Veronica Desjardins  
20-543 Ian Corbin  
20-544 Cindy Price  
20-545 Simon and Shillane Labbett  
20-546 Richard Voss

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- 20-547 Donna Campbell
  - 20-548 David Bakhurst and Christine Sypnowich
  - 20-549 Denise and Malcolm Williams
  - 20-550 Betsy Donald
  - 20-551 Joyce Waddell-Townsend
  - 20-552 Cindy Cameron
- (File No. CSU-S18-000-2009)

- 20-530 From D.H. (Dave) Swerdfeger, President of the Frontenac-Kingston Council on Aging, providing comments on the staff report on Rideaucrest Home for the Aged.  
(File No. CSU-S02-000-2009)  
(Attached as Schedule Pages 105-112)

**Referred to City Clerk**

- 20-482 From the Ontario Federation of Labour (OFL), asking that Council proclaim November 6, 2009, as "Community Social Service Workers Appreciation Day" in the City of Kingston.  
(File No. CSU-M10-000-2009)  
(Distributed to all Members of Council on October 9, 2009)

**COMMUNICATIONS (CONTINUED)**

- 20-486 From Mr. Geoff Priems, Group Commissioner, Kingston Centre, Loyalist Area, Scouts Canada, asking that Council proclaim the week of February 21 to 28, 2010, as "Guide-Scout Week" in the City of Kingston.  
(File No. CSU-M10-000-2009)  
(Distributed to all Members of Council on October 16, 2009)

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**BY-LAWS**

Council consented to the addition of By-Law (12) for three readings, the withdrawal of By-Law (1), and the deferral of By-Laws (2) through (9).

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

**THAT** By-Laws (10) through (12) be given their first and second reading.

**CARRIED**

- (B) Moved by Councillor Schmolka  
Seconded by Councillor Gerretsen

**THAT** By-Laws (10) through (12) be given their third reading.

**CARRIED**

- (1) A By-Law To Declare Surplus To Municipal Need The Property Known As The Former Police Headquarters And Located At 11 Queen Street  
FIRST AND SECOND READINGS  
(See Clause (4), Report No. 104)

PROPOSED NO. 2009-152

**WITHDRAWN**

- (2) A By-Law To Regulate The Discharge Of Firearms

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FIRST AND SECOND READINGS  
(See Clause (1), Report No. 106)

PROPOSED NO. 2009-153

DEFERRED

- (3) A By-Law To Amend By-Law No. 10, "A By-Law Respecting Streets" (delete section 65)  
FIRST AND SECOND READINGS  
(See Clause (1), Report No. 106)

PROPOSED NO. 2009-154

DEFERRED

- (4) A By-Law To Repeal By-Law No. 69-23, "A By-Law To Prohibit The Discharge Of Guns Or Other Firearms, Air Guns And Spring Guns Within The Limits Of That Part Of The Municipal Corporation Of The Township Of Kingston South Of 401 Highway"  
FIRST AND SECOND READINGS  
(See Clause (1), Report No. 106)

PROPOSED NO. 2009-155

DEFERRED

**BY-LAWS (CONTINUED)**

- (5) A By-Law To Repeal By-Law No. 92-42, "A By-Law To Amend By-Law 69-23 Regarding Discharge Of Guns South Of 401 Highway"  
FIRST AND SECOND READINGS  
(See Clause (1), Report No. 106)

PROPOSED NO. 2009-156

DEFERRED

- (6) A By-Law To Repeal By-Law No. 92-63, "A By-Law To Amend By-Law 69-23 As Amended By By-Law 92-42 And To Define Firearm"  
FIRST AND SECOND READINGS  
(See Clause (1), Report No. 106)

PROPOSED NO. 2009-157

DEFERRED

- (7) A By-Law to Repeal By-Law No. 94-103, "A By-Law To Amend By-Law 69-23 Regarding Discharge Of Firearms South Of Highway 401"  
FIRST AND SECOND READINGS  
(See Clause (1), Report No. 106)

PROPOSED NO. 2009-158

DEFERRED

- (8) A By-Law To Repeal By-Law No. 49-92, "Being A By-Law To Regulate The Discharge Of Firearms Within The Township Of Pittsburgh"  
FIRST AND SECOND READINGS  
(See Clause (1), Report No. 106)

PROPOSED NO. 2009-159

DEFERRED

- (9) A By-Law To Amend Zoning By-Law No. 76-26, "A By-Law To Regulate The Use Of Lands And The Character, Location And Use Of Buildings And Structures In The Township Of Kingston" (Modify Site Specific Zoning – 'M2-22, 725 Arlington Park Place)

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THREE READINGS  
(See Clause (1), Report No. 105)

PROPOSED NO. 2009-160

DEFERRED

(10) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, October 20, 2009  
THREE READINGS  
(City Council Meeting No. 20-2009)

PROPOSED NO. 2009-161

(11) A By-Law To Provide For The Prohibition And Regulations Of Signs And Other Advertising Devices In The City Of  
Kingston  
THIRD READING  
(See Clause (1), Report No. 91)

PROPOSED NO. 2009-140

**BY-LAWS (CONTINUED)**

(12) A By-Law To Amend By-Law No. 76-26, "A By-Law To Regulate The Use Of Lands And The Character, Location And  
Use Of Buildings And Structures In The Township Of Kingston" To Remove The '-H' Holding Symbol Related To The  
'R2-28-H' Zone (Midland Park Phase 3 Subdivision)  
THREE READINGS  
(Delegated Authority)

PROPOSED NO. 2009-162

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**ADJOURNMENT**

Moved by Councillor Glover  
Seconded by Councillor Gerretsen

THAT Council do now adjourn.

CARRIED

Council adjourned at 11:20 pm.

(Signed)

Carolyn Downs  
City Clerk

Harvey Rosen  
Mayor