



CITY COUNCIL MEETING NO. 2011-18

The Regular Meeting of Kingston City Council was held on Tuesday, September 6, 2011, and was called to order at 7:00 pm in the Council Chamber, City Hall. Regular business commenced at 7:43 pm. His Worship Mayor Mark Gerretsen presided.

There was a "Closed Meeting" of the Committee of the Whole from 7:05 pm to 7:30 pm in the Councillors' Lounge.

(Council Chamber)

ROLL CALL

Present: Mayor Gerretsen, Councillor Berg, Councillor Downes, Councillor George, Councillor Glover, Councillor Hector, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (13)

Absent: (0)

(Councillors' Lounge)

Administrative Staff Present:

Mr. K. Arjoon, Deputy City Clerk
Ms. C. Beach, Commissioner, Sustainability and Growth
Mr. J. Bolognone, City Clerk
Mr. G. Hunt, Chief Administrative Officer
Ms. L. Hurdle, Commissioner, Community Services
Mr. H. Linscott, Director, Legal Services

COMMITTEE OF THE WHOLE "CLOSED MEETING"

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

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

- (a) A proposed or pending acquisition or disposition of land by the municipality or local board – Taylor Kidd Boulevard

CARRIED

(Council Chamber)

Administrative Staff Present:

Mr. K. Arjoon, Deputy City Clerk
Ms. C. Beach, Commissioner, Sustainability and Growth
Mr. J. Bolognone, City Clerk
Mr. J. DaCosta, Manager, Transit
Ms. D. Green, Manager, Traffic Division
Mr. J. Hale, Driver Labourer (President CUPE)
Mr. G. Hunt, Chief Administrative Officer
Ms. L. Hurdle, Commissioner, Community Services
Mr. J. Keech, President and CEO, Utilities Kingston
Ms. S. Kidd, Director, Transportation Services
Mr. D. Leger, Commissioner, Transportation, Properties and Emergency Services
Mr. H. Linscott, Director, Legal Services
Mr. M. Van Buren, Director, Engineering

REPORT OF THE COMMITTEE OF THE WHOLE “CLOSED MEETING”

(2) Moved by Councillor Schell
Seconded by Councillor George

THAT Council rise from the Committee of the Whole “Closed Meeting” without reporting.

CARRIED

APPROVAL OF ADDEDS

Moved by Councillor Downes
Seconded by Councillor Neill

THAT the addeds, with the exception of the inclusion of the recommendation for Clause (1) of Report No. 88 of the Chief Administrative Officer (Recommend), be approved.

CARRIED

**(A 2/3 Vote of Council was Received)
(See Page No.'s 452 – 453)**

Council consented to take a separate vote on the addition of the recommendation for Clause (1) of Report No. 88 to the agenda

LOST

**(A 2/3 Vote of Council was Not Received)
(See Page No.'s 452 – 453)**

DISCLOSURE OF PECUNIARY INTEREST

Councillor Hector declared a possible pecuniary interest in the matter of Clause 2, Report No. 89, as she has a contract with Hughes Downey Architects.

PRESENTATIONS

- (1) Mayor Gerretsen was to present a Certificate of Commendation, awarded by His Excellency the Right Honourable David Johnston, Governor General of Canada, to Mr. Behnia Haghiri, in recognition of his actions in the apprehension of a woman who was armed with a sword in Milton on December 2, 2007; however Mr. Haghiri was not able to attend.

DELEGATIONS

- (1) Katharine Ham and Marilyn Ottenhof replaced Irene Watt and spoke to Council regarding the motion of Councillor Neill and Mayor Gerretsen regarding the possibility of changing City of Kingston policies to recognize 60 as the age for seniors.
- (2) Ken Linseman spoke to Council regarding the LaSalle Causeway Traffic Operations Study.
- (3) Patricia Streich distributed a presentation regarding the revised terms of reference and membership for the Affordable Housing Committee.

Moved by Councillor Downes
Seconded by Councillor Schell

THAT Council waive the rules of By-Law No. 2010-1, "Council Procedural By-Law", in order to allow Patricia Streich to speak to Council regarding Clause 1, Report No. 88, Affordable Housing Incentives Strategy.

**LOST
(A 2/3 Vote of Council Was Not Received)
(See Page No.'s 452 – 453)**

BRIEFINGS

PETITIONS

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

Council consented to the **addition** of the Motions of Condolences (2), (3) and (4):

Motions of Congratulations

- (1) Moved by Mayor Gerretsen
Seconded by Deputy Mayor George

THAT the congratulations and appreciation of Kingston City Council be extended to Mr. Terry Wright, for his long-term contributions of time, energy and dedication in coordinating numerous local sporting events that benefitted local children's charities, such as the Kingston Children's Cancer Fund, Autism Ontario – Kingston, and the Kingston Foundation for Autism Spectrum Disorders. In addition to these charitable endeavours, Mr. Wright helped to organize and coordinate "old-timers" hockey leagues to be enjoyed by numerous players over many years. Kingston City Council thanks Mr. Wright for his continuous years of community service and for his sincere and caring spirit.

Motions of Condolence

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

THAT the sincere condolences of Kingston City Council be extended to the family of the late Velma Izelda Davison, who passed away on August 19, 2011, at the age of 91. Mrs. Davison is the mother of Dianne Davison, Labour Relations Officer, Human Resources and Organization Development, the mother-in-law of Susan Davison, Clerk, Community and Family Services, and the mother of Gary Davison, Mayor of South Frontenac.

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

THAT the sincere condolences of Kingston City Council be extended to the family of the late Joyce Evelyn Davis, who passed away on September 2, 2011, at the age of 89. Mrs. Davis is the mother of Joe Davis, Project Manager, Sustainability and Growth.

- (3) Moved by Councillor Neill
Seconded by Councillor Hutchison

THAT the sincere condolences of Kingston City Council be extended to the family of Jack Layton. Mr. Layton was a devoted and popular public servant, who worked tirelessly as a municipal councillor, President of the Federation of Canadian Municipalities (FCM), Leader of the Federal New Democratic Party (NDP), and for a far too brief period, the official Leader of the Opposition.

**MOTIONS OF CONGRATULATIONS, RECOGNITION, SYMPATHY,
CONDOLENCES AND SPEEDY RECOVERY (CONTINUED)**

- (4) Moved by Mayor Gerretsen
Seconded by Deputy Mayor George

THAT the sincere condolences of Kingston City Council be extended to the family and friends of Edgar Benson, who passed away on Friday September 2, 2011. Mr. Benson was the Member of Parliament for Kingston and the Islands from 1962 to 1972. Mr. Benson served our community and our country as Minister of National Revenue and President of the Treasury Board under Prime Minister Lester Pearson. He would later serve as Minister of Finance and Minister of National Defence under Prime Minister Pierre Trudeau. Mr. Benson was also appointed the Canadian Ambassador to Ireland from 1982 to 1985. A graduate of Queen's University and a World War II veteran, Edgar Benson was well respected and admired by many, in Kingston, on Parliament Hill and across Canada. Although Mr. Benson lived the last years of his life in Ottawa, he leaves behind a great number of family, friends and colleagues in Kingston. We thank Edgar Benson for a lifetime of commitment to public service; in the Kingston community, on the battlefields of Europe in defence of our country and in our House of Parliament.

CARRIED

DEFERRED MOTIONS

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

WHEREAS in 2007 a Motion was passed to earmark \$5 million for affordable housing to match the Provincial DOORS funding; and,

WHEREAS a Council Motion was passed on February 15, 2011, (City Council Meeting No. 2011-06) to defer the budgeting of \$5M for affordable housing until after Council's Strategic Planning Session; and,

WHEREAS Council has now completed its Strategic Planning Session and identified affordable housing as one of its key priorities; and,

WHEREAS many submissions have been provided to the City on the draft Municipal Housing Strategy calling for immediate action on providing more affordable housing;

THEREFORE BE IT RESOLVED THAT Clause 1 of Report No. 77: Received from the Arts, Recreation and Community Policies Committee be amended to revise Recommendation #20 of the Municipal Housing Strategy to read as follows:

DEFERRED MOTIONS (CONTINUED)

Recommendations	Implementation	Timeframe
<p>20. That the City establish a Housing Fund as the principal tool for accumulating and disbursing funding for affordable housing and that the City provide \$5 million as an initial investment to seed the fund, and create a plan to provide ongoing investment in the fund.</p>	<ul style="list-style-type: none"> • Explore options for providing ongoing investment to the Housing Fund which will operate as a revolving fund. • Funding of housing development initiatives from the fund should commence immediately in the fall 2011 and address the needs of those along the housing continuum, especially those households with low or moderate incomes and who are most vulnerable. • Target funding initiatives that support innovative approaches, leverage available resources and generate the maximum benefit for investment. • Define input, output and replenishment parameters. • Consider consolidating existing City housing reserve funds into this new Housing Fund. • Seed the Fund with an initial allocation of \$5 million. • Investment in the Housing Fund be distributed to support capital, rent supplement/housing allowance and home ownership programs. • Provide inflows to the Fund through options adopted via Rec. #19. 	<p>Short term (1st to 2nd year)</p>

**DEFERRED
(See Motion to Defer which was CARRIED)**

DEFERRED MOTIONS (CONTINUED)

Moved by Councillor Hutchison
Seconded by Councillor Osanic

THAT the motion of Councillors Hutchison and Osanic be deferred to the Council meeting of September 20th, 2011

CARRIED

REPORTS

Report No. 87: Received from the Chief Administrative Officer (Consent)

Moved by Councillor Schell
Seconded by Councillor Scott

THAT Report No. 87: Received from the Chief Administrative Officer (Consent) be received and adopted.

Council consented to the separation of Clauses (a) and (e).

Report No. 87

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

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

(a) **Revised Terms of Reference and Membership for the Affordable Housing Committee**

THAT Council endorse the revised terms of reference, as amended, and membership for the Housing and Homelessness Advisory Committee;

- and further –

THAT a by-law be presented to Council to amend By-Law No. 2010-205, as amended, being “A By-Law To Define The Mandate And Meeting Procedures For Committees Established By The Corporation Of The City Of Kingston”, to include the revised terms of reference (as amended to provide that the Committee report to the Arts, Recreation and Community Policies Committee rather than directly to Council);

- and further –

REPORTS (CONTINUED)

THAT Council direct staff to recruit additional members in accordance with the membership prescribed in the terms of reference of the Housing and Homelessness Advisory Committee.

(The Report of the Commissioner of Community Services (11-233) was attached as Schedule Pages 1-9)

(File No. CSU-C12-000-2011)

(See By-Law No. (1), 2011-116)

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

Moved by Councillor Glover
Seconded by Councillor Neill

THAT Clause (a) of Report No. 87 be amended to amend the Terms of Reference for the Housing and Homelessness Advisory Committee so that the Committee is reporting to the Arts, Recreation and Community Policies Committee (ARCP).

**CARRIED (11:2)
(See Recorded Vote No. 1)**

Moved by Councillor Glover
Seconded by Councillor Hutchison

THAT Clause (a) of Report No. 87 be amended to amend the Terms of Reference for the Housing and Homelessness Advisory Committee so that the Composition (as appointed by Council) December 1, 2012 of the Committee include four members of the public at large.

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

1. A Recorded Vote was requested by Councillor Hutchison

YEAS: Councillor Berg, Councillor Downes, Councillor George, Councillor Glover, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (11)

NAYS: Mayor Gerretsen, Councillor Hector (2)

ABSENT: (0)

REPORTS (CONTINUED)

2. A Recorded Vote was requested by Councillor Neill

YEAS: Councillor Downes, Councillor Glover, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Schell, (6)

NAYS: Councillor Berg, Councillor George, Mayor Gerretsen, Councillor Hector Councillor Paterson, Councillor Reitzel, Councillor Scott (7)

ABSENT: (0)

(b) **Administration Agreement with United Way KFL&A for Community Investment Fund**

THAT Council authorize the Mayor and Clerk to execute the required agreements with United Way KFL&A for the administration of the Community Investment Fund in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Community Services (11-234) was attached as Schedule Pages 10-12)

(File No. CSU-F25-000-2011)

(c) **Award of Tender for Sewer, Watermain and Road Reconstruction on Ontario and West Streets to Dig'n Dirt Ltd.**

THAT the tender of Dig'n Dirt Ltd. for the Contract ENG-2011-14 for sewer, watermain and road reconstruction on Ontario and West Streets, in the amount of \$1,124,931.62 (plus HST) be accepted, it being the lowest tender received.

(The Report of the President and CEO of Utilities Kingston (11-235) was attached as Schedule Pages 13-14)

(File No. CSU-F18-003-2011)

(d) **Award of Proposal for the Provision of Pavement Management and Asset Inventory Field Collection Services to IMS Infrastructure Management Services**

THAT the proposal of IMS Infrastructure Management Services for the RFP EN-2011-05 for the provision of pavement management and asset inventory field collection services for the City of Kingston in the amount of \$134,410 (plus HST) be accepted.

(The Report of the President and CEO of Utilities Kingston (11-238) was attached as Schedule Pages 15-19)

(File No. CSU-F31-000-2011)

**CARRIED
(Clauses (b) through (d))**

REPORTS (CONTINUED)

(e) **Fee Reduction for Kingston International Youth Hockey/Sports Fests, June 24 to 26, 2011**

THAT Council authorize the reduction of Contract #421555 for the Kingston International Youth Hockey/Sports Fests from a non-prime rate (\$178.50/hour) to a morning rate (\$102.50/hour) for a total reduction of \$11,248.00.

(The Report of the Commissioner of Community Services (11-240) was attached as Schedule Pages 20-23)

(File No. CSU-M02-000-2011)

CARRIED

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Report No. 88: Received from the Chief Administrative Officer (Recommend)

Moved by Councillor Hutchison
Seconded by Councillor Osanic

THAT Report No. 88: Received from the Chief Administrative Officer (Recommend) be received and adopted, clause by clause.

Report No. 88

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

A 2/3 vote was not received to add the recommendation of Clauses (1A) and (1) to the agenda. As a result this matter is deferred to the September 20, 2011 Council meeting.

(1A) **STAFF BRIEFING – Ms. Lanie Hurdle, Commissioner of Community Services, will speak to Council regarding the Affordable Housing Incentives Strategy.**

(1) **Affordable Housing Incentives Strategy**

1. **THAT** Council increase its financial commitment to affordable housing solutions from the tax base;

- and further -

2. **THAT** Council endorse the proposed incentives program for affordable housing A to C as listed in Exhibit A of this report (11-226);

- and further -

3. **THAT** Council direct staff to incorporate funding for items A to C as described in Exhibit A of this report (11-226) in both the capital and operation budget submissions starting in 2012;

- and further -

REPORTS (CONTINUED)

4. **THAT** Council direct staff to amend the Municipal Capital Reserve Fund policy to finance affordable housing projects that may be non-municipal capital assets;
- and further -
5. **THAT** Council lobby the provincial government for an increase in rent supplement funding as it relates to the 2003 mandated social housing units;
- and further -
6. **THAT** Council consider increasing the rent supplement program listed as item D in Exhibit A of this report (11-226).
(The Report of the Commissioner of Community Services (11-226) was distributed separately from the agenda on Friday, September 2, 2011.)
(File No. CSU-S18-000-2011)

DEFERRED

(2) **Mayor's Designate During Emergencies**

THAT Council designate one of its members to exercise for a 12 month period the powers and perform the duties of the head of Council under the Emergency Management and Civil Protection Act and the City's Emergency Response Plan during the absence of the head of Council or during his or her inability to act;

- and further -

THAT Council and the Mayor consult and agree on the member to be designated for a 12 month period so that the Designate can also act in that capacity when requested by the Mayor, when the Mayor is present in the municipality and able to act but requests assistance in managing the emergency preparation and response mandates of the Mayor's Office.

(The Report of the City Solicitor and Director of Legal Services (11-232) was attached as Schedule Pages 24-29)
(File No. CSU-P03-000-2011)

CARRIED

Councillor Hector exited the meeting at 8:36 p.m.

Report No. 89: Received from the Kingston Municipal Heritage Committee

Moved by Councillor Glover
Seconded by Councillor Berg

THAT Report No. 89: Received from the Kingston Municipal Heritage Committee be received and adopted.

Report No. 89

To the Mayor and Members of Council:

The Kingston Municipal Heritage Committee reports and recommends as follows:

August 8, 2011

REPORTS (CONTINUED)

1. **Approval of alterations at 27-33 Princess Street for signage**

THAT Council consent to the approval of alterations to the designated property located at 27-33 Princess Street also known as the S&R (Smith Robinson) building in accordance with the details described in Application P18-283-054-2011 dated May 24 and 31, 2011 that was deemed complete by the Planning and Development Department on June 17, 2011, and in accordance with details described in a revised submission dated July 25, 2011, said alterations requesting approval for signage subject to the following terms and conditions:

- 1) That only one sign be installed on the Princess Street facade of the building at this time presented as Option 1, with the understanding that it move to the left or onto the 1841 portion of the total building.
- 2) That it be understood that there will be some investigation of an additional sign if it is consistent with City by-laws.
- 3) Sign permit applications are required for the proposed signage, the signs must comply with by-law no. 2009-140.
- 4) The free standing sign is also approved, however the site must be cleared from a perspective of archaeological potential by the City and the Ministry of Tourism and Culture prior to the installation of the concrete pad.

2. **Approval of alterations at 227 Brock Street for restoration of windows on the Brock Street facade and replacement of remaining windows and French doors**

THAT Council consent to the approval of alterations to the designated property located at 227 Brock Street in accordance with the details described in Application P18-085-067-2011 and the submission dated June 10, 2011, that was deemed complete by the Planning and Development Department on June 17, 2011, and in accordance with details described in a revised submission dated July 25, 2011, said alterations requesting approval for the restoration of the windows on the Brock Street façade, replacement of the remaining windows, replacement of French doors on the Brock Street facade with new thermally upgraded units that reflect the existing design, and replacement of the remaining French doors with new units, and the removal of aluminum storm windows subject to the following terms and conditions:

- 1) Repair/rehabilitate and upgrade the existing windows on the Brock Street facade, using one of the two methods proposed by the Committee in the site visit report, the work to be undertaken by a qualified heritage contractor. The existing aluminum storm windows will be removed. As part of this work, if feasible, add muntins to the lower sashes (e.g. simulated divided light with spacer) so that the windows will have an 8/8 glazing pattern.
- 2) Replace the existing French doors on the Brock Street facade with new thermally upgraded units that reflect the existing design. Using the documentary evidence of the earlier appearance of these doors, exterior screen casements seen in the photograph will be replicated, to replace the existing aluminum storm doors.

REPORTS (CONTINUED)

- 3) Replace the remaining windows and French doors on the sides and rear of the building with new Marvin units.
- 4) A building permit is required. The proposed window and door replacements must comply with – where applicable – Ontario Building Code requirements for windows (9.6.) and doors (9.7.).
- 5) Should any of the repair activities, e.g. scaffolding, dumpsters etc., require use of the City Right Of Way, an encroachment permit will be required. The encroachment permit can be obtained from Brad Morton of the City's Engineering Department. He can be reached either by e-mail bmorton@cityofkingston.ca or telephone at 613-546-4291 ext. 3147. The encroachment permit application can be found on the City Website at http://www.cityofkingston.ca/pdf/engineering/App_Encroachment.pdf.

3. **Approval of alterations at 223 Main Street, Barriefield Village for a revised dormer reconfiguration, chimney repair and re-pointing**

THAT Council consent to the approval of alterations to the designated property located at 223 Main Street, Barriefield Village in accordance with the details described in Application P18-422-057-2011 and the submission dated June 21, 2011, that was deemed complete by the Planning and Development Department on June 23, 2011, and in accordance with details described in a revised submission dated July 25, 2011, said alterations requesting approval for a revised rear dormer reconfiguration (including a step in between the shed dormer and gable end dormers) and a 1½ inch sill for the new rear dormer windows, chimneys repair/re-pointing subject to the following terms and conditions:

- 1) The siding of the peaked dormers be just proud of the stone.
- 2) Trim board be continuous along the top of the stone, running along the length of the facade without interruption for a horizontal appearance of the facade, and that trim details be submitted.
- 3) A building permit application is required for the proposed scope of work.

4. **Approval of alterations at 225 Main Street, Barriefield Village for a revised dormer reconfiguration, chimney repair and re-pointing and re-pointing of the back wall**

THAT Council consent to the approval of alterations to the designated property located at 225 Main Street, Barriefield Village in accordance with the details described in Application P18-477-058-2011 and the submission dated June 21, 2011, that was deemed complete by the Planning and Development Department on June 23, 2011, and in accordance with details described in a revised submission dated July 25, 2011, said alterations requesting approval for a revised rear dormer reconfiguration (including a step in between the shed dormer and gable end dormers) and a 1½ inch sill for the new rear dormer windows, chimneys repair/re-pointing and re-pointing of the back wall subject to the following terms and conditions:

REPORTS (CONTINUED)

- 1) A building permit application is required for the proposed scope of work.
- 2) With the understanding that the work will be done in accordance with Heritage masonry guidelines.

5. **Approval of alterations at 102 Centre Street for the relocation of a driveway and construction of a new fence**

THAT Council consent to the approval of alterations to the designated property located at 102 Centre Street also known as Barberry Cottage in accordance with the details described in Application P18-093-069-2011 and the submission dated July 12, 2011, that was deemed complete by the Planning and Development Department on July 13, 2011, said alterations requesting approval for the relocation of a driveway from the south to the north side of the house, and construction of a new fence around the front and side yards subject to the following terms and conditions:

- 1) The driveway will be a gravel driveway.
- 2) The fence must comply with by-law no. 2003-405.
- 3) Should the curb along the road be modified a cut permit will be required. The cut permit can be obtained from William Cartwright of the City's Engineering Department. He can be reached at wcartwright@cityofkingston.ca or telephone at 613-546-4291 ext. 3113.
- 4) An entrance permit will be required for the new entrance. The entrance permit can be obtained from Brad Morton of the City's Engineering Department. He can be reached at bmorton@cityofkingston.ca or telephone at 613-546-4291 ext. 3147.
- 5) In the event that deeply buried or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, all work must immediately cease and the site must be secured. The Cultural Program Branch of the Ministry of Tourism and Culture (416-314-7123) and the City of Kingston's Planning and Development Department (613-546-4291 ext 3180) must be immediately contacted.
- 6) In the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police (613-549-4660), the Registrar of Cemeteries Regulation Section of the Ontario Ministry of Consumer Business Services (416-326-8494), the Cultural Program Branch of the Ministry of Tourism and Culture (416-314-7123), and the City of Kingston's Planning and Development Department (613-546-4291 ext 3180) must be immediately contacted.

6. **Approval of alterations at 130 Clergy Street for the installation of a sign**

THAT Council consent to the approval of alterations to the designated property located at 130 Clergy Street East in accordance with the details described in Application P18-033-071-2011 and the submission dated June 30, 2011 that was deemed complete by the Planning and Development Department on July 12, 2011, said alterations requesting approval to install a sign subject to the following terms and conditions:

- 1) The surface of the sign will be smooth and not textured.

REPORTS (CONTINUED)

- 2) The old sign will be removed.
- 3) A sign permit is required. The sign must comply with By-Law No. 2009-140.
- 4) In the event that deeply buried or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, all work must immediately cease and the site must be secured. The Cultural Program Branch of the Ministry of Tourism and Culture (416-314-7123) and the City of Kingston's Planning and Development Department (613-546-4291 ext 3180) must be immediately contacted.
- 5) In the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police (613-549-4660), the Registrar of Cemeteries Regulation Section of the Ontario Ministry of Consumer Business Services (416-326-8494), the Cultural Program Branch of the Ministry of Tourism and Culture (416-314-7123), and the City of Kingston's Planning and Development Department (613-546-4291 ext 3180) must be immediately contacted.

7. **Approval of alterations at 264 King Street East for wood window conservation, columns, repointing and painting**

THAT Council consent to the approval of alterations to the designated property located at 264 King Street East also known as Gildersleeve House in accordance with the details described in Application P18-209-073-2011 and the submission dated July 6, 2011, that was deemed complete by the Planning and Development Department on July 12, 2011, said alterations requesting approval for wood window conservation, columns, repointing, and painting subject to the following terms and conditions:

- 1) The columns be vented either with a vented base or plug vent inserted in the back of the column at the top and bottom.
- 2) Should any of the repair activities i.e. scaffolding, dumpsters etc., require use of the City Right Of Way, an encroachment permit will be required. The encroachment permit can be obtained from Brad Morton of the City's Engineering Department. He can be reached at bmorton@cityofkingston.ca or telephone at 613-546-4291 ext. 3147. The encroachment permit application can be found on the City website at http://cityofkingston.ca/pdf/engineering/app_encroachment.pdf.

8. **Approval of alterations at 3 Rideau Street for repointing of the masonry of the building**

THAT Council consent to the approval of alterations to the designated property located at 3 Rideau Street in accordance with the details described in Application P18-342-074-2011 and the submission dated July 6, 2011, that was deemed complete by the Planning and Development Department on July 13, 2011, said alterations requesting approval for repointing of the masonry of the building subject to the following terms and conditions:

REPORTS (CONTINUED)

- 1) Should any of the repair activities i.e. scaffolding, dumpsters etc., require use of the City Right Of Way, an encroachment permit will be required. The encroachment permit can be obtained from Brad Morton of the City's Engineering Department. He can be reached at bmorton@cityofkingston.ca or telephone at 613-546-4291 ext. 3147. The encroachment permit application can be found on the City website at http://cityofkingston.ca/pdf/engineering/app_encroachment.pdf.
- 2) With the understanding that the work will be done in accordance with Heritage masonry guidelines.

9. **Approval of alterations at 86 Beverley Street for the replacement of roofing with asphalt or metal roofing, installation of solar panels, meter and wiring**

THAT Council consent to the approval of alterations to the designated property located at 86 Beverley Street in accordance with the details described in Application P18-071-077-2011 and the submission dated July 8, 2011, that was deemed complete by the Planning and Development Department on July 12, 2011, said alterations requesting approval to replace cedar roofing with asphalt or metal roofing, the installation of 52 solar panels on the east, west and south sides of the roof of the existing dwelling, installation of a meter and wiring on the west wall for the operation of the solar panels subject to the following terms and conditions:

- 1) With the understanding that the roofing will be dark grey to blend with the roof panels, and installed so as not to interfere with the line of the hip profile of the roof surfaces or appear elevated on side facing roof surfaces.
- 2) A building permit application is required, and an Engineer's report with respect to the solar panels must accompany the application.

10. **Approval of alterations at 370 King Street West for the removal of brick chimney, canopy and stucco finish on west facade and uncovering of heritage doors in west wall**

THAT Council consent to the approval of alterations to the designated property located at 370 King Street West in accordance with the details described in Application P18-229-078-2011 and the submission dated July 18, 2011, that was deemed complete by the Planning and Development Department on July 28, 2011, said alterations requesting approval for the removal of brick chimney, removal of exterior canopy and stucco finish on west façade, and uncovering of a set of heritage doors built into west wall of first floor subject to the following terms and conditions:

- 1) The exposed building be suitably and carefully protected.
- 2) A building permit application is required for the proposed scope of work.
- 3) It is recommended that the chimney is documented prior to removal for inclusion in the City's heritage file for the subject property.

REPORTS (CONTINUED)

11. Approval of alterations at 34 Richard Street for the installation of an awning and placement of shutters

THAT Council consent to the approval of alterations to the designated property located at 34 Richard Street in accordance with the details described in Application P18-229-078-2011 and the submission dated July 20, 2011, that was deemed complete by the Planning and Development Department on July 26, 2011, said alterations requesting approval for the installation of an awning over the front door opening and placement of shutters for two front windows subject to the following terms and conditions:

- 1) The awning over the entrance will be consistent with local by-laws and codes regarding height and public passageways.
- 2) The awning will have a canvas covering.
- 3) The bracket system will be designed in a simpler manner composed of straight pieces only and submitted for review of details.
- 4) The width of the awning be no greater than the separation of the railings below.
- 5) Drawings will be submitted for a review of awning and bracket details.
- 6) An encroachment permit may be required. If the building contains more than two dwelling units the canopy may not project to within 1.2 metres of the centre line of a public way (sidewalk, street, etc.).

12. Reaffirmation of Emergency Approval of alterations at 222 Johnson Street for the repair of masonry on the top parapet

THAT Council consent to the approval of alterations to the designated property located at 222 Johnson Street in accordance with the details described in Application P18-160-068-2011 and the submission dated June 28, 2011 that was deemed complete by the Planning and Development Department on June 30, 2011, said alterations requesting approval to repair masonry on the top parapet.

13. Final Approval of Heritage Grant Application at 230 Johnson Street for the retrofitting of two windows

WHEREAS the owner 230 Johnson Street has requested final approval for Heritage Grant Application HG-09-2010; and,

WHEREAS as per the requirements of By-Law No. 2005-258, 'A By-Law to Establish a Heritage Grants Program', a site visit to review the completed works was completed;

THEREFORE BE IT RESOLVED THAT Heritage Property Grant HG-09-2010 for 230 Johnson Street **BE APPROVED** for the retrofitting of two windows;

- and further -

THAT staff be authorized to issue a cheque for \$2000.00 as per the process outlined in By-Law No. 2005-258, 'A By-Law to Establish a Heritage Grants Program'.

CARRIED

REPORTS (CONTINUED)

Report No. 90: Received from the Environment, Infrastructure and Transportation Policies Committee

Moved by Councillor Neill
Seconded by Councillor Glover

THAT Report No. 90: Received from the Environment, Infrastructure and Transportation Policies Committee be received and adopted.

Council consented to the separation of Clause (1)

Report No. 90

To the Mayor and Members of Council:
The Environment, Infrastructure and Transportation Policies Committee reports and recommends as follows:

August 9, 2011

1. **LaSalle Causeway Traffic Operations Study**

THAT Council support the implementation of the first phase options that include the construction of an eastbound right-turn lane on Barrack at Ontario Street, adjustments to traffic signal timings along the Corridor and on Highway 15, installation of GPS synchronization and adaptive traffic signal control (Highway 2 at Duty Drive and Highway 15) and the 40-metre extension of the eastbound left-turn lane on Highway 2 at Highway 15;

- and further -

THAT staff prepare a report to the Environment, Infrastructure and Transportation Policies Committee to outline the financial implications, the inclusion of an educational component, and the moving of the timeline of the construction of a roundabout forward. (Note: The Recommendation Report of the President and CEO, Utilities Kingston (EITP-11-019) was attached to the EITP agenda as Schedule Pages 1 – 13.)

**CARRIED AS AMENDED
(See Motions to Amend which were CARRIED)**

Moved by Councillor Osanic
Seconded by Councillor Neill

THAT Clause 1 of Report No. 90 be amended in paragraph 2 to have the staff report presented to the Environment, Infrastructure and Transportation Policies Committee (EITP).

CARRIED

REPORTS (CONTINUED)

Moved by Councillor Schell
Seconded by Councillor Osanic

THAT Clause 1 of Report No. 90 be amended in paragraph 2 to include an educational component in the staff report.

CARRIED

2. Kingston Transit Redevelopment Plan – Express Service

THAT the Kingston Transit Redevelopment Plan and implementation timelines be adopted;

- and further -

THAT staff be directed to include the operating and capital cost to implement Phase 1 – Express Route 1 (September 2013) and Phase 2 – Express Route 2 and 3 (January 2015) as identified in the attached Redevelopment Plan, in the 2012 and future years' budget submissions (2013 through 2015).

(Note: The Recommendation Report of the Commissioner of Transportation, Properties and Emergency Services (EITP-11-021) was attached to the EITP agenda as Schedule Pages 14 – 19.)

CARRIED

INFORMATION REPORTS

(1) Second Quarter Operating Budget Report for 2011

The purpose of this report is to provide a financial status update of the general operating fund as at June 30, 2011, the end of the second fiscal quarter.

(The Report of the City Treasurer (11-181) was attached as Schedule Pages 30-43)
(File No. CSU-F05-000-2011)

(2) K-Rock Centre – SMG Proposed 2012 Budget, 2011 Mid-Year Review

The purpose of this report is to advise Council that the operator of the K-Rock Centre has submitted a 2012 operating budget.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (11-236) was attached as Schedule Pages 44-56)
(File No. CSU-R05-001-2011)

(3) Regional Material Recovery Facility (MRF) Study – Update

The purpose of this report is to provide Council with an update regarding the status of the risk analysis that was being undertaken to determine whether or not a Material Recovery Facility (MRF) in Kingston could serve as a regional processing facility for eastern Ontario.

(The Report of the President and CEO of Utilities Kingston (11-231) was attached as Schedule Pages 57-59)
(File No. CSU-E07-001-2011)

MISCELLANEOUS BUSINESS

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

THAT City Council accept the resignations of Ms. Krista Oulton Welsh and Ms. Bronwyn McLean from the Arts Advisory Committee with regret;

- and further -

THAT a current member of the committee, Mr. Matt Rogalsky, be listed as a Performing Arts representative;

- and further -

THAT the following board and committee appointments by the Kingston Arts Council be confirmed without comment:

Board / Committee	Length of Term	Names
Arts Advisory Committee		<u>Confirmation only required</u>
	November 30, 2012 November 30, 2012	<u>2 Visual Arts</u> Karen Dolan Sunny Kerr

(See Communication No. 18-328)

CARRIED

NEW MOTIONS

- (1) Moved by Councillor Neill
Seconded by Mayor Gerretsen

WHEREAS Canadians become eligible for Canada Pension Plan (CPP) at 60, which is the recognized age for seniors both federally and provincially; and,

WHEREAS the City of Kingston now defines seniors as 65, although it was previously 55;

THEREFORE BE IT RESOLVED THAT the City of Kingston staff prepare and present a report to the Arts, Recreation and Community Policies Committee in time to be considered by Council prior to the 2012 Budget deliberations, outlining the impacts of changing its policies to recognize 60 as the acknowledged age of seniors.

CARRIED (11:2)
(With Agreed to Amendments)
(See Recorded Vote)

NEW MOTIONS (CONTINUED)

A Recorded Vote was requested by Councillor Neill

YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Glover, Councillor Hector, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Reitzel, Councillor Schell, (11)

NAYS: Councillor Paterson, Councillor Scott (2)

ABSENT: (0)

NOTICES OF MOTION

Moved by Councillor Schell
Seconded by Councillor Osanic

WHEREAS Sue Hendler was a long time citizen of Kingston with a particular love of Portsmouth Village; and,

WHEREAS Sue touched many lives with her courageous, honest articles in the Whig Standard about her life with and eventual death from cancer; and,

WHEREAS Sue left a generous bequest to the Portsmouth District Community Association to be used in her memory for continued planting and beautification of Portsmouth Village;

THEREFORE BE IT RESOLVED THAT the Portsmouth District Community Association be permitted to place a small boulder in the Portsmouth Olympic Harbour grounds near Peter’s Drug Store with a plaque bearing the words:

“In memory of Sue Hendler
Whose interest in the beauty of Portsmouth Village
Lives on through her generosity”

MINUTES

Moved by Councillor Downes
Seconded by Councillor Paterson

THAT the Minutes of City Council Meeting No. 2011-17, held Tuesday, August 16, 2011 be confirmed.

CARRIED

TABLING OF DOCUMENTS

COMMUNICATIONS

Council consented to the addition of Communications 18-331 and 18-332.

Filed

18-324 From the Committee of Adjustment, a Notice of Decision for the following applications:

CONSENT – In respect of an application for consent to sever 1,017.5 m2 vacant land with 4.54m frontage on union Street, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**. The final date for appeal is September 13, 2011.

CONSENT – In respect of an application for consent to sever a 1.0 hectare parcel of land at 2888 Highway 15, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**. The final date for appeal is September 13, 2011.

MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 32-74 for the property at 2888 Highway 15, the Committee decided that the application **SHOULD BE APPROVED**. The final date for appeal is September 12, 2011.

MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 8499 for the property at 232 Johnson Street, the Committee decided that the application **SHOULD BE APPROVED, subject to conditions**. The final date for appeal is September 12, 2011.

MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 8499 for the property at 146 Macdonnell Street, the Committee decided that the application **SHOULD BE APPROVED, subject to conditions**. The final date for appeal is September 12, 2011.

MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 76-26 for the property at 4032 Bath Road, the Committee decided that the application **SHOULD BE APPROVED, subject to conditions**. The final date for appeal is September 12, 2011.

MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 8499 for the property at 339 McMahan Avenue, the Committee decided that the application **SHOULD BE APPROVED, subject to conditions**. The final date for appeal is September 12, 2011.

CONSENT – In respect of an application for consent to sever a 2.02 hectare parcel of land at 4065 Howes Road, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**. The final date for appeal is September 13, 2011.

(File No. CSU-D19-000-2011)

18-327 From HIV/AIDS Regional Services, providing information regarding the 2011 AIDS Walk for Life, to be held on Saturday, September 17, 2011.

(File No. CSU-M03-000-2011)

COMMUNICATIONS (CONTINUED)

Referred to All Members of Council

- 18-318 From Justin Palmer, volunteer with Ecology Ottawa, providing information and encouraging Council to join the Community Energy Network of Eastern Ontario, (File No. CSU-E11-000-2011)
(Distributed to all Members of Council on July 26, 2011)
- 18-319 From Laura Bernier, Office Manager, Dig North, providing information regarding a system they offer for utility locates to service the digging community. (File No. CSU-E06-000-2011)
(Distributed to all Members of Council on July 26, 2011)
- 18-321 From Queen's University, requesting the approval of Council to appoint Steven Mothersell and Jamie Goose as By-Law Enforcement Officers for the purpose of issuing tickets under By-Law No. 99-166 on the properties of Queen's University and Kingston Collegiate & Vocational Institute. (File No. CSU-P01-003-2011)
(See By-Law No. (2), 2011-117)
- 18-322 From David Wright, Security Manager, St. Lawrence College, requesting the approval of Council to appoint Susan Dalmer, Melissa White, Bruce Gerrond, Adam Hyatt, Adam Rhymer, Tim Douglas, William Manning, Steven Harnden, Matthew Bronson and Hugh Gillanders as By-Law Enforcement Officers for the purpose of issuing tickets under By-Law No. 99-166 on the property at St. Lawrence College, and to remove Michael Parr-Pearson, Samuel W. MacEachern, Francis Kennedy, Catherine Bowden, Michael Kelly, Jacques Lemiux, R. Davies, J. Ayers, M. Billinger, Brent Martin, Debra O'Brien, Richard Davies, Dieter Viola, Brian Philpott, Rock Garneau, Craig Myers and Murray Holiday. (File No. CSU-P01-003-2011)
(See By-Law No. (3), 2011-118)
- 18-323 From the Town of Ingersoll, asking for Council's support of a resolution adopted by the Ingersoll Town Council to oppose Ministry of Community Safety and Correctional Services RFP No. OPP-0460, which will effectively transfer the authority of vehicle impoundments from the Ministry of Transportation to the OPP. (File No. CSU-C10-000-2011)
- 18-328 From the Kingston Arts Council, providing details regarding appointments to the Arts Advisory Committee. (File No. CSU-C12-000-2011)
(See Miscellaneous Business Item No. (1))

COMMUNICATIONS (CONTINUED)

- 18-329 From URS Canada Inc., providing notice of a planning study report submission for the Wolfe Island Transportation Study, which will be available for public review commencing August 31 and ending on September 29 at several locations, including the City Clerk's Department.
(File No. CSU-T08-000-2011)

- 18-330 From the Honourable Olivia Chow, MP, asking for Council's support of her private member's bill (Bill C-615) calling on the Federal Government to establish a National Public Transit Strategy.
(File No. CSU-L10-000-2011)

- 18-331 From Don Tayfel, expressing his opinions regarding the Kingston Transit redevelopment plan, particularly the proposed express bus routes.
(File No. CSU-T03-000-2011)

- 18-332 From Bruce Todd, expressing his opinions regarding the LaSalle Causeway Traffic Operations Study.
(File No. CSU-T08-000-2011)

Referred to the City Clerk

- 18-320 From Kingston Community Health Centres - Kingston Immigration Partnership, asking that Council proclaim September 17, 2011, as "Multicultural Day" in the City of Kingston.
(File No. CSU-M10-000-2011)

- 18-325 From the Arthritis Society, asking that Council proclaim September 2011 as "Arthritis Awareness Month" in the City of Kingston.
(File No. CSU-M10-000-2011)

- 18-326 From the Frontenac Children's Aid Society, asking that Council proclaim October 16 to 22, 2011, as "Canadian Foster Family Week" in the City of Kingston.
(File No. CSU-M10-000-2011)

OTHER BUSINESS

BY-LAWS

Council consented to the amendment of By-law (1) regarding the reporting structure of the Housing and Homelessness Advisory Committee as per the recommendation of Clause (a) of Report No. 87 as amended.

BY-LAWS (CONTINUED)

- (A) Moved by Councillor Scott
Seconded by Councillor George

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

CARRIED

- (B) Moved by Councillor Osanic
Seconded by Councillor Hutchison

THAT Clause 11.34 of By-Law No. 2010-1 be suspended for the purpose of giving By-Laws (2) to (3) three readings.

CARRIED

- (C) Moved by Councillor Schell
Seconded by Councillor Downes

THAT By-Laws (2) through (7) be given their third reading.

CARRIED

- (1) A By-Law To Amend By-Law No. 2010-205, "A Bylaw To Define The Mandate And Meeting Procedures For Committees Established By The Corporation Of The City Of Kingston" (To Establish the Housing and Homelessness Advisory Committee)

FIRST AND SECOND READINGS

PROPOSED NO. 2011-116

(See Clause (a), Report No. 87)

- (2) A By-Law To Amend By-Law No. 99-166, "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board" (Add Steven Mothersell and Jamie Goose - Kingston Collegiate & Vocational Institute and Queen's University)

THREE READINGS

PROPOSED NO. 2011-117

(See Communication No. 18-321)

- (3) A By-Law To Amend By-Law No. 99-166, "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board" (Remove Michael Parr-Pearson, Samuel W. MacEachern, Francis Kennedy, Catherine Bowden, Michael Kelly, Jacques Lemiux, R. Davies, J. Ayers, M. Billinger, Brent Martin, Debra O'Brien, Richard Davies, Dieter Viola, Brian Philpott, Rock Garneau, Craig Myers and Murray Holiday; Add Susan Dalmer, Melissa White, Bruce Gerrond, Adam Hyatt, Adam Rhymer, Tim Douglas, William Manning, Steven Harnden, Matthew Bronson and Hugh Gillanders - St. Lawrence College)

THREE READINGS

PROPOSED NO. 2011-118

(See Communication No. 18-322)

BY-LAWS (CONTINUED)

- (4) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, September 6, 2011
THREE READINGS PROPOSED NO. 2011-119
(City Council Meeting No. 2011-18)

- (5) A By-Law To Establish The 2011 Tax Capping Limits
THIRD READING PROPOSED NO. 2011-101
(See Clause (b), Report No. 81)

- (6) A By-Law To Establish Tax Decrease Limits For The 2011 Tax Capping Program
THIRD READING PROPOSED NO. 2011-102
(See Clause (b), Report No. 81)

- (7) A By-Law To Provide Tax Relief To War Veterans' Organizations, Who Use Or Occupy Property That Is Used As A Memorial Home, Clubhouse Or Athletic Ground, In The Form Of An Exemption Of 100% Of Municipal Property Taxation, For The Years 2012 To 2020 Inclusive
THIRD READING PROPOSED NO. 2011-103
(See Clause 1, Report No. 84)

ADJOURNMENT

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

CARRIED

Council adjourned at 9:12 pm.

(Signed)

John Bolognone
City Clerk

Mark Gerretsen
Mayor