



CITY COUNCIL MEETING NO. 2012-19

The Regular Meeting of Kingston City Council was held on Tuesday, August 14, 2012, and was called to order at 6:00 pm in the Council Chamber, City Hall. Regular business commenced at 7:30 pm. His Worship Mayor Mark Gerretsen presided.

There was a "Closed Meeting" of the Committee of the Whole from 6:05 pm to 7:06 pm in the Councillors' Lounge.

(Council Chamber)

ROLL CALL

Present: Mayor Gerretsen, Councillor Berg, Councillor Downes, Councillor George, Councillor Glover, Councillor Hector, Councillor Hutchison (arrived at 6:05 pm), Councillor Neill (arrived at 6:05 pm), Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell (arrived at 6:05 pm), Councillor Scott (13)

Absent: (0)

(Councillors' Lounge)

Administrative Staff Present:

Mr. K. Arjoon, Deputy City Clerk

Ms. C. Beach, Commissioner of Sustainability and Growth

Mr. J. Bolognone, City Clerk

Mr. G. Hunt, Chief Administrative Officer

Ms. L. Hurdle, Commissioner of Community Services

Mr. H. Linscott, Director, Legal Services

Mr. B. McCurdy, Director, Cultural Services

Ms. D. Roberge, Manager, Labour Relations and Health and Safety

* * * * *

COMMITTEE OF THE WHOLE "CLOSED MEETING"

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

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

- (a) Labour relations or employee negotiations - IATSE Board.
- (b) Security of property of the municipality, and legal advice that is subject to solicitor-client privilege, including communications necessary for that purpose - K Rock Operator Request for Proposal.
- (c) A proposed or pending acquisition or disposition of land by the municipality or local board - Baseball Diamond Property – Royal Canadian Legion, Branch 560;

CARRIED

(Council Chamber)

Administrative Staff Present:

- Mr. K. Arjoon, Deputy City Clerk
- Ms. S. Bailey, Manager, Heritage and Urban Design
- Mr. G. Bain, Director, Planning and Development
- Mr. W. Ferris, Director, Recreation and Leisure Services
- Mr. J. Giles, Manager, Solid Waste
- Mr. J. Hale, Driver/Labourer
- Mr. P. Huigenbos, Director, Real Estate and Construction
- Mr. G. Hunt, Chief Administrative Officer
- Ms. L. Hurdle, Commissioner of Community Services
- Mr. D. Johnston, Chief Information Officer
- Ms. S. Kidd, Director, Transportation Services
- Ms. K. Leonard, Manager, Licensing and Enforcement
- Mr. H. Linscott, Director, Legal Services
- Mr. B. McCurdy, Director, Cultural Services
- Mr. G. McLean, Policy and Program Coordinator
- Mr. A. Mcleod, Senior Legal Counsel
- Mr. J. Pereira, Communications Officer
- Ms. J. Salter-Keane, Accessibility Project Manager
- Ms. C. Thomson, Assistant to the Mayor
- Mr. H. Tulk, Fire Chief
- Mr. N. Unsworth, Manager, Parks Development
- Mr. T. Willing, Director, Building and Licensing
- Ms. H. Wilson, Manager, Intergovernmental Relations

REPORT OF THE COMMITTEE OF THE WHOLE “CLOSED MEETING”

- (2) Moved by Councillor Osanic
Seconded by Councillor Scott

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

APPROVAL OF ADDEDS

- Moved by Councillor Osanic
Seconded by Councillor Downes

THAT the addeds be approved.

CARRIED
(A 2/3 Vote of Council was Received)

* * * * *

DISCLOSURE OF PECUNIARY INTEREST

Councillor Hutchison declared a pecuniary interest in the matter of Clause (g), Report No. (90), Received from the CAO (Consent), as his employer, Kingston Co-operative Homes, Inc., has applied for funding under the Affordable Housing Capital Investment Program.

Councillor Schell declared a pecuniary interest in the matter of Clause (2), Report No. (92), Received from the CAO (Consider), as her son is an employee of the Ontario Lottery and Gaming Corporation.

Councillor Downes declared a pecuniary interest in the matter of Delegations No. (1), Clause (1), Report No. (94), Received from the Arts, Recreation, and Community Policies Committee, and New Motions No. (5), in that he is an employee of the Limestone District School Board.

Councillor Downes declared a pecuniary interest in the matter of Clause (1), Report No. (92), Received from the CAO (Consider), in that his son gives guided tours for the organization.

* * * * *

PRESENTATIONS

- 1) Mayor Gerretsen presented a certificate from the World Health Organization (WHO) to Diane Luck, Chair of the Seniors Advisory Committee, in order to certify that the City of Kingston was accepted as a member of the WHO Global network of age friendly cities.

* * * * *

DELEGATIONS

Council consented to the **addition** of Delegations No. (3), (4), and (5).

Councillor Downes withdrew from the meeting.

- 1) John Grenville, on behalf of the Williamsville Community Association, spoke to Council regarding Report No. 94, Received from the Arts, Recreation, and Community Policies Committee, with respect to the Motion regarding the Memorial Centre in relation to the PARC Process.

Councillor Downes returned to the meeting.

- 2) Jessica Hellard, Founder, Kingston Animal Rescue, spoke to Council regarding New Motions, Item (3), with respect to the by-laws regarding the restriction of the sale of cats and dogs.
- 3) Sarah Perry, owner, The Pet Store, spoke to Council regarding New Motions, Item (3), with respect to the by-laws regarding the restriction of the sale of cats and dogs.

- 4) Moved by Mayor Gerretsen
Seconded by Deputy Mayor Reitzel

THAT Council waive the rules of By-Law No. 2010-1 “Council Procedural By-Law”, in order to allow delegation No. (4), Ewen MacKinnon, Past President, Kingston Rental Property Owner’s Group, to speak to By-Laws (6), (7), and (8), regarding the one garbage bag limit.

CARRIED

Mr. Ewen MacKinnon, Past President, Kingston Rental Property Owner’s Group, spoke to Council, regarding the one garbage bag limit, By-laws, (6), (7) and (8).

- 5) Moved by Mayor Gerretsen
Seconded by Deputy Mayor Reitzel

THAT Council waive the rules of By-Law No. 2010-1 “Council Procedural By-Law”, in order to allow delegation No. (5), Troy Sherman, Municipal Affairs Commissioner, Alma Mater Society, Queens University, to speak to By-Laws (6), (7), and (8), regarding the one garbage bag limit.

CARRIED

Mr. Troy Sherman, Municipal Affairs Commissioner, Alma Mater Society, Queens University, spoke to Council regarding the one garbage bad limit, By-laws, (6), (7) and (8).

BRIEFINGS

Council consented to the **amendment** of the wording for Briefing No. (1).

- 1) John Munroe, Co-Chair of the 2013 ParaSport Games Bid Committee, and Murray Matheson, Executive Director, Kingston Accommodation Partners Inc., spoke to Council regarding the 2013 ParaSport Games.

PETITIONS

- (1) A petition bearing approximately 105 signatures was presented at the August 2, 2012 Planning Committee meeting and referred to the Commissioner of Sustainability and Growth and reads as follows:

“Homestead Land Holdings Ltd., owner of the property at 50 Newcourt Place proposes to build a 13 storey apartment complex with 99 dwelling units on this lot at the corner of Newcourt and Old Oak (soccer field). They have requested that the City of Kingston amend the Zoning By-Law to allow a building constructed to that increased height.

We, the undersigned, do not support the changing of the by-law to allow the construction of a 13 storey apartment complex on this location. The resulting problems with parking, traffic and population density increase would be unacceptable.”

**REFERRED TO C. BEACH
COMMISSIONER OF SUSTAINABILITY AND GROWTH**

- (2) A petition bearing approximately 110 signatures was presented at the August 2, 2012 Planning Committee meeting and referred to the Commissioner of Sustainability and Growth and reads as follows:

“The petition is to oppose the Rezoning of 1660-1674 Sydenham Road to Industrial. Main concern is polluted content being in our area aquifer, wells, depreciation of houses, noise pollution, air pollution.”

**REFERRED TO C. BEACH
COMMISSIONER OF SUSTAINABILITY AND GROWTH**

- (3) A petition bearing approximately 1300 signatures was presented at the August 14, 2012 Council meeting and referred to the Commissioner of Sustainability and Growth and reads as follows:

“We, the undersigned, are asking that a by-law be passed in Kingston that prohibits the sale of dogs, cats and rabbits in pet stores exempting those from registered shelters or rescues who are available for adoption. The sale of pets in pet stores encourages the function of puppy mills (and kitten mills, rabbit mills, etc.) and thereby animal cruelty and neglect. It also promotes impulse buys without a thought for the long-term commitment required for responsible pet ownership. Toronto in 2011, Richmond BC in 2010, Albuquerque in 2006, plus others. There is no reason Kingston couldn't be next. Albuquerque saw a shelter adoption increase of 23% and euthanasia decrease of 35% in 3 yrs. These stats speak for themselves and if Kingston wants to be a sustainable progressive city we need to take action.”

**REFERRED TO C. BEACH
COMMISSIONER OF SUSTAINABILITY AND GROWTH**

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

Motions of Congratulations

- 1) Moved by Mayor Gerretsen
Seconded by Deputy Mayor Reitzel

THAT the congratulations of Kingston City Council be extended to William Crothers and Rob Gibson of Kingston, who won Olympic silver as members of the men's eight rowing crew. The City of Kingston is proud of both young men and all athletes representing our nation and our great city. Congratulations Will and Rob!

- 2) Moved by Councillor Glover
Seconded by Councillor Schell

THAT the congratulations and best wishes of Kingston City Council be extended to Beatrice Corbett on the occasion of her 90th birthday on 25 August. Her father, Le Roy Fraser Grant, was a professor of engineering at RMC and alderman for Sydenham Ward. Bea is a proud veteran of the Women's Royal Canadian Naval Service. She was one of the community leaders who petitioned for the establishment of Navy Memorial Park, and then she was one of the volunteers who took care of the gardening for several years. Happy Birthday Bea!

CARRIED

* * * * *

DEFERRED MOTIONS

* * * * *

REPORTS

Report No. 90: Received from the Chief Administrative Officer (Consent)

Moved by Councillor Paterson
Seconded by Councillor Reitzel

THAT Report No. 90: Received from the Chief Administrative Officer (Consent) be received and adopted.

Council consented to the **amendment** of Clause (f), and to the **addition** of Clause (j).
Council consented to the **separation** of Clauses (d), (g), and (i).

Report No. 90

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) Award of RFP – Propane-Fired Live Fire Simulators

THAT Council authorize the Mayor and Clerk to execute a contract with Draeger Safety Canada Ltd. in the amount of \$247,430 plus HST for the supply and installation of propane-fuelled live fire simulators, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-259) is attached as Schedule Pages 1 - 5)
(File No. CSU-P16-000-2012)

b) Appointment of Municipal By-Law Enforcement Officers – Varsity Properties

THAT a by-law be presented 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 Local Board”*, to appoint John Brophy, Gil Deans, Teresa Gagnon, Rita Coughlin, Emmett Williams, and A.J. Keilty for the purpose of issuing parking violation tickets and to enforce the provisions of By-law 99-166 on the property owned by at 329 Johnson Street /121 Division Street; and

THAT this approval is subject to the applicant entering into an agreement in a form satisfactory to the City Solicitor to indemnify and save harmless the City from all claims and actions that might arise, and subject further to providing proof of sufficient insurance in a form satisfactory to the City Solicitor; and

THAT the by-law receive all three readings.

REPORTS (CONTINUED)

Report No. 90: Received from the Chief Administrative Officer (Consent)

(The Report of the Commissioner of Sustainability and Growth (12-278) is attached as Schedule Pages 6 - 10)

(File No. CSU-P01-002-2012)

(See By-Law No. (1), 2012-126)

c) Award of RFP – City of Kingston Website

THAT RFP No. F31-CAT-IS&T-2012-07 RFP “City of Kingston Website” be awarded to Intellware Development Inc. in the amount of \$392,185.00 before applicable taxes; and

THAT Council authorize the Mayor and Clerk to enter into a contract with Intellware Development Inc. for professional services to develop and implement the City’s new website, in a form satisfactory to the Director of Legal Services.

(The Report of the City Treasurer (12-280) is attached as Schedule Pages 11 - 15)

(File No. CSU-F31-000-2012)

d) Temporary Additional Resources – Parks Development Division

THAT Council authorize the use of a maximum of \$160,000 from the Working Fund Reserve to retain a temporary resource, for a period of 18 to 24 months, to provide support to the development of parks projects as identified by Council and included in exhibit ‘A’ of this report.

(The Report of the Commissioner of Community Services (12-224) is attached as Schedule Pages 16 - 28)

(File No. CSU-R04-000-2012)

CARRIED

e) Award of RFP - Design Services for Artificial Turf Sports Field

THAT RFP No. F31-CSG-RLS-2012-06 ‘Design Services for One Artificial Sports Field’ be awarded to Stantec Consulting Ltd. for \$140,350.72 plus applicable taxes; and

THAT Council authorize the Mayor and City Clerk to enter into an agreement with Stantec Consulting Ltd. in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Community Services (12-272) is attached as Schedule Pages 29 - 35)

(File No. CSU-F31-000-2012)

REPORTS (CONTINUED)

Report No. 90: Received from the Chief Administrative Officer (Consent)

f) Award of RFP - City Park Pathway Lighting

THAT RFP No. F31-CSG-RLS-2012-23 for the construction of City Park Pathway Lighting be awarded to Hybrid Construction Group Ltd. for the total price of \$178,688.00 plus applicable taxes; and

THAT the Mayor and Clerk be authorized to enter into an agreement with Hybrid Construction Group Ltd. In a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Community Services (12-281) is attached as Schedule Pages 36 - 39)
(File No. CSU-F31-000-2012)

Councillor Hutchison withdrew from the meeting.

g) Acquisition of 7 Wright Crescent for the Purpose of Facilitating Affordable Housing

THAT Council direct staff to finalize the acquisition of 7 Wright Crescent owned by the Congregation of Notre Dame for a total of \$1M plus incidentals with \$590,000 funded from the 2012 Affordable Housing Capital Investment Program budget and \$410,000 plus incidentals (Land Transfer Tax, land registry investigations and registrations, etc) funded through an approved advance from the 2013 Affordable Housing Land Acquisition and Disposition Capital Program budget; and

THAT the Mayor and Clerk be authorized to sign the appropriate purchase documents in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Community Services (12-282) is attached as Schedule Pages 40 - 45)
(File No. CSU-L18-000-2012)

CARRIED

Councillor Hutchison returned to the meeting.

h) Delegated Approval and Signing Authority

THAT Council:

1. Delegate approval and signing authority to the Commissioner of Sustainability & Growth, or the Cultural Director as her delegate, to execute the following contracts and agreements in a form satisfactory to the City Solicitor and consistent within the approved municipal budget and that do not exceed \$50,000:

REPORTS (CONTINUED)

Report No. 90: Received from the Chief Administrative Officer (Consent)

- I Artist contracts;
- II Exhibition agreements;
- III Partnership and co-promotion agreements;
- IV Contract artists/researchers;
- V Creative residency agreements;
- VI Commissioning agreements;
- VII Rental/booking agreements.

2. Authorize the Mayor and Clerk, following the review and recommendation by the Cultural Director and Legal Services staff to execute Service Level Agreements between the City and Service Providers, including arts and heritage organizations for services related to the mandate of the Cultural Services department and the recommendations contained in the Kingston Culture Plan.
3. Authorize the Mayor, following the review and recommendation by staff, to approve and sign Grant Applications that enable Cultural Services to access funding from higher levels of government and private foundations to build partnerships, secure alternative sources of revenue and raise Kingston's profile at a regional, provincial and national level. And

THAT staff report back to Council on the use of the delegated approval and signing authority as it relates to contracts, agreements, service level agreements and grant applications executed and/or submitted by Cultural Services on an annual basis; and

THAT Council direct staff to bring forward for Council's consideration prior to any commitments being made on behalf of the City, where possible and applicable, any new initiatives or exceptional undertakings that have appreciable policy implications, service level adjustments and/or significant financial implications for the City related to these service areas; and

THAT this delegated approval and signing authority be in place for the current Term of Council (2012 to 2014) and one year into the term of the next Council (2015).

(The Report of the Commissioner of Sustainability and Growth (12-190) is attached as Schedule Pages 46 - 53)

(File No. CSU-L04-000-2012)

i) Amendment of the Terms for a Heritage Permit 390 King Street West (Stella Buck Building)

THAT Council revise its decision of September 21, 2010 to allow Queen's University to modify the windows at the former Stella Buck Building located at 390 King Street West as set out in the Addendum to the Heritage Impact Statement provided by André Scheinman, dated July 30, 2012, including the following:

REPORTS (CONTINUED)

Report No. 90: Received from the Chief Administrative Officer (Consent)

- 1) Permitting new wooden window casings to be painted white which will be installed surrounding the refurbished windows as set out in the Council Resolution of September 21, 2010;
- 2) Permitting Queen's University to install dark glazing on all exterior windows; and,
- 3) Permitting Queen's University to install the exterior storm windows comprised of thin metal frames with clear glass on all exterior refurbished windows.

THAT further adjustments to the Scope of Work for this project under the Ontario Heritage Act be delegated to staff of the Planning and Development Department.

(The Report of the Commissioner of Sustainability and Growth (12-276) is attached as Schedule Pages 54 - 66)

(File No. CSU-P18-000-2012)

CARRIED
(Councillor Glover Opposed)

j) Award of RFP No. F31-CSG-RLS-2012-49 Memorial Park Commemorative Wall Improvements

THAT RFP No. F31-CSG-RLS-2012-49 'Memorial Park Commemorative Wall Improvements' be awarded to Campbell Monuments Co. Ltd. for \$62,656.00 plus applicable taxes; and

THAT Council authorize the Mayor and City Clerk to enter into an agreement with Campbell Monuments Co. Ltd. in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Community Services (12-290) is attached as Schedule Pages 1 - 7)

(File No. CSU-F31-000-2012)

CARRIED
(Clauses (a) through (c), (e), (f), (h) and (j))

* * * * *

REPORTS (CONTINUED)

Report No. 91: Received from the Chief Administrative Officer (Recommend)

Moved by Councillor George
 Seconded by Councillor Hector

THAT Report No. 91: Received from the Chief Administrative Officer (Recommend) be received and adopted, clause by clause.

Report No. 91

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

1) 2013 Ontario ParaSport Games

THAT the City of Kingston support the Bid Committee by assuring the bid and act as guarantor should any deficit for the 2013 Ontario ParaSport Games occur if the City of Kingston is chosen as the host community, and

THAT any deficit from the 2013 Ontario ParaSport Games be funded from the Working Fund Reserve; and

THAT should the Bid Committee be successful in attracting the games, that Council authorize the Mayor and the City Clerk to enter into a Host City Agreement between The Sport Alliance of Ontario and ParaSport Ontario and the City of Kingston to the satisfaction of the Director of Legal Services.

(The Report of the Commissioner of Community Services (12-266) is attached as Schedule Pages 67 - 112)
 (File No. CSU-M02-000-2012)

CARRIED

2) Candidate Projects – Community Infrastructure Improvement Fund

1. THAT Council endorse the following projects, in priority order, for application to the Community Infrastructure Improvement Fund (CIIF):

Priority	Project Name	Project Budget
1	Marina Upgrade/Expansion at Confederation Park	\$2,300,000
2	Waterfront Improvements, Johnson Street to Confederation Basin Waterfront Boardwalk	\$2,610,000
3	Existing Park Improvements – Playground and Sport Court Replacements	\$2,260,000
4	Waterfront Improvements – MacDonald Memorial Park	\$2,475,000

	Revitalization	0
5	Sidewalk Projects, various locations	\$2,000,00
		0

REPORTS (CONTINUED)

Report No. 91: Received from the Chief Administrative Officer (Recommend)

2. **THAT** Council approve a budget allocation of up to \$1,610,000, as the city’s share for the successful project, if approved under the CIIF, with the financing from issuance of debt and funded from the Municipal Capital Reserve Fund.

(The Report of the Chief Administrative Officer (12-283) is attached as Schedule Pages 113 - 120)

(File No. CSU-F11-000-2012)

CARRIED

3) Capital Project Status Report – Second Quarter 2012

1. **THAT** Council approve the reduction of approved debenture financing with reference to specific projects as outlined in Exhibit A of this report as follows:

Source of Financing	
Transit Capital Reserve Fund	(\$326,226)
Total Net Debenture Reduction	(\$326,226)

2. **THAT** Council approve capital budget changes, as outlined in Exhibit A of this report, as well as financing of capital projects or (return of funds) as follows:

Source of Financing	
Municipal Capital Reserve Fund	(\$201,647)
Other Reserve Funds:	
BRRAG Reserve Fund	\$713
Rideaucrest Reserve Fund	\$170
Transit Reserve Fund	(\$200,793)
Police Equipment Reserve Fund	\$2,412
Grand Theatre Improvement Reserve Fund	\$3,250
Parking Reserve Fund	\$260
Marinas Reserve Fund	\$10,262
Utilities Equipment Reserve Fund	(\$72,784)
Development Charges Reserve Fund	(\$2,514)
Sub-Total-Other Reserve Funds	(\$259,024)
Total Reserve Funds (return of funds)	(\$460,671)

REPORTS (CONTINUED)

Report No. 91: Received from the Chief Administrative Officer (Recommend)

3. **THAT**, as a result of Council's desire to determine scope definition, Council approve the reallocation of \$125,000 from the hangar demolition budget (#99373) to a separate account for the purposes of detailing the scope of work and associated timelines in the form of a project definition document to enable decisions on airport expansion; and
4. **THAT** Council approve a capital budget allocation of up to \$200,000 to finalize the acquisition of an integrated (EMS, KFR, EM, KPF) Mobile Emergency Management Command Post, in conjunction with the Kingston Police Force, funded from the Municipal Capital Reserve Fund.

(The Report of the City Treasurer (12-262) is attached as Schedule Pages 121 - 140)
(File No. CSU-F05-000-2012)

CARRIED

4) City Pound Service - Renegotiations

WHEREAS Council has directed staff to negotiate contract terms with the Kingston Humane Society and prepare a report seeking direction from Council:

THEREFORE BE IT RESOLVED THAT Option #1 for Kingston Humane Society Pound Services be approved for a 1 year period effective September 1, 2012 in the estimated amount of \$354,500 based on a per-pet rate to an upset cost of \$385,000 and that within that 1 year period staff be directed to issue an RFP for Pound Services and report back to Council; and

THAT unbudgeted costs for Pound Services be approved for the remainder of 2012 based on the new rate increase of \$118,000 for Pound Services by the Kingston Humane Society, in addition to \$1,000 for regular and after-hours injured dog pick-up and \$3,000 for quarantine service costs to be assumed by the City for a total of \$122,000 unbudgeted for 2012; and

THAT the 2013 budget be developed based on a \$280,000 increase in Pound Services along with \$11,000 to cover after-hours dog pick-up services and quarantine fees and \$6,000 for a higher pet tag commission for KHS and \$7,000 for other tag vendors, as well as a \$50,000 increase in enforcement resources for implementation of a new Responsible Pet Ownership Program for a total budget increase of \$354,000 for 2013; and

THAT staff provide a report before year-end to recommend by-law amendments and changes to current animal control services to move towards a 'Responsible Pet Ownership Program' similar to those adopted in other cities, through various initiatives including:

REPORTS (CONTINUED)

Report No. 91: Received from the Chief Administrative Officer (Recommend)

1. Review of Pet License fees to implement greater incentives for licensing pets, including increasing the cost benefits for owners of spayed and neutered dogs and cats;
2. Increased patrol and enforcement of at-large and unlicensed pet provisions, along with increased fines and penalties;
3. Pet tag promotions and campaigns;
4. Increased enforcement against illegal breeders;
5. Consideration of micro-chip requirements in certain cases as a means to improve identification of pets in addition to pet tags;
6. Review of a 'free ride home' program for pets, and;
7. Improved education, communications and public notices advising about changes and benefits to the community when pets are identified and occurrences of pets on the loose are reduced; and

THAT Council authorize the Mayor and Clerk to execute a contract in a form satisfactory to the Director of Legal Services with the Kingston Humane Society for Pound Services for a one year term ending August 31, 2013 and that within that 1 year period staff be directed to issue an RFP for Pound Services and report back to Council; and

THAT staff be directed to evaluate similar contracts for similar services in comparator cities and report back to Council before issuing any RFP.

(The Report of the Commissioner of Sustainability and Growth (12-273) is attached as Schedule Pages 141 - 157)
(File No. CSU-P14-000-2012)

**CARRIED AS AMENDED
(See Motion To Amend Which Was LOST)
(See Motions To Amend Which Were CARRIED)**

Moved by Councillor Hutchison
Seconded by Councillor Downes

THAT Clause (4), Report No. 91, Received from the CAO (Recommend), be amended by adding the following thereto:

“**THAT** staff be directed to evaluate similar contracts for similar services in comparator cities and report back to Council before issuing any RFP.”

CARRIED UNANIMOUSLY

REPORTS (CONTINUED)

Report No. 91: Received from the Chief Administrative Officer (Recommend)

Moved by Councillor Berg
Seconded by Councillor Downes

THAT Clause (4), Report No. 91, Received from the CAO (Recommend), recommendation (1) be amended by deleting the words, “with provision for a one year extension on consent of both parties, including a factored increment for inflation based on the Consumer Price Increase”; and

THAT recommendation (5) be amended by deleting the words, “and subject to renewal at the consent of the parties for a further one year term that will be subject to the Consumer Price Index (CPI) for Ontario as adjusted on September 1, 2013”.

CARRIED (10:3)
(See Recorded Vote (1))

Moved by Councillor Berg
Seconded by Councillor Downes

THAT Clause (4), Report No. 91, Received from the CAO (Recommend), recommendation (1) be amended by inserting the wording to read as follows:

“and that within that 1 year period staff be directed to issue an RFP for Pound Services and report back to Council”; and

THAT recommendation (5) be amended by inserting the wording to read as follows:

“and that within that 1 year period staff be directed to issue an RFP for Pound Services and report back to Council”.

CARRIED (9:4)
(See Recorded Vote (2))

Moved by Councillor Hector
Seconded by Councillor Berg

THAT Clause (4), Report No. 91, Received from the CAO (Recommend), be deferred to Legal Services staff, for a report back on the ramifications of pursuing the RFP process by the next Council meeting, September 4, 2012.

LOST AS AMENDED
(See Motion To Amend Which Was CARRIED)

REPORTS (CONTINUED)

Report No. 91: Received from the Chief Administrative Officer (Recommend)

Moved by Councillor Downes

Seconded by Councillor Neill

THAT the motion of Hector and Berg be amended to insert the wording to read as follows:

“to be deferred to Legal Services staff, for a report back on the ramifications of pursuing the RFP process by the next Council meeting, September 4, 2012.

CARRIED

(1) A Recorded Vote was requested by Councillor Downes

YEAS: Councillor Berg, Councillor Downes, Mayor Gerretsen, Councillor Hector, Councillor Hutchison, Councillor Neill, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (10)

NAYS: Councillor George, Councillor Glover, Councillor Osanic (3)

ABSENT: (0)

(2) A Recorded Vote was requested by Councillor Downes

YEAS: Councillor Berg, Councillor Downes, Councillor George, Councillor Hector, Councillor Hutchison, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (9)

NAYS: Mayor Gerretsen, Councillor Glover, Councillor Neill, Councillor Osanic (4)

ABSENT: (0)

* * * * *

REPORTS (CONTINUED)

Report No. 92: Received from the Chief Administrative Officer (Consider)

Moved by Councillor Hutchison

Seconded by Councillor Neill

THAT Report No. 92: Received from the Chief Administrative Officer (Consider) be received.

Council consented to the **addition** of Clause (2).

Report No. 92

To the Mayor and Members of Council:

The Chief Administrative Officer reports and requests that Council consider the following:

1) Funding Request Sir John A. Macdonald 2015 Bicentennial Commission

THAT the City provide funding assistance of \$75,000, from the approved budget for 2012 for Commemorative Events, for the Sir John A. MacDonald 2015 Bicentennial Commission to provide support for events for 2012 and January 2013 subject to matching financial support also being provided by other levels of government and that the Mayor and Clerk be directed to enter into an agreement to provide for this funding in a form as determined by the Commissioner of Sustainability and Growth subject to the approval of Legal Services; and

THAT the City approve additional assistance for applicable City rates and fees for the January 9-13, 2013 Macdonald Birthday Celebrations at the Grand Theatre in addition to use of City Park in the area of the Macdonald statue; and

THAT City staff continues to work with the Sir John A Macdonald 2015 Bicentennial Commission to develop an integrated multi-year plan and project budget leading up to 2015

CARRIED

-OR-

THAT the City review funding assistance to the Sir John A. MacDonald 2015 Bicentennial Commission upon approval of the policy for commemorative events by Council.

A VOTE WAS NOT TAKEN ON THIS RECOMMENDATION

(The Report of the Commissioner of Sustainability and Growth (12-154) is attached as Schedule Pages 158 - 199)

(File No. CSU-M02-000-2012)

Councillor Schell withdrew from the meeting.

REPORTS (CONTINUED)

Report No. 92: Received from the Chief Administrative Officer (Consider)

2) Ontario Lottery & Gaming (OLG) Process

WHEREAS the process for OLG to review proposals for the privatization of casino operations has not been finalized and will extend later into the fall of 2012;

THEREFORE BE IT RESOLVED THAT staff extend the timeline for the online survey to September 5 to provide additional time for public engagement to gauge public opinion on whether the City of Kingston would like to be considered as a host municipality for a future gaming facility;

CARRIED

-OR-

THAT the existing timeline of August 14 remain in place; and

A VOTE WAS NOT TAKEN ON THIS RECOMMENDATION

- (a) THAT** OLG be requested to make a presentation to Council on the process and other pertinent information for decision making purposes; and
- (b) THAT** staff provide a summary of research and background information on the topics outlined in this report for the final report being prepared for Council; and
- (c) THAT** Council inform the OLG that they are undertaking public consultation and that information will be provided to OLG after the October 2 Council meeting related to the potential for locating a gaming facility in Kingston; and
- (d) THAT** the OLG be further requested to hold a public meeting in Kingston on the process and other pertinent information for decision making purposes.

CARRIED

**(With Agreed To Amendments)
(Clauses (a) through (d))**

(The Report of the Commissioner of Sustainability and Growth (12-291) is attached as Schedule Pages 8 - 12)
(File No. CSU-P09-000-2012)

Councillor Schell returned to the meeting.

REPORTS (CONTINUED)

Report No. 93: Received from the Planning Committee

Moved by Councillor George

Seconded by Councillor Reitzel

THAT Report No. 93: Received from the Planning Committee be received and adopted.

Report No. 93

To the Mayor and Members of Council:

The Planning Committee reports and recommends as follows:

1. COMPREHENSIVE REPORT Applications for Official Plan Amendment and Zoning By-Law Amendment Lafarge Canada Inc. 1338 - 1362 McAdoo's Lane File No. D09-056-2011 and D14-200-2011

THAT the applications for Official Plan Amendment and Zoning By-Law Amendment (Our File No. D09-056-2011 and D14-200-2011) submitted by Lafarge Canada Inc., for the property located at 1338 - 1362 McAdoo's Lane, **BE APPROVED.**

THAT the City of Kingston Official Plan be amended as follows:

1. The City of Kingston Official Plan, as amended, is hereby further amended by the following map change which shall constitute **Amendment No. 15** to the City of Kingston Official Plan:
 - a) **AMEND** Schedule '3-B', 'Land Use', of the City of Kingston Official Plan, so as to designate the property located at 1338 - 1362 McAdoo's Lane, as shown on Schedule 'A' to By-Law No. 2012-128 as 'Mineral Resource Area'; and,

THAT the City of Kingston Zoning By-Law No. 76-26, as amended, be further amended as follows:

1. That Zoning Schedule "A", Map 1 of Zoning By-Law No. 76-26, as amended, is hereby further amended by changing the zone symbol to 'Extractive Industrial (M5-4) for the lands shown as "Subject Lands Rezoned from Restricted Agricultural (A1), General Industrial (M1), General Industrial with a Holding Provision (M1-H), Disposal Industrial (M4) and Extractive Industrial (M5-1) to Extractive Industrial (M5-4)" on Schedule "A" attached hereto and forming part of amending By-Law No. 2012-127.
2. That the following be **added** as Section 28(3)(d) of the By-Law:

REPORTS (CONTINUED)

Report No. 93: Received from the Planning Committee

- “(d) Lafarge Quarry (M5-4) 1338 – 1362 McAdoo’s Lane:
Notwithstanding any provisions of Section 5 or 28 hereof to the contrary, on the lands zoned ‘Extractive Industrial (M5-4)’ on Schedule “A” attached hereto, the following provisions shall apply:
- (i) MINIMUM LOT AREA: 7 hectares
 - (ii) MINIMUM LANDSCAPED OPEN SPACE: 6%
 - (iii) MINIMUM NUMBER OF PARKING SPACES FOR A PIT OR QUARRY USE: 8
 - (iv) The main building existing on the site as of the date of the passing of this By-Law shall be deemed to comply with the front yard depth and side yard width regulations of this Zoning By-Law. In the event that the existing main building on the site is removed or expanded, any new development shall be subject to the regulations of Section 28 of this By-Law”; and

THAT the Amending By-Laws be presented to City Council for all three readings.

(See By-Law No. (2), 2012-127)

(See By-Law No. (3), 2012-128)

(Note: A copy of the draft by-laws are attached as Schedule Pages 200 - 203)

CARRIED

REPORTS (CONTINUED)

Report No. 94: Received from the Arts, Recreation and Community Policies Committee

Moved by Councillor Glover

Seconded by Councillor Hutchison

THAT Report No. 94: Received from the Arts, Recreation and Community Policies Committee be received and adopted.

Councillor Downes withdrew from the meeting.

Report No. 94

To the Mayor and Members of Council:

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

REPORTS (CONTINUED)

Report No. 94: Received from the Arts, Recreation and Community Policies Committee

Moved by Councillor Neill

Seconded by Councillor Hutchison

THAT Council waive the rules of By-Law 2010-1, "Council Procedural By-Law" in order to amend the Council Agenda to consider New Motions Item (5) preceding Report No. (94), Received from the Arts, Recreation, and Community Policies Committee.

LOST

(A 2/3 Vote Of Council Was Not Received)

1) Motion regarding the Memorial Centre in relation to the PARC Process

WHEREAS the last action motion which speaks to any potential use of the Memorial Centre property by any school board is the 2007 Council Motion stating it would not be used for a school;

THEREFORE BE IT RESOLVED THAT Council direct the CAO to inform the Limestone District School Board that the Memorial Centre and related property is not available for the location/construction of a new school.

RULED OUT OF ORDER

By Mayor Gerretsen

Councillor Neill challenged the ruling of the Chair. Council voted and a two-thirds vote was not received, therefore the challenge was **LOST**.

Moved by Councillor Neill

Seconded by Councillor Osanic

THAT Council waive the rules of By-Law No. 2010-1, "Council Procedural By-Law", in order to extend the meeting past 11:00 pm.

CARRIED

(A 2/3 Vote Of Council Was Received)

Councillor Downes returned to the meeting.

* * * * *

REPORTS (CONTINUED)

Report No. 95: Received from the Environment, Infrastructure and Transportation Policies Committee

Moved by Councillor Neill

Seconded by Councillor Hutchison

THAT Report No. 95: Received from the Environment, Infrastructure and Transportation Policies Committee be received and adopted.

Report No. 95

To the Mayor and Members of Council:

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

- a) **Kingston Environmental Advisory Forum recommendation regarding Potential for Environmental Impacts from Large Scale Solar Photovoltaic Installations in Kingston**

WHEREAS the development of large scale solar photovoltaic operations in rural portions of the City of Kingston represents a significant benefit to efforts to reduce emissions that create unwanted climate change effects and smog; and

WHEREAS the potential negative environmental impacts do exist, are subject to regulatory oversight and may be mitigated using best management and conservation practices; and

WHEREAS the Kingston Environmental Advisory Forum supports the development of solar photovoltaic generation facilities where negative environmental impacts remain subject to regulatory oversight by the City of Kingston, the Ministry of the Environment, and the Ministry of Natural Resources;

THEREFORE BE IT RESOLVED THAT Council encourage the Ministry of the Environment to require that potential negative impacts to shallow groundwater aquifer users be mitigated through the use of best management practices during the construction phase of large scale solar photovoltaic projects and by requiring monitoring of shallow groundwater conditions pre and post development.

- b) **Kingston Environmental Advisory Forum recommendation regarding Suggested Research Projects for Students**

WHEREAS Kingston desires to be "Canada's Most Sustainable City"; and

WHEREAS understanding changes entailed by a transition to greater sustainability can involve extensive information gathering and investigation; and

REPORTS (CONTINUED)

Report No. 95: Received from the Environment, Infrastructure and Transportation Policies Committee

WHEREAS discussions at the Kingston Environmental Advisory Forum (KEAF) and in KEAF Working Groups often generate questions that would benefit from expert input and supervised research; and

WHEREAS Kingston is home to three post-secondary institutions that do research work relevant to questions that arise in discussions of the transition to greater sustainability; and

WHEREAS the three post-secondary institutions in Kingston desire good "town-gown" relations;

WHEREAS post-secondary institutions in Kingston often seek meaningful projects for students to undertake;

THEREFORE BE IT RESOLVED THAT a copy of the Suggested Research Projects for Students, as attached and distributed at the June 11th, 2012 Kingston Environmental Advisory Forum, be forwarded to Queen's University, Royal Military College and St. Lawrence College for their consideration and as a basis for discussion regarding undertaking these particular projects and/or others that, in consultation with KEAF, are found relevant to Kingston's desire to advance environmental stewardship and be "Canada's Most Sustainable City."

(A copy of Research Projects approved by KEAF is attached as Schedule Pages 204 - 207)

**CARRIED
(Clauses (a) and (b))**

* * * * *

INFORMATION REPORTS

1) Customer Service / Development Review Process Status Update – Recent Initiatives

The purpose of this Information Report is to provide Council with an update on recent initiatives related to customer service and the City's development review process. These initiatives, either commenced or completed since December, 2011, have been undertaken to advance Council's priorities and demonstrate the corporate commitment to achieving enhanced effectiveness and efficiency in the City's development review process and customer service excellence.

(The Report of the Commissioner of Sustainability and Growth (12-268) is attached as Schedule Pages 208 - 222)
(File No. CSU-D00-000-2012)

INFORMATION REPORTS (CONTINUED)

2) Large Urban Mayors Caucus of Ontario (LUMCO) Advocacy

As a community of over 125,000 residents Mayor Mark Gerretsen and the City of Kingston are active members of the Large Urban Mayors' Caucus of Ontario (LUMCO), chaired by Hazel McCallion, Mayor of Mississauga. LUMCO is a political organization whose members are the Mayors of Ontario's largest cities and act independently from the Association of Municipalities of Ontario (AMO)'s large urban caucus.

(The Report of the Chief Administrative Officer (12-269) is attached as Schedule Pages 223 - 226)

(File No. CSU-A01-000-2012)

3) 2012 Great Lakes-St. Lawrence Cities Initiative Conference

From June 26 -June 28, Mayor Gerretsen, Holly Wilson, Manager of Intergovernmental Relations and Brodie Richmond, Manager of Environmental Projects for the City of Kingston attended the 2012 Great Lakes - St. Lawrence Cities Initiative conference in Quebec City.

(The Report of the Chief Administrative Officer (12-271) is attached as Schedule Pages 227 - 230)

(File No. CSU-A04-000-2012)

4) Preliminary Remote Voting Alternatives for the 2014 Municipal Election

On November 2, 2010, Council passed a resolution directing staff to investigate remote voting options, in particular those offered by way of using the Internet and the telephone. The purpose of this report is to provide Council with information on remote voting, how it works, how it has been implemented, the benefits, and the potential areas of concern.

(The Report of the City Solicitor and Director of Legal Services (12-260) is attached as Schedule Pages 231 - 242)

(File No. CSU-C07-000-2012)

5) Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of June 2012

This information report is to:

1. Advise Council of tenders/RFPs approved and contracts awarded greater than \$50,000 that meet the established criteria of delegated authority for the month of June 2012.
2. Report additional information on contracts awarded by senior staff between the \$20,000 and \$50,000 level for the month of June 2012.

INFORMATION REPORTS (CONTINUED)

(The Report of the City Treasurer (12-251) is attached as Schedule Pages 243 - 254)
(File No. CSU-F18-000-2012)

6) Second Quarter Operating Budget Status Report for 2012

This information report is to provide a financial status update of the general operating fund as at June 30, 2012, the end of the second fiscal quarter.

(The Report of the City Treasurer (12-261) is attached as Schedule Pages 255 - 267)
(File No. CSU-F05-000-2012)

MISCELLANEOUS BUSINESS

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

THAT, as requested by Innovation Park, Community Partner of Startup Canada, Council proclaim September 5, 2012 as "Entrepreneurship Day" in the City of Kingston.
(See Communication No. 19-343)

CARRIED

- (2) Moved by Councillor Berg
Seconded by Councillor Osanic

THAT the following Deputy Mayor rotation be approved:

- ❖ September and October 2012 – Councillor Neill
- ❖ November and December 2012 – Councillor George
- ❖ January and February 2013 – Councillor Reitzel
- ❖ March and April 2013 – Councillor Hector
- ❖ May and June 2013 – Councillor Paterson
- ❖ July and August 2013 – Councillor Berg
- ❖ September and October 2013 – Councillor Glover

CARRIED

NEW MOTIONS

Council consented to the **addition** of New Motions Items. (7) and (8).

- 1) Moved by Councillor Downes
Seconded by Councillor Schell

WHEREAS accessible taxis complement accessible transportation services in a municipality; and

NEW MOTIONS (CONTINUED)

WHEREAS this service allows for greater mobility of Kingston citizens when the Kingston Access Bus and Kingston Transit are out of service; and

WHEREAS members of Council who sit on boards, commissions and committees of Council such as Kingston Access Services, The Taxi Commission, The Municipal Accessibility Advisory Committee and The Environment, Infrastructure, and Transportation Policies Committee and The Kingston Economic Development Corporation have received questions and information requests with regard to the City's policy regarding accessible taxis; and

WHEREAS the Taxi Commission plays an important role in the licensing, regulating and governing of taxi owners and drivers; and

WHEREAS other Ontario municipalities have or are moving toward having an accessible taxi policy;

THEREFORE BE IT RESOLVED THAT the Chief Administrative Officer task city staff, in consultation with the Taxi Commission, to bring a Briefing to Kingston City Council for either the First or Second City Council Meeting in the month of October 2012 to apprise Council of:

- i) the impediments to date which have prevented Kingston citizens with disabilities from having access to accessible taxis;
- ii) municipal compliance to the Accessibility for Ontarians with Disabilities Act 2005 with regard to accessible taxis;
- iii) examples of service models used in other Ontario municipalities to provide accessible taxis; and

THAT Council be apprised of the budgetary impact of any initiatives to implement accessible taxi service.

CARRIED UNANIMOUSLY

- 2) Moved by Mayor Gerretsen
Seconded by Councillor Schell

WHEREAS the INVISTA Centre currently has meeting rooms named A, B, and C; and

WHEREAS these rooms could better reflect the community by re-naming them after facilities and community centre's that are no longer in operation;

THEREFORE BE IT RESOLVED THAT Council of the City of Kingston support the re-naming of rooms A, B, and C to the Wally Elmer Meeting room, the Cook Brothers Meeting Room, and the Harold Harvey Meeting Room; and

NEW MOTIONS (CONTINUED)

THAT a plaque be installed in each individual room with a description of who the individual was.

**CARRIED UNANIMOUSLY
(With Agreed To Amendments)**

- 3) Moved by Mayor Gerretsen
Seconded by Councillor Osanic

WHEREAS the City of Toronto and the City of Mississauga have both recently passed by-laws restricting the sale of cats and dogs in pet stores within their municipalities; and

WHEREAS other municipalities are in the process of creating similar by-laws; and

WHEREAS many members of the public have contacted members of Kingston City Council expressing concern over the sale of cats and dogs within the city and requesting that the City of Kingston take action;

THEREFORE BE IT RESOLVED THAT Kingston City Council direct staff to research the Toronto and Mississauga by-laws regarding the restriction of the sale of cats, dogs, and rabbits as well as other municipalities that are exploring similar options; and

THAT City staff provide options for Council to consider with respect to possible courses of action that the City of Kingston may take; and

THAT a consideration report be submitted to the Arts Recreation and Community Policies Committee no later than the January meeting of 2013.

**CARRIED
(With Agreed To Amendments)**

- 4) Moved by Councillor Osanic
Seconded by Councillor Neill

THAT, further to the suggestion in Communication 18-341, a representative from Trees Ontario be invited to appear as a briefing to provide Council with information regarding the 50 Million Tree Program in the Fall, 2012.

CARRIED

Councillor Downes withdrew from the meeting.

- 5) Moved by Mayor Gerretsen
Seconded by Councillor Neill

THAT the following resolution, passed by Council, at its regular meeting of March 6, 2012, be reconsidered:

NEW MOTIONS (CONTINUED)

WHEREAS the mandate of the Near Campus Neighbourhoods Advisory Committee speaks to the need for “creating safe and sustainable neighbourhoods; and

WHEREAS the Limestone School Board has established a Program and Accommodation Review Committee (PARC) for the purpose of examining schools in neighbourhoods within the defined area of the Near Campus Neighbourhood Advisory Committee; and

WHEREAS it is widely believed in the community that the PARC may recommend the closing of one or more schools; and

WHEREAS the Near Campus Neighbourhood Advisory Committee believes that schools are an essential part of the fabric of any and every “safe and sustainable neighbourhood”; and

WHEREAS the Ministry of Education guidelines for schools being reviewed include the requirements that the value to the community and the value to the local economy are factors that must be considered; and

WHEREAS the City of Kingston does not appear to be studying the mandate, process or time line of the PARC, notwithstanding the enormous potential impact that an action as severe as a school closure would have on the city’s planning and economic development; and

WHEREAS it is understood that the PARC is to present its recommendations to the school board in June;

THEREFORE BE IT RESOLVED THAT:

1. The City Council give direction to the Chief Administrative Officer that staff be directed:
 - a) to acquaint themselves with the mandate of the PARC and the issues it is required to address that the City may have a full understanding of the context in which the PARC has been established;
 - b) to review the PARC process to determine the optimum and other points where the City of Kingston might usefully represent to the school board matters that the City of Kingston deems to be of related interest;

NEW MOTIONS (CONTINUED)

- c) to study the role of schools in “safe and sustainable neighbourhoods” and the impacts of school closures on those neighbourhoods, that the City might be better informed in any presentation it might chose to make;
 - d) to identify options of interest to the city for sharing space in schools that are otherwise under capacity, such as housing, or other community services; and
2. Staff be directed to bring forward either an information report which may be the basis for determining a position the City of Kingston may wish to adopt; or a report with recommendations for a presentation or other representation that the city may wish to consider, and that such report be available in a timely manner, (as determined by the review of the time line required above) for consideration by a committee or other public forum prior to its consideration by council.

LOST (6:6)
(See Recorded Vote)

A Recorded Vote was requested by Councillor Neill

YEAS: Councillor George, Mayor Gerretsen, Councillor Glover, Councillor Neill, Councillor Osanic, Councillor Schell (6)

NAYS: Councillor Berg, Councillor Hector, Councillor Hutchison, Councillor Paterson, Councillor Reitzel, Councillor Scott (6)

ABSENT: Councillor Downes (1)

Councillor Downes returned to the meeting.

- 6) Moved by Mayor Gerretsen
Seconded by Councillor Neill

WHEREAS the City of Kingston is committed to the revitalization of the Williamsville area; and

WHEREAS a petition was presented to Kingston City Council in 2008 with over 30 businesses from the Williamsville area, requesting that they be included in the City’s garbage collection program, implemented for the lower portion of Princess Street; and

WHEREAS no action has been taken on this petition since it came forward;

THEREFORE BE IT RESOLVED THAT City staff be directed to develop a plan, including logistics and cost of the garbage collection along upper Princess Street, between Division Street and Bath Road, similar to that of the downtown area; and

NEW MOTIONS (CONTINUED)

THAT staff be directed to bring forward a report, outlining the plan for consideration, to the Environment, Infrastructure, and Transportation Policies Committee no later than November 2012.

CARRIED (12:1)
(With Agreed To Amendments)
(See Recorded Vote)

A Recorded Vote was requested by Councillor Neill

YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Glover, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (12)

NAYS: Councillor Hector (1)

ABSENT: (0)

- 7) Moved by Councillor Osanic
Seconded by Councillor Scott

WHEREAS the City of Kingston has been in a Level 2 Low Water Condition since July 24, 2012; and

WHEREAS the lack of precipitation in 2012 is taking a toll on many trees across the city; and

WHEREAS, for example, the City of London has issued Tree Watering Alerts to its residents as a response to this year's drought in that region; and

WHEREAS trees increase property values, beautify the city, reduce the cooling costs of homes, and purify the air we breathe;

THEREFORE BE IT RESOLVED THAT Kingston City Council direct staff to develop a strategy for protecting Kingston's trees when they are under drought conditions including a public education component on what residents and businesses can do to preserve the trees on private land whether residential, commercial, industrial, or institutional; and

THAT the strategy consider actions such as a) issuing tree watering alerts to the public; b) installing slow-release watering bag systems; c) improving mulching and pruning techniques; d) reviewing tree species list and making recommendations for amendments; e) considering the evening use of soaker hoses on the allowed watering days under the current water restriction by-law; and

THAT the strategy be brought to the Environment, Infrastructure, and Transportation Policies Committee no later than Q1 of 2013.

NEW MOTIONS (CONTINUED)

CARRIED

- 8) Moved by Councillor Hector
Seconded by Councillor Berg

THAT in accordance with the Corporate Suite Allocation Policy for the K-Rock Centre, Council designate the use of the corporate suite, to the Scotties Tournament of Hearts Volunteers and Organizing Committee and Council, for the Scotties Tournament of Hearts, which is being held between February 16 to February 24th in recognition of their contributions and efforts to ensure a successful event.

CARRIED

NOTICES OF MOTION

MINUTES

- Moved by Councillor Schell
Seconded by Councillor Scott

THAT the Minutes of City Council Meeting No. 2012-18, held Tuesday, July 17, Wednesday, July 18, and Thursday, July 19, 2012 be confirmed.

(Distributed to all Members of Council on August 10, 2012)

CARRIED

TABLING OF DOCUMENTS

COMMUNICATIONS

Council consented to the **addition** of Communications No. (19-351) through to (19-353).

Filed

- 19-349 From the Committee of Adjustment, a Notice of Decision for the following applications:

CONSENT – In respect of an application for consent to sever the property at 55-57 Concession Street, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is August 14, 2012.

MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 76-26 for the property at 1847 Radage Road, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is August 13, 2012.

MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 8499 for the property at 55 Concession Street, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is August 13, 2012.

MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 8499 for the property at 57 Concession Street, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is August 13, 2012.

(File No. CSU-D19-000-2012)

19-350 From the Committee of Adjustment, a Notice of Decision for the following applications:

CONSENT – In respect of an application for consent to sever the property at 2172 McKendry Road, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is August 27, 2012.

CONSENT – In respect of an application for consent to sever the property at 736 Victoria Street, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is August 27, 2012.

(File No. CSU-D19-000-2012)

Referred to All Members of Council

19-343 From Innovation Park, Community Partner of Startup Canada, asking that Council proclaim September 5, 2012 as “Kingston Entrepreneurship Day” in the City of Kingston.

(File No. CSU-M10-000-2012)

(See Miscellaneous Business Item No. (1))

(Distributed to all Members of Council on July 20, 2012)

19-345 From Beth Pater, Chair, KFL&A Board of Health, regarding amendments to the City of Kingston By-Law to Licence, Regulate and Govern Certain Businesses #2006-214, Schedule S-1 Salons.

(File No. CSU-S08-001-2012)

(Distributed to all Members of Council on August 7, 2012)

19-346 From the Cataraqui Region Conservation Authority (CRCA), providing a news release regarding the Level 2 Low Water Conditions continuing in the Cataraqui Region.

(File No. CSU-D03-000-2012)

(Distributed to all Members of Council on August 7, 2012)

- 19-347 From the Regional Municipality of Durham, asking for Kingston City Council's support on a resolution that the Durham Region's Council passed regarding the Provincial Offences Act – Unpaid Fines – Ontario Association of Police Services Board White Paper.
(File No. CSU-C10-000-2012)
(Distributed to all Members of Council on August 7, 2012)
- 19-348 From the Cataraqui Region Conservation Authority (CRCA), providing a news release regarding the Level 2 Low Water Conditions declared in the Cataraqui Region.
(File No. CSU-D03-000-2012)
(Distributed to all Members of Council on August 7, 2012)
- 19-351 From Fred Saunders, Committee Clerk, providing a memo to Mayor and Members of Council with respect to a resolution that was passed at the Kingston Memorial Centre Advisory Committee, regarding the building of a school on the Memorial Centre site.
(File No. CSU-R05-000-2012)
(Distributed to all Members of Council on August 14, 2012)
- 19-352 From the Association of Municipalities of Ontario (AMO), asking municipalities to encourage the local media to cover the 2012 AMO Conference and for all Heads of Council to be available for interviews throughout it.
(File No. CSU-A01-004-2012)
(Distributed to all Members of Council on August 14, 2012)
- 19-353 From Connie Ball, Executive Director, Kingston Humane Society, expressing her support for New Motions, Item (3), with respect to the by-law regarding restricting the sales of cats and dogs in pet stores.
(File No. CSU-A01-004-2012)
(Distributed to all Members of Council on August 14, 2012)

Referred to the City Clerk

- 19-344 From Kingston General Hospital, asking that Council proclaim September 15, 2012 as "Childhood Cancer Awareness Day" in the City of Kingston.
(File No. CSU-M10-000-2012)
(Distributed to all Members of Council on August 7, 2012)

* * * * *

OTHER BUSINESS

* * * * *

BY-LAWS

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

THAT By-Laws (1), (3), and (2) and (10) be given their first and second reading.

CARRIED

- (B) Moved by Councillor Berg
Seconded by Councillor Paterson

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

CARRIED

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

THAT By-Laws (6), (7), and (8) be given their third reading.

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

- (D) Moved by Councillor Schell
Seconded by Councillor Osanic

THAT By-Laws (1), (3), (2), (4), and (5), (9), and (10) be given their third reading.

CARRIED

A Recorded Vote was requested by Mayor Gerretsen

YEAS: Councillor Berg, Councillor Downes, Councillor Glover, Councillor Hutchison,
Councillor Neill, Councillor Osanic, Councillor Schell, Councillor Scott (8)

NAYS: Councillor George, Mayor Gerretsen, Councillor Hector, Councillor Paterson,
Councillor Reitzel (5)

ABSENT: (0)

- (1) 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".

THREE READINGS

PROPOSED NO. 2012-126

(See Clause (b), Report No. 90)

- (2) 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" (Zoning change from Restricted Agricultural (A1), General Industrial (M1),

General Industrial (M1-H), Disposable Industrial (M4) and Extractive Industrial (M5-1) to Extractive Industrial (M5-4), 1338 – 1362 McAdoo's Lane)

THREE READINGS

PROPOSED NO. 2012-127

(See Clause (1), Report No. 92)

- (3) A By-Law to Amend the Official Plan for the City of Kingston Planning Area (Amendment No. 15, 1338 - 1362 McAdoo's Lane)

THREE READINGS

PROPOSED NO. 2012-128

(See Clause (1), Report No. 92)

- (4) A By-Law to Approve the Renaming of Morton Street to Morton Way, Described as Part Farm Lot 21, Concession 1, Kingston More Particularly Described as Part 13 on Reference Plan 13R-18458, Located East of Alwington Place, South of King Street West, City of Kingston, County of Frontenac

THIRD READING

PROPOSED NO. 2012-110

(See Clause (m), Report No. 83)

- (5) A By-Law to Amend By-Law No. 2009-140 "A By-Law to Provide for the Prohibition and Regulation of Signs and Other Advertising Devices in the City of Kingston"

THIRD READING

PROPOSED NO. 2012-111

(See Clause (r), Report No. 83)

- (6) A By-Law to Amend By-Law No. 181 of the Former City of Kingston, "A By-Law to Provide for the Collection, Removal and Disposal of Garbage, Ashes and Other Refuse"

THIRD READING

PROPOSED NO. 2012-112

(See Clause (3), Report No. 84)

- (7) A By-Law to Amend By-Law No. 36-95 of the Former Township of Pittsburgh, "A By-Law to Regulate and Maintain a System for the Collection, Removal and Disposal of Ashes, Garbage and Other Refuse"

THIRD READING

PROPOSED NO. 2012-113

(See Clause (3), Report No. 84)

- (8) A By-Law to Amend By-Law No. 95-55 of the Former Township of Kingston, "A By-Law to Regulate the Collection, Removal and Disposal of Garbage and to Prohibit the Throwing, Placing or Depositing of Garbage on Property Within the Township of Kingston"

THIRD READING

PROPOSED NO. 2012-114

(See Clause (3), Report No. 84)

- (9) A By-Law to Appoint KPMG LLP Chartered Accountants as Auditors for the City of Kingston and its Local Boards for the Fiscal Years Ending December 31, 2012 and December 31, 2013.

THIRD READING

PROPOSED NO. 2012-122

(See Clause (2), Report No. 87)

(10) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday,
August 14, 2012

THREE READINGS

PROPOSED NO. 2012-129

(City Council Meeting No. 2012-19)

ADJOURNMENT

Moved by Councillor Glover

Seconded by Councillor Paterson

THAT Council do now adjourn.

CARRIED

Council adjourned at 11:55 pm.

(Signed)

John Bolognone
City Clerk

Mark Gerretsen
Mayor