



CITY COUNCIL MEETING NO. 2012-25

The Regular Meeting of Kingston City Council was held on Tuesday, October 16, 2012, and was called to order at 6:45 pm in the Council Chamber, City Hall. Regular business commenced at 7:45 pm. His Worship Mayor Mark Gerretsen presided.

There was a "Closed Meeting" of the Committee of the Whole from 6:58 pm to 7:39 pm in the Councillors' Lounge.

(Council Chamber)

ROLL CALL

Present: Mayor Gerretsen, Councillor Berg, Councillor Downes, Councillor George (arrived at 6:50 pm), Councillor Glover, Councillor Hector, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Schell, Councillor Scott (12)

Absent: Councillor Reitzel (1)

(Councillors' Lounge)

Administrative Staff Present:

Mr. K. Arjoon, Deputy City Clerk

Mr. J. Bolognone, City Clerk

Ms. P. Burns, Director, Human Resources and Organization Development

Mr. G. Hunt, Chief Administrative Officer

Ms. L. Hurdle, Commissioner of Community Services

Mr. J. Keech, President and CEO, Utilities Kingston

Ms. D. Kennedy, City Treasurer and Director of Financial Services

Mr. H. Linscott, Director, Legal Services

Mr. J. Miller, Director, Utilities Engineering

COMMITTEE OF THE WHOLE "CLOSED MEETING"

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

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

- (a) A proposed or pending acquisition or disposition of land by the municipality or local board – Bayridge Drive Trunk Watermain Interconnect at Bath Road;
- (b) Labour relations or employee negotiations – Compensation for Non-Union Employees;

CARRIED

(Council Chamber)

Administrative Staff Present:

- Mr. K. Arjoon, Deputy City Clerk
- Mr. G. Bain, Director, Planning and Development
- Ms. C. Beach, Commissioner of Sustainability and Growth
- Mr. J. Bolognone, City Clerk
- Ms. P. Burns, Director, Human Resources and Organization Development
- Mr. M. Campbell, Manager, Construction
- Mr. J. Hale, Driver/Labourer
- Mr. G. Hunt, Chief Administrative Officer
- Ms. L. Hurdle, Commissioner of Community Services
- Mr. J. Keech, President and CEO, Utilities Kingston
- Mr. S. Laidman, Director, Housing
- Mr. D. Leger, Commissioner of Transportation, Properties and Emergency Services
- Mr. H. Linscott, Director, Legal Services
- Mr. P. MacLatchy, Director, Environment and Sustainable Initiatives
- Mr. B. McCurdy, Director, Cultural Services
- Mr. M. McLaughlin, Senior Legal Counsel
- Mr. J. Miller, Director, Utilities Engineering
- Ms. S. Nicholson, Director, Corporate Affairs
- Mr. T. Shea, Rural Affairs and Promotion Coordinator
- Ms. C. Thomson, Assistant to the Mayor
- Mr. M. Van Buren, Director, Engineering
- Mr. G. Wallace, Project Manager
- Mr. D. Wells, Director, Public Works
- Ms. H. Wilson, Manager, Intergovernmental Relations

REPORT OF THE COMMITTEE OF THE WHOLE “CLOSED MEETING”

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

THAT Council rise from the Committee of the Whole “Closed Meeting”, that the rules of By-Law No. 2010-1 be waived and the Chair report.

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

- Moved by Councillor George
Seconded by Councillor Hector

THAT Council approve the acquisition of an easement over Part of Block 33, Registered Plan 1948 for \$9,000 for municipal infrastructure purposes and the conveyance of Part of Block 47, Registered Plan 13M-6 5 from Bayhill Developments Limited to the City of Kingston, in a form satisfactory to the City Solicitor and the Mayor and Clerk are authorized to sign the necessary documents.

CARRIED

APPROVAL OF ADDEDS

Moved by Councillor Hector
Seconded by Councillor Downes

THAT the addeds be approved.

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

DISCLOSURE OF PECUNIARY INTEREST

Councillor Schell declared a pecuniary interest in the matter of Report No. 114, Clause (a), Received from the Planning Committee, and Information Reports No. (1) through (4), as her son works for the OLG.

Councillor George declared a pecuniary interest in the matter of Report No. 111, Clause (a), Received from the CAO (Consent), as Conacher Kingston Holdings is a client.

Councillor Hutchison declared a pecuniary interest in the matter of Report No. 112, Received from the CAO (Recommend), Clause (4), as his employer, Kingston Co-operative Homes, Inc., has an interest in seeking funding under City housing construction programs and it is unclear under which of these programs such funding may occur.

Councillor Downes declared a pecuniary interest in the matter of Report No. 119, Received from the Arts, Recreation, and Community Policies Committee, Clause (a), as he is an employee of the Limestone District School Board.

PRESENTATIONS

- 1) Mr. Walter Fenlon presented a cheque to the City of Kingston from the Grand Theatre Foundation.

DELEGATIONS

- 1) Mr. Mike Sewell, member, Unity Road Rate Payers Association (URRPA), spoke to Council regarding Report No. 112, Received from the CAO (Recommend), with respect to Renewable Energy Project – Municipal Consultation Form (MCF) Sol-luce Kingston Solar PV Energy Project – Kingston Solar LP Kingston West (Multiple Locations).

- 2) Ms. Kristin Cote and Mr. Spencer Moore, members of the Kingston Coalition for Active Transportation (KCAT), spoke to Council regarding Report No. 119, Clause (3), Received from the Environment, Infrastructure, and Transportation Policies Committee, with respect to the Williamsville Main Street Cycling Lanes.

BRIEFINGS

PETITIONS

Council consented to the **addition** of Petition No. (1).

- (1) A petition bearing approximately 8 signatures was presented by Mayor Gerretsen and referred to the Commissioner of Sustainability and Growth and reads as follows:

“As a participating landowner, I would like to kindly inform you that Kingston Solar LP (the "Developer") has, up to present, provided an unprecedented opportunity that will allow me to realize predictable and steady revenues over the next two (2) decades as a participating landowner in the SolLuce Kingston Solar PV Energy Project (the "Project"). Thus I have decided to make my land available to the Developer for the development, construction and operation of the proposed Project. These lands have been unproductive for years and I have now been presented with the prospect of generating an additional source of income which in turn will also increase cash flow into our City in the form of tax revenues. Most importantly, during the construction phase of the Project, hundreds of jobs will be created, resulting in a revitalization of multiple industries throughout Kingston and the surrounding area.

As integral resident of the City of Kingston, it has come to my attention that on May 1, 2012 our city approved the "Landscaping and Site Design Guidelines for Large-Scale, Ground-Oriented Solar Energy Facilities" (the "Guidelines"). As currently presented, I am deeply worried that the setbacks set out in the Guidelines, if adopted, will severely impact my potential future revenues. I was unaware of any concerns the City had in relation to the Project, nor was I consulted with in connection with the development of the Guidelines. I have executed a comprehensive option and lease agreement with the Developer where the purpose is to reasonably and lawfully maximize the use of my available land while mitigating, to the best of my knowledge in terms of best industrial practices, any potential visual impacts on my property and that of abutting neighbors. It is further my understanding that the Developer has, after several months of studies, finally crystallized the Project layout in April of this year and the Guidelines were passed by City council in May, following the crystallization date. As a resident of this area I understand the importance of our natural heritage, public safety and the general rural landscape; as such, I have fully incorporated in my executed agreement with the Developer those setbacks that I view as important in protecting such principles. However, I find it puzzling that the City is forcing the Developer to follow guidelines that were passed after my option and lease agreement was executed and after the Project's layout was crystallized. I am of the opinion that the Guidelines, if determined necessary,

PETITIONS (CONTINUED)

should be applied on a proactive basis and should not be applied retroactively to projects that are already well into the development and design phase. Applying the Guidelines to the Project at this phase of the development process will impact many rights that I have negotiated with the Developer, all of which I view as critical to protecting my rights as a private landowner.”

As far as I understand, the Developer is developing the Project in full compliance with the Renewable Energy Approval Regulation 359/09, enacted by the Province in September 2009. In addition to the requirements set out in such regulation, the Developer has taken considerable initiative to include many aspects of the Guidelines the Project's layout. Further, I understand that the Developer has discussed the inclusion of such aspects of the Guidelines with the Planning and Development Department, as set out in a commitment letter provided in August. This document provides for a comprehensive course of action regarding what are the most appropriate answers on setbacks and visual screening, meeting the interests of all concerned parties, including both participating and nonparticipating landowners.

I kindly request your understanding regarding this matter and support the development of the Project as it progresses through the Renewable Energy Approval process in a timely fashion.

**REFERRED TO C. BEACH
COMMISSIONER, SUSTAINABILITY & GROWTH**

- (2) A petition bearing approximately 22 signatures to restrict parking on Macdonnell Street between Earl Street and Johnson Street was presented by Councillor Glover and referred to the Environment, Infrastructure, and Transportation Policies Committee and the Commissioner of Transportation, Properties, and Emergency Services and reads as follows:

“Rational: Currently, residents have very limited access to parking for visitors, service or repairmen, cleaners, parcel delivery vehicles. Concern for Safety of children going to and from two large elementary schools. No daytime access for sweeping in Summer, and plowing in winter. Traffic is limited to one lane in winter and to larger vehicles in Summer.

We the undersigned want parking restricted to; 2 hours daytime, or 10-11 am, 2-3 pm, or one side of the street only.”

**REFERRED TO ENVIRONMENT, INFRASTRUCTURE, AND TRANSPORTATION POLICIES COMMITTEE
REFERRED TO D. LEGER,
COMMISSSTIONER, TRANSPORTATION, PROPERTIES, AND EMERGENCY SERVICES**

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

Council consented to the **addition** of Motion of Congratulations (1) and (2).

Motions of Congratulations

- 1) Moved by Mayor Gerretsen
Seconded by Councillor Downes

THAT the congratulations and thanks of Kingston City Council be extended to Derek Winton, Gord MacDougall, David Rutenberg and Debi Wells for their longstanding service on the Board of the Kingston Economic Development Corporation and wish them well in all of their future endeavours.

- 2) Moved by Mayor Gerretsen
Seconded by Councillor Berg

THAT the congratulations of Kingston City Council be extended to the 24th Premier of Ontario, Dalton McGuinty on his many years of service to Ontario. Dalton McGuinty was first elected to the Ontario legislature in 1990. He later became Leader of the Ontario Liberal Party in 1996 and led his party to a majority government in 2003. He was re-elected to a second majority government in October, 2007 and in 2011, he led the Ontario Liberal Party to an historic third mandate — the first time a Liberal Premier has done so in 125 years. We thank you for your service to Ontarians.

CARRIED

DEFERRED MOTIONS

- 1) Moved by Councillor Downes
Seconded by Councillor Osanic

WHEREAS some Kingston citizens on Ontario Works have attitudes, skills and the capacity to be employed but have bad teeth; and

WHEERAS bad teeth often make it difficult to get passed a job interview; and

WHEREAS many entry level jobs are in the service sector involving interaction with customers; and

WHEREAS the extraction of bad teeth and the provision of dentures can be demonstrably viewed as a way to move Kingston citizens from Ontario Works and into the job market; and

DEFERRED MOTIONS (CONTINUED)

WHEREAS moving Kingston citizens from Ontario Works to employment can be seen as an investment in our local economy because it provides a “hand up” out of welfare dependency; and

WHEREAS in 2009, the City of Kingston had a plan to assist citizens on Ontario Works to get teeth extractions and dentures; and

WHEREAS the 2009 plan assisted Kingston Ontario Works recipients to move into the world or work;

THEREFORE BE IT RESOLVED THAT the following motion be considered as part of the 2013 current budget deliberations:

“THAT \$100,000 of municipal funding be allocated to the Ontario Works account, for the specific purpose of providing required dental care and dentures for Kingston Ontario Works recipients with who are having difficulty securing employment because of their bad teeth.”

**LOST (6:6)
(See Recorded Vote)**

A Recorded Vote was requested by Councillor Glover

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 Scott (6)

ABSENT: Councillor Reitzel (1)

- 2) Moved by Mayor Gerretsen
Seconded by Deputy Mayor Neill

WHEREAS the City of Kingston held its first ever Advocacy Day at the Ontario Provincial Legislature on Tuesday September 25th 2012; and

WHEREAS the Kingston community was represented by the Mayor and Members of Kingston City Council, senior city staff, and representatives from Utilities Kingston, the Kingston Economic Development Corporation, the Greater Kingston Chamber of Commerce, Downtown Kingston! Business Improvement Association, Sir John A Commission, Empire Life, Viva Productions, Scott Environmental, Le Chien Noir, MetalCraft Marine, Queen's University and St. Lawrence College; and

WHEREAS the day proved successful in allowing local organizations and city representatives the opportunity to showcase the Kingston community and connect with over 50 Members of Provincial Parliament and 125 staff members on projects and programs implemented in Kingston and demonstrating how funding from the provincial government is enhancing our community.

DEFERRED MOTIONS (CONTINUED)

THEREFORE BE IT RESOLVED THAT the sincere thanks of Kingston City Council, be extended to all those who participated and contributed to the success of Kingston's Advocacy Day at Queen's Park.

CARRIED UNANIMOUSLY

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REPORTS

Report No. 111: Received from the Chief Administrative Officer (Consent)

Moved by Councillor Paterson
Seconded by Councillor Osanic

THAT Report No. 111: Received from the Chief Administrative Officer (Consent) be received and adopted.

Council consented to the **separation** of Clauses (a) through (d).

Report No. 111

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:

Councillor George withdrew from the meeting.

a) Conveyance of former Marker Crescent, Plan 1578 Conacher Kingston Holdings Inc., 311 Conacher Drive

THAT City Council authorize the sale and transfer to Conacher Kingston Holdings Inc. of that part of the former Marker Crescent, Plan of Subdivision 1578 closed by By-Law 97-163 for the amount of one dollar (\$1.00), plus the City's applicable fees and disbursements; and

THAT the Mayor and Clerk be authorized to sign all necessary documents to complete the sale in a form satisfactory to the Director of Legal Services and City Solicitor.

(The Report of the City Solicitor and Director of Legal Services (12-350) is attached as Schedule Pages 1 - 6)
(File No. CSU-L19-000-2012)

CARRIED

Councillor George returned to the meeting.

REPORTS (CONTINUED)

Report No. 111: Received from the Chief Administrative Officer (Consent)

b) Authority to Negotiate Acceptance of Proposal for Re-Development of Failed Tax Sale Brownfield Property at Former I. Cohen and Sons Properties on Montreal Street

THAT Council authorize staff to continue negotiating with Options for Homes UCLG toward a redevelopment approach for the former I. Cohen & Sons properties on Montreal Street as per proposals received pursuant to Request for Proposals F31-SG-ESI-2012-1.

(The Report of the Commissioner of Sustainability and Growth (12-349) is attached as Schedule Pages 7 - 18)

(File No. CSU-E05-001-2012)

CARRIED

c) Self-Loading Water Tanks

THAT the purchase of two self-loading water tanks be awarded to Pavement Technologies International Corp. for the total purchase price of \$84,986 plus applicable taxes. This price is inclusive of both self-loading tanks.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-337) is attached as Schedule Pages 19 - 22)

(File No. CSU-V00-000-2012)

CARRIED

d) Universal Transit Pass Contract Agreements with the Alma Mater Society of Queen's University and the St. Lawrence College Student Association

THAT Council authorize the Mayor and Clerk to enter into an agreement with the Alma Mater Society of Queen's University, to the satisfaction of Legal Services, to provide a Universal Transit Pass for the period of September 1, 2012 to August 31, 2013 in the amount of \$913,000; and

THAT Council authorize the Mayor and Clerk to enter into an agreement the St. Lawrence College Student Association (SA), to the satisfaction of Legal Services, to provide a Universal Transit Pass for the period of September 1, 2012 to August 31, 2013 in the amount of \$530,000; and

THAT staff be directed to enter into negotiations with the AMS and SA with the objective of reaching agreements with a minimum three-year term to commence on September 1, 2013; and

THAT staff report back on the status of negotiations with the AMS and SA no later than May 31, 2013.

REPORTS (CONTINUED)

Report No. 111: Received from the Chief Administrative Officer (Consent)

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-325) is attached as Schedule Pages 23 - 27)
(File No. CSU-T03-000-2012)

CARRIED

e) One Three-Quarter-Ton Cargo Vans

THAT the RFP F31-TPES-TS-FL-2012-27 for the purchase of one three-quarter-ton cargo van be awarded to Gananoque Chevrolet Buick GMC Cadillac, for the total purchase price of \$23,481 plus applicable taxes.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-328) is attached as Schedule Pages 28 - 29)
(File No. CSU-V00-000-2012)

f) Partnership with Metrolinx for the Joint Procurement of 8-Metre Transit Buses

THAT Council authorize the Mayor and Clerk to enter into a governance agreement with Metrolinx for the joint procurement of eight (8) meter transit replacement buses, subject to the review and satisfaction of the City's Legal Department; and

THAT Council approve the appointment of Sheila Kidd, Director of Transportation Services, as the Metrolinx RFP Steering Committee member for the City of Kingston, and Robert Steele, Fleet Manager, as the alternate.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-329) is attached as Schedule Pages 30 - 34)
(File No. CSU-T03-000-2012)

g) Parking Licence – 80 Queen Street

THAT Council authorize the Mayor and Clerk to execute a license agreement for a parking space in the Angrove Parking lot to 80 Queen St. (Kingston) Inc. adjacent to the side door of their building for the purpose of maintaining safe pedestrian access to the building, for an amount equivalent to monthly parking permits for the Angrove Lot as prescribed by the *Fees and Charges By-law 2005-10*, plus a premium of 35% per month; and

THAT the agreement shall commence on November 1, 2012 for a one year period and shall be renewed automatically annually thereafter with the option to terminate the agreement for any reason with 30 days notice from either party; and

THAT the agreement be in a form satisfactory to the Director of Legal Services.

REPORTS (CONTINUED)

Report No. 111: Received from the Chief Administrative Officer (Consent)

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-319) is attached as Schedule Pages 35 - 38)
(File No. CSU-L15-000-2012)

h) Renewal of Lease – 6 Clarence Street

THAT Council authorize the Mayor and Clerk to execute a Renewal Agreement and Assignment of Lease between the City and Kingston Brewing Company (1989) Limited in a form satisfactory to the Director of Legal Services for a term of three (3) years commencing on November 1, 2012 and expiring on October 31, 2015, upon the existing terms and conditions save and except for rent which shall be set at the rate of \$11.51 per square foot and that the lease be assigned to Hat Kin Holdings Inc.

(The Report of the Commissioner of Transportation, Properties and Emergency Services (12-320) is attached as Schedule Pages 39 - 42)
(File No. CSU-L15-000-2012)

i) Demolition - 277 York Street Building

THAT Council award the contract for the demolition of the building located at 277 York Street for the total proposal price of \$128,000.00 (HST extra) to JMX Contracting Inc. and authorize the Mayor and City Clerk to execute an agreement, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Community Services (12-345) is attached as Schedule Pages 43 - 46)
(File No. CSU-D00-000-2012)

j) License Agreement between The Corporation of the City of Kingston and Kingston Jr Ice Wolves – Cataraqui Community Centre

THAT Council authorize the Mayor and Clerk to execute a license agreement with the Kingston Jr Ice Wolves for the rental of a dressing room at the Cataraqui Community Centre, for a term of two (2) years, commencing November 1, 2012 for a fee of \$3,742 per annum plus HST, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Community Services (12-343) is attached as Schedule Pages 47 - 51)
(File No. CSU-L15-000-2012)

**CARRIED
(Clauses (e) through (j))**

REPORTS (CONTINUED)

Report No. 112: Received from the Chief Administrative Officer (Recommend)

Moved by Councillor Berg

Seconded by Councillor Osanic

THAT Report No. 112: Received from the Chief Administrative Officer (Recommend) be received and adopted, clause by clause.

Report No. 112

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

1) Renewable Energy Project – Municipal Consultation Form (MCF) Sol-luce Kingston Solar PV Energy Project – Kingston Solar LP Kingston West (Multiple Locations) File No. PLA-D05-001-2011 (Time Sensitive)

THAT Council receive the Municipal Consultation Form (MCF) for the Sol-luce Kingston Solar PV Energy Project, located on multiple properties in Kingston West, as per the Council adopted Municipal Consultation and Review Process for Renewable Energy Projects; and

THAT Council directs the Clerk to attach a statement to the Municipal Consultation Form indicating that the City of Kingston requests the Ministry of the Environment to require Kingston Solar LP to meet the provisions of the Council adopted “City of Kingston Landscaping and Site Design Guidelines for Large Scale, Ground Oriented Solar Energy Facilities” dated May 1, 2012, as part of the Renewable Energy Approvals process; and

THAT Council directs the Clerk to forward the Municipal Consultation Form (MCF) and Council Report to the developer and the Ministry of Environment; and

THAT the City of Kingston further requests that the Ministry of the Environment direct Samsung Sol-luce to not occupy any land in Kingston that has been designated as Prime Agricultural Land in the City’s Official Plan; and

THAT the City of Kingston further requests that the Ministry of the Environment direct Samsung Sol-luce to enter into negotiations with the City of Kingston regarding guidelines, Land Use, Community Impact Agreements, development charges and community participation.

(The Report of the Commissioner of Sustainability and Growth (12-306) is attached as Schedule Pages 52 - 106)
(File No. CSU-E11-000-2012)

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

REPORTS (CONTINUED)

Report No. 112: Received from the Chief Administrative Officer (Recommend)

Moved by Councillor Scott

Seconded by Councillor Berg

THAT Clause (1) or Report No. 112, Received from the Chief Administrative Officer (Recommend) be amended by inserting the following after the third paragraph to read thereto:

“**THAT** the City of Kingston further requests that the Ministry of the Environment direct Samsung Sol-luce to not occupy any land in Kingston that has been designated as Prime Agricultural Land in the City’s Official Plan”

CARRIED

Moved by Councillor Berg

Seconded by Councillor Scott

THAT Clause (1) or Report No. 112, Received from the Chief Administrative Officer (Recommend) be amended by inserting the following paragraph to read as follows:

“**THAT** the City of Kingston further requests that the Ministry of the Environment direct Samsung Sol-luce to enter into negotiations with the City of Kingston regarding guidelines, Land Use, Community Impact Agreements, development charges and community participation.”

CARRIED

2) Williamsville Infrastructure Plans – 2014 Capital Plan

THAT Council approve the changes to the capital road reconstruction program affecting 2013 and 2014 through the deletion of various streets and the addition of the streets in Williamsville required to obtain capacity in the infrastructure to enable redevelopment and;

THAT Council approve the use of the Williamsville Main Street Study plans and details regarding the treatment of Princess Street as the basis for the development of detailed engineering and construction plans necessary for reconstruction.

(The Report of the President and CEO of Utilities Kingston (12-338) is attached as Schedule Pages 107 - 117)
(File No. CSU-D18-000-2012)

CARRIED

REPORTS (CONTINUED)

Report No. 112: Received from the Chief Administrative Officer (Recommend)

3) Sustainable Options for Belle Park

THAT Council direct staff to develop options, including cost estimates and potential revenue generation opportunities for alternative operations of Belle Park that also respect the recreational, social and green space uses of Belle Park with the view to protect these current uses relative to the needs of any identified new alternative uses and report back for the 2013 budget process; and

THAT staff report back on the causes of the loss of revenues from operations of the Belle Park Golf Course and management initiatives that may improve the golf courses operational performance.

(The Report of the Commissioner of Community Services (12-322) is attached as Schedule Pages 118 - 124)
(File No. CSU-R04-000-2012)

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

Moved by Councillor Hutchison
Seconded by Councillor Neill

THAT Clause (3) of Report No. 112, Received from the CAO (Recommend) be amended by inserting the following paragraph after the words "2013 budget process" to read thereto:

"THAT staff report back on the causes of the loss of revenues from operations of the Belle Park Golf Course and management initiatives that may improve the golf courses operational performance."

CARRIED

Moved by Councillor Hutchison
Seconded by Councillor Osanic

THAT Clause (3) of Report No. 112, Received from the CAO (Recommend) be amended by inserting the following wording after the words "operations of Belle Park" to read thereto:

"that also respect the recreational, social and green space uses of Belle Park with the view to protect these current uses relative to the needs of any identified new alternative uses"

CARRIED

Councillor Hutchison withdrew from the meeting.

REPORTS (CONTINUED)

Report No. 112: Received from the Chief Administrative Officer (Recommend)

4) 58 Leroy Grant Drive - Sale of Surplus Lands

THAT Council authorize the sale of City owned lands located at 58 Leroy Grant Drive being Part of Lot 22 Concession 2, further described as Part 5 of Reference Plan 13R-336 to Homestead Land Holdings Ltd. in exchange for good and valuable consideration more particularly the provision of affordable housing units valued at \$350,000 on the following terms and conditions:

- 1) That a minimum of 16 one bedroom units be incorporated into the Housing Department's affordable housing program at a maximum of 80% of CMHC market rent;
- 2) That the rents shall be maintained at 80% of market rent for a period of 15 years commencing from the date the 16th Unit has been made available for occupancy under such agreement;
- 3) That the units shall be provided within the following buildings; 389 Yonge St, 395 Yonge St, 154 Parkway Rd, 200 Parkway Rd, 1508 Princess St, and 175 Park St or buildings of a similar nature and price structure acceptable to the Commissioner, Community Services;
- 4) That the owner agrees to have these units incorporated into the City's Rent Supplement Program if and when the City requests it for the length of the affordability period; and
- 5) That the sale of the property and availability of affordable units be conditional upon the successful amendment to the Zoning Bylaw and Official Plan to permit 210 units to be constructed on the site; and
- 6) That Homestead Land Holdings Ltd shall be permitted to be the City's sole representative in respect of any applications for the necessary planning approvals, including, without limitation, such applications as the Purchaser, in its sole and absolute discretion, deems necessary or desirable to facilitate the obtaining of approvals that may be required from the applicable governmental authorities for the Intended Use and the City shall permit the Purchaser to post such notices and signs on the Property as are required by all governmental authorities in connection with the foregoing applications.

THAT Council authorize the Mayor and Clerk to execute all documents related to the sale of the property and the agreement in a form satisfactory to the Director of Legal Services; and

THAT as per the requirements of the Ontario *Planning Act*, that the Cash in Lieu of Parkland Reserve Fund be reimbursed by the 2013 Affordable Housing Land Acquisition Capital Fund for the appraised value of the property.

THAT Council approve the by-law attached as Exhibit "B" "A By-law to Permit Council to enter into an agreement with Homestead Holdings Ltd. for the sale of land for affordable housing purposes and for the provision of affordable housing units owned by Homestead Land Holdings Ltd.

(The Report of the Commissioner of Community Services (12-347) is attached as Schedule Pages 125 - 134)
(File No. CSU-S18-000-2012)

(See By-Law No. (1), 2012-149)

CARRIED

Councillor Hutchison returned to the meeting.

REPORTS (CONTINUED)

Report No. 113: Received from the Planning Committee

Moved by Councillor George
Seconded by Councillor Paterson

THAT Report No. 113: Received from the Planning Committee be received and adopted.

Report No. 113

The following recommendations were deferred from the October 2, 2012 Council Meeting:

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

1) Application for Zoning By-Law Amendment, 3480 Princess Street

THAT the application for Zoning By-Law Amendment (Our File No. D14-257-2012) submitted by IBI Group, on behalf of 548463 Ontario Ltd., for the property municipally known as 3480 Princess Street, **BE APPROVED**; and

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

1.1. By **Amending** Section 15(3)(jj) thereto as follows:

“(jj) **‘R4-37’ – 3480 Princess Street**

Notwithstanding the provisions of Section 15 hereof to the contrary, the lands Zoned 'R4-37' on Schedule 'A' hereto, the following regulations shall apply:

- 1) Permitted use: Row Dwelling House
- 2) Lot Area Minimum: 190 square metres
- 3) Lot Frontage on a Private Road or Lane Minimum: 6.0 metres and 12.0 metres for corner lots
- 4) Exterior Side Yard Minimum: 3.0 metres
- 5) Interior Side Yard Minimum: 1.2 metres for end units
- 6) Landscaped Open Space Minimum: 30%
- 7) Lot Coverage Maximum: 50%
- 8) Building Height Maximum: 11 metres
- 9) Notwithstanding any regulations to the contrary the maximum number of dwelling units per row dwelling house shall be 4 dwelling units
- 10) Minimum Rear Yard Setback: 7.62 metres."

THAT the Zoning By-Law Amendment By-Law be presented to City Council for all three readings.

(See By-Law No. (5), 2012-153)

CARRIED

* * * * *

Report No. 114: Received from the Planning Committee

Moved by Councillor George
Seconded by Councillor Berg

THAT Report No. 114: Received from the Planning Committee be received and adopted.

Report No. 114

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

Councillor Schell withdrew from the meeting.

a) Zoning Setback Policy regarding Gaming Facilities

WHEREAS the City of Kingston has indicated that it is interested in principle in permitting a gaming facility within its boundaries; and

WHEREAS the timeline is short to implement any zoning setback policy specifically as it relates to gaming facilities;

THEREFORE BE IT RESOLVED THAT staff be directed to research and identify zoning setback best practices in gaming industry developments and report back with recommendations before January 2013 with additional funding up to the amount of \$25k from the Working Fund Reserve to assist with the preparation of the policy.

CARRIED (7:4)
(See Recorded Vote)

A Recorded Vote was requested by Councillor Downes

YEAS: Councillor Berg, Councillor George, Councillor Glover, Councillor Hector,
Councillor Hutchison, Councillor Paterson, Councillor Scott (7)

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

ABSENT: Councillor Reitzel, Councillor Schell (2)

Councillor Schell returned to the meeting.

Report No. 115: Received from the Kingston Municipal Heritage Committee

Moved by Councillor Glover

Seconded by Councillor Osanic

THAT Report No. 115: Received from the Kingston Municipal Heritage Committee be received and adopted.

Report No. 115

To the Mayor and Members of Council:

The Kingston Municipal Heritage Committee reports and recommends as follows:

The following recommendations were deferred from the October 2, 2012 Council Meeting:

- 1) Approval of alterations at 11-23 Ontario Street, also known as the Pump House Steam Museum for the installation of two freestanding non-illuminated interpretative panels.**

THAT alterations to the designated property located at 11-23 Ontario Street, also known as the Pump House Steam Museum be approved in accordance with the details described in Application P18-260-056-2012 and the submission dated July 13th, 2012 that was deemed complete by the Planning and Development Department on July 13th, 2012, as revised for the September 10th, 2012 meeting, said alterations requesting approval for the installation of two freestanding exterior non-illuminated interpretative panels, subject to the following conditions:

REPORTS (CONTINUED)

Report No. 115: Received from the Kingston Municipal Heritage Committee

- 1) That 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) 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, Culture and Sport (416-314-7132) and the City of Kingston's Planning and Development Department (613-546-4291 ext 3180) must be immediately contacted.
- 3) 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 (416-326-8404), the Cultural Program Branch of the Ministry of Tourism and Culture (416-314-7132), and the City of Kingston's Planning and Development Department (613-546-4291 ext 3180) must be immediately contacted.

2) Approval of alterations at 172 Ontario Street for the installation of a new hanging sign on the existing sign bracket.

THAT alterations to the designated property located at 172 Ontario Street be approved in accordance with the details described in Application P18-265-062-2012 and the submission dated August 13th, 2012 that was deemed complete by the Planning and Development Department on August 17th, 2012, said alterations requesting approval for the installation of a new hanging sign on the existing sign bracket, subject to the following conditions:

- 1) That the proposed sign comply with Sign By-law 2009-140 and that a sign permit be obtained.
- 2) That an encroachment permit be obtained for the proposed sign.
- 3) That 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.

REPORTS (CONTINUED)

Report No. 115: Received from the Kingston Municipal Heritage Committee

- 3) **Approval of alterations at 85 Barrack Street (256 Wellington Street) for the construction of a new front deck along Wellington Street with stairs and an accessibility ramp similar to the existing railing and to repair the white picket fence and gate.**

THAT alterations to the designated property located at 85 Barrack Street (256 Wellington Street) be approved in accordance with the details described in Application P18-053-063-2012 and the submission dated August 16th, 2012 that was deemed complete by the Planning and Development Department on August 20th, 2012, said alterations requesting approval for the construction of a new front deck along Wellington Street with stairs and an accessibility ramp similar to the existing railing and to repair the white picket fence and gate, subject to the following conditions:

- 1) That a building permit application is required for the proposed scope of work.
 - 2) That 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
 - 3) 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, Culture and Sport (416-314-7132) and the City of Kingston's Planning and Development Department (613-546-4291 ext 3180) must be immediately contacted.
 - 4) 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 (416-326-8404), the Cultural Program Branch of the Ministry of Tourism and Culture (416-314-7132), and the City of Kingston's Planning and Development Department (613-546-4291 ext 3180) must be immediately contacted.
- 4) **Approval of alterations at 320 – 322 King Street East located in the Market Square Heritage Conservation District to install a new sign on the facade above the second storey windows.**

THAT alterations to the designated property located at 320 – 322 King Street East located in the Market Square Heritage Conservation District be approved in accordance with the details described in Application P18-696-064-2012 and the submission dated August 16th, 2012 that was deemed complete by the Planning and Development

REPORTS (CONTINUED)

Report No. 115: Received from the Kingston Municipal Heritage Committee

Department on August 20th, 2012, said alterations requesting approval for the installation of a new sign on the facade above the second storey windows notwithstanding the Heritage Conservation District Study, Section III.A.4 Signs (Restrictions Against Self-Illuminated Signs), the Application is approved because:

- 1) It is a second floor sign for a business not located on the ground floor; and
- 2) The proposed design is non obtrusive and LED Self Illuminated is much less obtrusive than earlier Self-Illuminated signs such as Neon.

5) Approval of alterations at 193 Ontario Street to paint the exterior door and trim.

THAT alterations to the designated property located at 193 Ontario Street be approved in accordance with the details described in Application P18-270-065-2012 and the submission dated August 17th, 2012 that was deemed complete by the Planning and Development Department on August 17th, 2012, said alterations requesting approval to paint the exterior door including the option of the trim of the arch around the door to be painted a different shade of the door in order to highlight the architectural feature of the door.

6) Approval of alterations at 121 Stuart Street for a new artificial turf sports field, including new landscaping, metal fencing, lighting and players enclosure, sidewalk, bicycle racks.

THAT alterations to the designated property located at 121 Stuart Street be approved in accordance with the details described in Application P18-322-066-2012 and the submission dated August 17th, 2012 that was deemed complete by the Planning and Development Department on August 27th, 2012, said alterations requesting approval for a new artificial turf sports field, including new landscaping, metal fencing, lighting and players enclosure, sidewalk, bicycle racks, subject to the following conditions:

- 1) That a building permit application is required for the proposed shelter structures and stairs.

7) Reaffirmation of an Emergency Approval of an application for 81-83 King Street East to install fire shutters painted to match the corresponding wall colour above several openings along the rear elevation and west side elevation (along Maitland Street); to replace two windows in the rear elevation with wire glass in a steel frame; to replace the second floor door that exits onto the rear fire escape with a 1 3/4" solid core slab wood door; and to construct a new wooden fire escape along the west side of the building.

THAT Application P18-178-043-2012EA for the property located at 81-83 King Street East, to install fire shutters painted to match the corresponding wall colour above several openings along the rear elevation and west side elevation (along Maitland

REPORTS (CONTINUED)

Report No. 115: Received from the Kingston Municipal Heritage Committee

Street); to replace two windows in the rear elevation with wire glass in a steel frame; to replace the second floor door that exits onto the rear fire escape with a 1 ¾" solid core slab wood door; and to construct a new wooden fire escape along the west side of the building, **BE REAFFIRMED** in accordance with the details described within a submission filed May 28, 2012 and deemed complete by the Planning and Development Department on August 14, 2012.

8) Final Approval of a Heritage Grant Application for exterior painting at 115 Gore Street.

WHEREAS the owner of 115 Gore Street has requested final approval for Heritage Grant Application HG-08-2012, 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-08-2012 for 115 Gore Street **BE APPROVED** for the repair of exterior painting of: wood, soffit, fascia, dormers, windows and casings, front vestibule columns, decorative wood detailing (coves, cornices, etc) and front stair; and

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'.

9) Final Approval of a Heritage Grant Application for new storm windows and sash restoration at 158 Earl Street.

WHEREAS the owner of 158 Earl Street has requested final approval for Heritage Grant Application HG-11-2012, 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-11-2012 for 158 Earl Street **BE APPROVED** for new storm windows and sash restoration; and

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
(Clauses (1) through (9))**

REPORTS (CONTINUED)

Report No. 116: Received from the Kingston Municipal Heritage Committee

Moved by Councillor Glover

Seconded by Councillor Schell

THAT Report No. 116: Received from the Kingston Municipal Heritage Committee be received and adopted.

Report No. 116

To the Mayor and Members of Council:

The Kingston Municipal Heritage Committee reports and recommends as follows:

Clause (1) was deferred from the October 2, 2012 Council Meeting:

- 1) Reaffirmation of an Emergency Approval of an application for 82-84 Brock Street to repair and restore the main level of the facade including stone cleaning, scrapping and painting all the woodwork, installing new thermal pane windows in the main openings, recladding the entrance to 82 Brock Street, filling in the openings in the base stone, finishing the entrance floor with concrete and reinstalling the existing tiles; works at the rear of the building include alterations to the window and opening.**

THAT Application P18-082-067-2012EA for the property located at 82-84 Brock Street, to repair and restore the main level of the façade of 82 Brock Street and the doorway to 84 Brock Street. The stone will be cleaned with walnut, corn, baking soda or sandblast method. All woodwork and paint will be scrapped and painted. The main glazed openings will remain the same size they are at present, but will have new thermal pane windows; broken glass in transom windows will be replaced. The entrance door alcove to 82 Brock Street will be reclad in wood tongue and groove panels. The stone will be cleaned and openings in the base stone will be filled in. The entrance floor will be repoured in concrete and existing tiles will be reinstalled. Various works will be completed to the openings on the rear elevation – one window at the rear of 82 Brock Street will be scraped and painted, a wired glass in a steel frame will be installed on the inside of this window and the second window opening will be filled with glass blocks or framed, insulated and stuccoed grey, **BE REAFFIRMED** in accordance with the details described within a submission filed August 30th, 2012 and deemed complete by the Planning and Development Department on September 4th, 2012, subject to the following conditions:

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. If required by the Building Section, a building permit should be obtained.

CARRIED

* * * * *

Report No. 117: Received from the Kingston Municipal Heritage Committee

Moved by Councillor Glover
Seconded by Councillor Schell

THAT Report No. 117: Received from the Kingston Municipal Heritage Committee be received and adopted.

Report No. 117

To the Mayor and Members of Council:

The Kingston Municipal Heritage Committee reports and recommends as follows:

- 1) **Approval of alterations at 29 Baiden Street to repair and repaint the front door a similar heritage yellow colour as currently exists, to paint the window shutters a heritage navy blue or charcoal grey, and to repair and repaint/stain the fence.**

THAT alterations to the designated property located at 29 Baiden Street be approved in accordance with the details described in Application P18-052-057-2012 and the submission dated July 16th, 2012 that was deemed complete by the Planning and Development Department on July 20th, 2012 as updated for the October 1st, 2012 meeting, said alterations requesting approval to repair and repaint the front door a similar heritage yellow colour as currently exists, to paint the window shutters a heritage navy blue or charcoal grey, and to repair and repaint/stain the fence, subject to the following conditions:

1. The front door must contain a door viewer and a deadbolt lock as required by the Building Code.
2. That 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.
3. That the fence be redesigned following the examples of picket fences provided by the Heritage Committee.
4. That the applicant provide a letter agreeing to withdraw the application to alter the garage and resubmit at a later date as a new OHA permit application.

- 2) **Approval of alterations at 151 Earl Street for the installation of a handrail along the front stairs towards the basement unit with the recommendation that the handrail be round or elliptical, either metal or wood and painted.**

REPORTS (CONTINUED)

Report No. 117: Received from the Kingston Municipal Heritage Committee

THAT alterations to the designated property located at 151 Earl Street be approved in accordance with the details described in Application P18-633-068-2012 and the submission dated September 20th, 2012 that was deemed complete by the Planning and Development Department on September 20th, 2012, said alterations requesting approval for the installation of a handrail along the front stairs towards the basement unit with the recommendation that the handrail be round or elliptical, either metal or wood and painted, subject to the following conditions:

- 1) That the handrail installation comply with the Building Code requirements and that it be included in the current building permit that relates to a previously approved OHA permit (P18-633-047-2012).

- 3) **Approval of alterations at 437 King Street West for the installation of two sets of double doors made of pine with white oak sills in the north wall of the building. The exterior trim around the proposed doors will match the trim on the door and window adjacent to the proposed door locations University [A pecuniary interest was declared by Member, Mac Gervan]**

THAT alterations to the designated property located at 437 King Street West be approved in accordance with the details described in Application P18-230-069-2012 and the submission dated September 20th, 2012 that was deemed complete by the Planning and Development Department on September 20th, 2012, said alterations requesting approval for the installation of two sets of double doors made of pine with white oak sills in the north wall of the building. The exterior trim around the proposed doors will match the trim on the door and window adjacent to the proposed door locations, subject to the following conditions:

- 1) That a building permit application is required for the proposed scope of work.

- 4) **Reaffirmation of an Emergency Approval of an application for 18 Earl Street to temporarily remove the front porch to regrade the area below to prevent further flooding, with existing deck to be replaced as is.**

THAT Application P18-577-070-2012EA for the property located at 18 Earl Street, to temporarily remove the front porch to regrade the area below to prevent further flooding, with existing deck to be replaced as is, **BE REAFFIRMED** in accordance with the details described within a submission filed September 21st, 2012 and deemed complete by the Planning and Development Department on September 21st, 2012.

**CARRIED
(Clauses (1) through (4))**

REPORTS (CONTINUED)

Report No. 118: Received from the Administrative Policies Committee

Moved by Councillor Hector
Seconded by Councillor Paterson

THAT Report No. 118: Received from the Administrative Policies Committee be received and adopted.

Report No. 118

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

1) Amendments to the Smoking By-law No. 2002-231

THAT a by-law be presented to Council to amend By-Law 2002-231, the Smoking By-law, as outlined in Exhibit "A", as amended to include further provisions with respect to "transfer stations" and "transfer points" as outlined below:

"1.10 Section 1 Definitions, Add Definition of "transfer point":

"Transfer point" means that part of the Kingston Transit passenger transportation system including shelters used by, or intended for the use of, passengers boarding or exiting from a transit vehicle and which is not located on a highway."

1.11 Section 1 Definitions, Add Definition of "transfer shelter":

"Transfer Shelter" means a fully enclosed or partially enclosed waiting area which is intended for use by passengers waiting to use the passenger transportation system and which is located at a "transfer point"."

1.17 Add Section 4.1 (xxix) to By-Law 2002-231

"4.1 (xxix) within nine meters of a transfer shelter located at a transfer point including but not limited to; Cataraqui Centre, Kingston Centre and St. Lawrence College.""; it being understood that the aforementioned amendments effect transfer points and transfer shelters"

(Note: A copy of the draft by-law is attached as Schedule Pages 135 - 139)

(See By-Law No. (2), 2012-150)

CARRIED (10:2)
(See Recorded Vote (1))
(See Motions To Amend Which Were LOST)

Moved by Councillor Hutchison
Seconded by Councillor Paterson

REPORTS (CONTINUED)

Report No. 118: Received from the Administrative Policies Committee

THAT Clause (1), Report No. 118, Received from the Administrative Policies Committee be amended by inserting the following recommendation thereto:

“THAT the proposed Smoking By-law be amended at section 1.13, *“4.1 (xxv) a park:”* to read that “any person may smoke in a park as long as no other unrelated person is within 15 metres of the person smoking””.

**LOST (3:9)
(See Recorded Vote (2))**

Moved by Councillor Hutchison
Seconded by Councillor Paterson

THAT Clause (1), Report No. 118, Received from the Administrative Policies Committee be deferred back to the Administrative Policies Committee to explore further options for persons to be able to smoke in parks.

LOST

1) A Recorded Vote was requested by Councillor Downes

YEAS: Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Glover, Councillor Hector, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Schell, (10)

NAYS: Councillor Berg, Councillor Scott (2)

ABSENT: Councillor Reitzel (1)

2) A Recorded Vote was requested by Councillor Neill

YEAS: Councillor Hutchison, Councillor Paterson, Councillor Scott (3)

NAYS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Glover, Councillor Hector, Councillor Neill, Councillor Osanic, Councillor Schell, (9)

ABSENT: Councillor Reitzel (1)

Moved by Councillor Hector
Seconded by Councillor Glover

THAT Council waive the rules of By-Law No. 2010-1, “Council Procedural By-Law”, in order to extend the meeting to complete the Report No. 118, Received from the Administrative Policies Committee, time sensitive items, and by-laws.

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

REPORTS (CONTINUED)

Report No. 119: Received from the Arts, Recreation and Community Policies Committee

Report No. 119

To the Mayor and Members of Council:

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

a) Motion pertaining to the Building of a School on the Memorial Centre Site

WHEREAS at the regular meeting of the Kingston City Council held on Wednesday July 24, 2007 the following motion was approved.

“THEREFORE BE IT RESOLVED THAT Kingston City Council wishes to advise the Chair and Trustees of the Limestone District School Board that the Memorial Centre site is not available for the construction of a new school by the Limestone District School Board as was recently recommended for consideration by the CN Watson report to the Trustees of the Limestone District School Board at the June 19, 2007 meeting of the Board of Trustees”, and

WHEREAS according to a report by local architect Mikaela Hughes, compiled using data from the City of Kingston G.I.S. Department, and presented to Council during the fight to save the Memorial Centre in 2004, Williamsville has the lowest amount of park space per capita in Kingston, and Kingscourt-Strathcona has the second lowest amount of park space per capita in Kingston, and

WHEREAS several million dollars have already been spent, and extensive community engagement has also taken place to guide the redevelopment and revitalization of the Memorial Centre site:

THEREFORE BE IT RESOLVED THAT in response to the resolution of Kingston City Council from the May 1, 2012 meeting of Kingston City Council pertaining to Limestone School Board Program and Accommodation Review Committee, the Kingston Memorial Centre Advisory Committee recommends to the Arts, Recreation and Community Policies Committee that the City of Kingston do not support the building of a school on the Memorial Centre site.

DEFERRED

b) Motion pertaining to Memorial Centre Site Updates

THAT in response to Report No. KMCAC-12-003 regarding the Memorial Centre Site Updates, that during the next round of budget talks, staff requests a budget line of \$40,000 to replace the rubberized safety flooring inside the Memorial Centre in order to ensure that a safe way of traffic flow can occur.

DEFERRED

REPORTS (CONTINUED)

Report No. 119: Received from the Arts, Recreation and Community Policies Committee

- c) **Motion pertaining to appointments to the Kingston Arts Council Committee to review the Administration Plan for Administration of the City of Kingston Arts Fund**

THAT Katherine Porter and Sunny Kerr be appointed to the Kingston Arts Council Committee to review of the Administration Plan for the City of Kingston Arts Fund.

DEFERRED

Report No. 120: Received from the Environment, Infrastructure and Transportation Policies Committee

Report No. 120

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

The following recommendations were deferred from the October 2, 2012 Council Meeting:

1) 2012 – 2013 Cycling Program Implementation Plan

THAT Council authorize the amendment of By-Law No. 2003-209, “A By-Law for Regulating Traffic in the Highways of the City of Kingston, subject to the Provisions of the Highway Traffic Act”, be amended, to add the following proposed designated cycling lanes to “Schedule D-6 Bicycle Lanes”:

- Union Street: King Street West to Sir John A. Macdonald Blvd.
- Montreal Street: Rideau Street to Ordnance Street
- Days Road: Front Road to Castell Road
- Bayridge Drive: Front Road to Coverdale Drive; and

THAT Council authorize the amendment of By-Law No. 2010-128, “A By-Law to Regulate Parking”, in order to remove all on-street parking to accommodate designated cycling lanes on:

- Union Street: King Street West to Sir John A. Macdonald Blvd.
- Montreal Street: Rideau Street to Ordnance Street
- Montreal Street: Highway 401 on ramp to John Counter Blvd
- Division Street: Concession Street to Colborne Street; and

REPORTS (CONTINUED)

Report No. 120: Received from the Environment, Infrastructure and Transportation Policies Committee

THAT the addition of designated cycling lanes for Johnson Street and Brock Street from Sir John A. Macdonald Blvd. to Division Street, be implemented subject to:

- Council approval of on-street parking removals on Johnson Street and Brock Street from Sir John A. Macdonald Blvd. to Division;
- Implementation of Kingston Transit Express 1 September 2013.
- Staff providing recommendations for changes to the parking regulations and options for inventory management on adjacent streets in the area.

(See By-Law No. (3), 2012-151)

(See By-Law No. (4), 2012-152)

DEFERRED

2) State of Good Repair – Designated Cycling Lanes

THAT Public Works maintain their current customer care phone line with the addition of a new work order coding that identifies that the call pertains to a cyclist inquiry; and

THAT the best overall value to the City of Kingston is to maintain current road patrolling frequency as per the Minimum Maintenance Standards; and

THAT the best overall value to the City is to maintain current snow clearing operations as per the Minimum Maintenance Standards; and

THAT Public Works continue their on-going road patrols in order to identify and repair pavement distresses specific to the needs of cyclists; and

THAT the City revises the street sweeping schedule to ensure that priority is given to designated cycling lane roads during the annual spring cleanup program; and

THAT street sweeping occur on a monthly basis on designated cycling lane roads following the spring cleanup sweeping program and continuing until the fall leaf sweeping program; and

THAT catchbasin and manhole depression repairs are scheduled and carried out in an applicable annual program with a priority for designated cycling lanes; and

THAT the City continues to carry out their annual pavement marking program; and

THAT staff ensure that applicable signage such as Share the Road and Rough Surface Ahead are posted in advance of construction zones.

DEFERRED

REPORTS (CONTINUED)

Report No. 120: Received from the Environment, Infrastructure and Transportation Policies Committee

3) Williamsville Main Street Cycling Lanes

The following motion was LOST on a tie vote.

[Committee By-law 2010-205, Section 2.9 b) under 'Clauses Lost at Committee Meetings' states that: "Motions that result in a tied vote at a Committee must be reported to Council or to the appropriate Committee to which it reports, as determined by the By-Law, with no recommendation to allow Council the opportunity to discuss and make a decision". This process is also noted within Procedural By-law 2010-1, Section 11:23 a) under 'Committee Reports'.]

WHEREAS the right-of-way of the Princess Street Corridor in Williamsville is restricted to 20 metres in width; and

WHEREAS the transportation analysis for the *Williamsville Main Street Study* included the additional work completed by the MMM Group with respect to the issue of incorporating cycling lanes on Princess Street in Williamsville; and

WHEREAS the inclusion of cycling lanes may impact the ability of Kingston Transit to implement future signal priority/queue jump options for the Princess Street Corridor; and

WHEREAS the on-street parking and loading spaces are necessary to support the economic development and revitalization of the Williamsville Main Street; and

WHEREAS the City is continuing to implement the *Cycling and Pathways Study* and expand the cycling network through the planning and development of a comprehensive, multi-year program;

THEREFORE BE IT RESOLVED THAT the City approve Option B of Report No. EITP-12-018 and support the original conclusion from the *Williamsville Main Street Study* that cyclists on Princess Street in Williamsville would continue to travel in the general lane of traffic with other vehicles.

The following motion was LOST on a tie vote.

[Committee By-law 2010-205, Section 2.9 b) under 'Clauses Lost at Committee Meetings' states that: "Motions that result in a tied vote at a Committee must be reported to Council or to the appropriate Committee to which it reports, as determined by the By-Law, with no recommendation to allow Council the opportunity to discuss and make a decision". This process is also noted within Procedural By-law 2010-1, Section 11:23 a) under 'Committee Reports'.]

REPORTS (CONTINUED)

Report No. 120: Received from the Environment, Infrastructure and Transportation Policies Committee

WHEREAS the community is expressing considerable interest in expanding cycle lane options by emphasizing health and economic benefits; and

WHEREAS Option A of Report No. EITP-12-018 outlines a sequential process which could be terminated at any stage should it be determined to be undesirable to proceed further;

THEREFORE BE IT RESOLVED THAT the City approve Option A of Report No. EITP-12-018, and;

THAT Staff be directed to proceed sequentially with the three implementation steps.

DEFERRED

4) Cycling Loop Event

THAT staff work with stakeholders to stage a 'Four (4) hour Sunday cycling event' in September, 2013, using the two westbound lanes of Front Road/King Street, between Days Road and Portsmouth Avenue, for cycling, leaving the two eastbound lanes open for vehicular traffic; and

THAT a budget of \$16,000 be included in the 2013 operational budget submission, to cover estimated staffing, equipment rentals, signage and promotional costs.

DEFERRED

5) Electric Vehicles

THAT the City of Kingston, Utilities Kingston and Kingston Hydro develop a public education program to promote the most sustainable method of charging plug in electric vehicles, that is through the use of charging stations, including home charging stations that would be used exclusively during off peak hours.

DEFERRED

6) Committee Resignations from the Kingston Environmental Advisory Forum

THAT the resignations of Mr. Cam McCauley and Ms. Barbara Muirhead from the Kingston Environmental Advisory Forum be accepted with regret.

DEFERRED

REPORTS (CONTINUED)

Report No. 120: Received from the Environment, Infrastructure and Transportation Policies Committee

Moved by Councillor Downes
Seconded by Councillor Paterson

THAT Council waive the rules of By-Law No. 2010-1, "Council Procedural By-Law", in order to deal with Clause (7), Report No. 120, Received from the Environment, Infrastructure, and Transportation Policies Committee.

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

7) Speed of vehicle traffic on Crossfield Avenue

WHEREAS the residents who live in the area of Crossfield Avenue have expressed concern about the speed of vehicle traffic; and

WHEREAS a petition from the same residents was presented to the last Council meeting and still is being signed by residents;

THEREFORE BE IT RESOLVED THAT Staff report to the EITP committee at the November 13th, 2012 meeting regarding speed humps or other measures that can be implemented to slow down cars; and

THAT Kingston Transit staff be consulted and be asked to comment on the impact of speed humps for Crossfield Avenue.

CARRIED

Report No. 121: Received from the Rural Advisory Committee

Report No. 121

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

a) Municipal Powers under the *Planning Act* regarding Large Scale Solar Panel Array Projects

WHEREAS there are many large solar panel array projects being proposed within the rural area of the City of Kingston; and

WHEREAS the Green Energy Act has removed municipalities official plan and zoning bylaw controls over these projects; and

WHEREAS without the official plan and zoning by-law controls the City has no mechanism to protect rural residents from the impacts of these large projects;

THEREFORE BE IS RESOLVED THAT the City of Kingston ask the Ontario Government to reinstate municipal powers in relation to the *Planning Act* regarding large scale solar panel array projects; and

THAT a copy of this recommendation be forwarded to Mr. Jim Bradley, Minister of the Environment, the Association of Municipalities of Ontario (AMO), and all municipalities in Ontario where REA applications have been made; and

THAT as an interim measure Council request that the Minister of the Environment adopt the City of Kingston Landscaping and Site Design Guidelines for Large-Scale, Ground-Oriented Solar Energy Facilities Guidelines.

(A copy of the City of Kingston Landscaping and Site Design Guidelines for Large Scale, Ground Oriented Solar Energy Facilities Guidelines was distributed separately from the agenda)

DEFERRED

INFORMATION REPORTS

Note: Information Reports No. (1) through (4) were deferred from the October 2, 2012 Council Meeting.

1) OLG Process: Public Consultation Analysis

This report provides a numerical breakdown of the 3,338 responses to the public consultation invitation based on the comments received at the public meeting, through the on-line survey and correspondence received by the City.

(The Report of the Commissioner of Sustainability and Growth (12-295) was attached as Schedule Pages 80 – 99 to the October 2, 2012 Council agenda)
(File No. CSU-P09-000-2012)

2) OLG Process: Community Impact Analysis

This report serves to provide information to Council on the community impacts of casinos, as indicated in Report 12-291 on August 14.

(The Report of the Commissioner of Sustainability and Growth (12-294) was attached as Schedule Pages 100 – 141 to the October 2, 2012 Council agenda)
(File No. CSU-P09-000-2012)

3) 2012 KEDCO Economic Impact Projection – Proposed Kingston Casino

This report transmits information received from Jeff Garrah, CEO of Kingston Economic Development Corporation (KEDCO). The information provides Council with the Economic Impact Projection commissioned by KEDCO as prepared by Enigma Research Corporation.

(The Report of the Commissioner of Sustainability and Growth (12-327) was attached as Schedule Pages 142 – 168 to the October 2, 2012 Council agenda)
(File No. CSU-P09-000-2012)

4) Ontario Lottery and Gaming Corporation (OLG) – Municipal Contribution Agreement

The Ontario Lottery and Gaming Corporation (OLG) has been reviewing the terms for financial agreements that outline the host municipality's share of revenue. A draft agreement will be provided to other potential host municipalities next week. OLG provided information to the City regarding the financial formulas in an email on October 2. Staff received a summary for Council to summarize the financial revenue sharing formula.

(The Report of the Commissioner of Sustainability and Growth (12-341) was attached as Schedule Pages 1 – 4 to the October 2, 2012 Council addendum)
(File No. CSU-P09-000-2012)

5) Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of August 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 August 2012.
2. Report additional information on contracts awarded by senior staff between the \$20,000 and \$50,000 level for the month of August 2012.

(The Report of the City Treasurer (12-318) is attached as Schedule Pages 140 - 147)
(File No. CSU-F18-000-2012)

6) 2012 Priority Matrix – Q3 update

It is the practice of staff to provide an update to Council on the projects and initiatives that are included on the Priority Status Matrix. This report provides an update as of September 30, 2012.

(The Report of the Chief Administrative Officer (12-342) is attached as Schedule Pages 148 - 168)

(File No. CSU-C08-000-2012)

7) 2012 Mayor’s Community Breakfast

The purpose of this report is to provide Council a summary of the feedback received from community members at this year’s community breakfast session.

(The Report of the Mayor (12-344) is attached as Schedule Pages 169 - 175)
(File No. CSU-C08-000-2012)

8) Review of City of Kingston Electoral District Boundaries

The purpose of this report is to provide an update to Council respecting the status of the review of the City’s existing electoral district boundaries.

(The Report of the City Solicitor and Director of Legal Services (12-346) is attached as Schedule Pages 176 - 181)
(File No. CSU-C07-000-2012)

**DEFERRED
(Items (1) through (8))**

MISCELLANEOUS BUSINESS

Note: Miscellaneous Business Item (1) was deferred from the October 2, 2012 Council Meeting.

- (1) **THAT** the following Board and Committee appointment by the St. Lawrence College be confirmed without comment:

Board / Committee	Length of Term	Names
Kingston Environmental Advisory Forum	November 30, 2014	Confirmation only required Adegboyega Babasola (alternate)

(See Communication No. 12-293)

DEFERRED

- (2) **THAT**, as requested by Kitchenuhmaykoosib Inninuwug First Nation, Council approve the raising of the flag from November 12 – November 14, 2012, in Confederation Park in the City of Kingston.

(See Communication No. 25-403)

DEFERRED

- (3) **THAT**, as requested by Kitchenuhmaykoosib Inninuwug First Nation, Council proclaim November 12, 2012 as “Third World Canada Tour Day” in the City of Kingston.
(See Communication No. 25-404)

DEFERRED

- (4) **THAT**, as requested by Toastmasters, Council proclaim November 12 – 18, 2012 as “Toastmasters Week” in the City of Kingston.
(See Communication No. 25-412)

DEFERRED

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NEW MOTIONS

- 1) Moved by Councillor Osanic
Seconded by Councillor Schell

WHEREAS the Federal Government announced in the spring of 2012 that the Kingston Penitentiary located in the city of Kingston would close by 2014; and

WHEREAS the prison has a payroll of over half a million dollars; and

WHEREAS the 465 staff that are currently employed at the prison contribute to Kingston’s local economy and to city tax revenues; and

WHEREAS many positions are in danger of being surplus and employees at the Kingston Penitentiary are stressed over job uncertainty and pending financial hardship;

THEREFORE BE IT RESOLVED THAT the Kingston City Council request that the Federal Government reveal in detail the true net savings of the closure to Canadian taxpayers, deducting the costs for implementing the closure and the total expense for holding the inmates elsewhere; and

THAT the Kingston City Council request that the Federal Government transfer as many jobs as it can to the other local penitentiaries in the region, thereby disrupting as few staff and their families as possible; and

THAT a copy of this resolution be forwarded to Kingston and the Islands MP, Ted Hsu, the Minister of Public Safety, Victor Toews, and the Public Safety Opposition Critics, Randall Garrison (New Democratic Party), George Baker and Francis Scarpaleggia (Liberal Party of Canada) and Maria Mourani (Block Quebecois).

DEFERRED

- 2) Moved by Councillor Schell
Seconded by Councillor Glover

WHEREAS Providence Continuing Care has requested Site Plan Control Approval; and

WHEREAS the citizens of Kingston, during numerous public meetings, were given a welcome concept of this new hospital in terms of a “seamless integration” between park and hospital grounds, with wheelchair trails from the hospital into the park, allowing families of those with often traumatic injuries the ability for all to wander through nature, thus encouraging healing and family bonding; and

WHEREAS instead the hospital has a ring road and a fence against the park boundary and not one wheelchair access point to the park; and

WHEREAS the hospital has been placed as close to Lake Ontario Park as allowed (20 metres), with the closest building structure being the forensic unit; and

WHEREAS this forensic unit will be built up 2 metres above grade with a three story unit on top with a fenced in exercise yard that overlooks the newly built Lake Ontario Park splash pad and playground; and

WHEREAS staff and citizens have suggested that this should be changed and there has been a negative response from Providence Care; and

WHEREAS staff and citizens have recommended that Providence Care flip its building plan to put the forensic unit to the south east, overlooking the water and grass, and the wheelchair area and sensory garden close to the join of Lake Ontario Park and the south end of the hospital grounds, thus encouraging an easy access wheelchair path to be built to join the park and hospital grounds;

THEREFORE BE IT RESOLVED THAT Council move the Site Plan Approval request to Planning Committee for full discussion.

DEFERRED

- 3) Moved by Mayor Gerretsen
Seconded by Councillor Berg

WHEREAS Section 9.1 of By-Law No. 2010-1, “Council Procedural By-Law”, as amended, states that “meetings of Council are held at City Hall in the Council Chambers at 216 Ontario Street unless otherwise decided by resolution of Council; and

WHEREAS access to the Council Chambers will be restricted at various times during Q4 as a result of the installation of technological enhancements to the meeting room; and

WHEREAS it is desirable to work with the City of Kingston’s local partners to engage citizens and provide community outreach by relocating to a suitable and functional meeting space during this time;

THEREFORE BE IT RESOLVED THAT Council waive By-Law No. 2010-1, “Council Procedural By-Law”, as amended, in order to hold the Tuesday, November 20, 2012 Council meeting in **The Paul and Tom Kinnear Classroom, Room 108**, West Wing,

Goodes Hall, Queen's University, 143 Union Street, Kingston, commencing at 6:30 p.m., with a closed session to be held in the **Sutton Meeting Room, Room 300**, if required; and further that the Tuesday, December 4, 2012 Meeting of Council be held in the Kingston Room, CFB Kingston, 1 Princess Royal Avenue, commencing at 6:30 p.m., with a closed session to be held in the Mercury Room, if required.

DEFERRED

NOTICES OF MOTION

MINUTES

THAT the Minutes of City Council Meeting No. 2012-21, held Tuesday, September 18, 2012, and the Minutes of Special City Council Meeting No. 2012-22, held Monday, September 25, 2012, and the Minutes of City Council Meeting No. 2012-23, held Tuesday, October 2, 2012, be confirmed.

(Distributed to all Members of Council on September 26, 2012, and October 12, 2012)

DEFERRED

TABLING OF DOCUMENTS

Note: Documents No. (2012-74) through to (2012-80) were deferred from the October 2, 2012 Council meeting.

Council consented to the **addition** of Tabling of Documents No. 2012-81 and 2012-82.

2012-74 Kingston & Frontenac Housing Corporation
Agenda – September 24, 2012
(File No. CSU-S13-000-2012)

2012-75 Kingston & Frontenac Housing Corporation
Minutes – April 30, 2012
(File No. CSU-S13-000-2012)

2012-76 Kingston & Frontenac Housing Corporation
Minutes – June 25, 2012
(File No. CSU-S13-000-2012)

2012-77 Kingston & Frontenac Housing Corporation
Minutes – June 19, 2012
(File No. CSU-S13-000-2012)

2012-78 Cataraqui Region Conservation Authority

Agenda – September 26, 2012

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

2012-79 KFL&A Public Health Board
Agenda – September 26, 2012
(File No. CSU-S08-001-2012)

2012-80 Kingston Frontenac Public Library Board
Minutes – June 27, 2012
(File No. CSU-R02-000-2012)

2012-81 Downtown Kingston! BIA Board of Management
Minutes – September 12, 2012
(File No. CSU-A01-001-2012)

2012-82 Kingston Police Services Board
Agenda – October 18, 2012
(File No. CSU-P17-000-2012)

DEFERRED

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COMMUNICATIONS

Note: Communications (23-391) through to (23-402) were deferred from the October 2, 2012 Council Meeting.

Council consented to the **addition** of Communications No. (25-413) through to (25-418).

Filed

23-391 From the Committee of Adjustment, a Notice of Decision for the following applications:

MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 32-74 for the property at 1153 Middle Road, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is October 15, 2012.

MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 8499 for the property at 30 Churchill, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is October 15, 2012.

CONSENT – In respect of an application for consent to sever the property at 1130 Midland Avenue, the Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is October 16, 2012.

MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 76-26 for the property at 1130 Midland Avenue, the Committee decided

that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is October 15, 2012.

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

23-394 From Municipal Property Assessment Corporation (MPAC), providing the 2012 Property Assessment Notice Mailing.

(File No. CSU-F22-000-2012)

(Distributed to all Members of Council on September 24, 2012)

25-414 From The Honourable Rob Nicholson, Minister of Justice and Attorney General of Canada, acknowledging receipt of the resolution passed by Kingston City Council to support the development of a youth strategy that promotes diversity and tolerance.

(File No. CSU-S07-000-2012)

Referred to All Members of Council

23-384 From City of Hamilton, asking for Council's support on a resolution that the City of Hamilton's Council passed with respect to Emerald Ash Borer (EAB) Action Plan.

(File No. CSU-C10-000-2012) (File No. CSU-E04-000-2012)

(Distributed to all Members of Council on September 24, 2012)

23-385 From Association of Municipalities of Ontario (AMO), providing information for a Symposium, October 25 and October 26, 2012, regarding "Why Immigration Matters in Ontario".

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

(Distributed to all Members of Council on September 24, 2012)

23-386 From Association of Municipalities of Ontario (AMO), providing information for a "Connections Energy Symposium – Spark Change", December 6, 2012.

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

(Distributed to all Members of Council on September 24, 2012)

23-387 From Association of Municipalities of Ontario (AMO), providing breaking news regarding the Ontario Government announcing compensation related freeze.

(File No. CSU-F16-000-2012)

(Distributed to all Members of Council on September 24, 2012)

23-388 From Ryan Boehme, advising of his resignation from the MacLachlan Woodworking Committee.

(File No. CSU-C12-000-2012)

(Distributed to all Members of Council on September 24, 2012)

23-392 From Doug Hubbard, providing comments on the condition of the roads in the City of Kingston.

(File No. CSU-T06-000-2012)

(Distributed to all Members of Council on September 26, 2012)

- 23-393 From Maggie Stevens, advising the recognition of Adegboyega Babasola as the alternate for David Seaton on the KEAF committee.
(File No. CSU-C15-000-2012)
(Distributed to all Members of Council on September 26, 2012)
- 23-395 From Alex Robinson, requesting that Council amend the existing By-Law 2006-213, Schedule R-1 Refreshment Vehicle, Special Condition (8): “no refreshment vehicle shall carry on business between the hours of 11:00 pm and 7:00 am”.
(File No. CSU-D23-000-2012)
(Distributed to all Members of Council on October 2, 2012)
- 23-396 From Association of Municipalities of Ontario (AMO), providing registration information on the 2012 Counties, Regions, and Signe Tier (CRST) Symposium, held October 25 and October 26, 2012, with respect to Old Age.
(File No. CSU-A01-004-2012)
(Distributed to all Members of Council on October 2, 2012)
- 23-399 From Rod Phillips, President & CEO, OLG, providing a summary of the OLG’s process as they consider municipalities to host a gaming site.
(File No. CSU-P09-000-2012)
(Distributed to all Members of Council on October 2, 2012)
- 23-400 From Karen Leibovici, President, Federation of Canadian Municipalities (FCM), informing Council that there will be a second round of nominations for the Queen’s Diamond Jubilee Medal.
(File No. CSU-M11-000-2012)
(Distributed to all Members of Council on October 2, 2012)
- 23-401 From The Honourable Bob Chiarelli, Ontario Minister of Infrastructure and Minister of Transportation, regarding the Federal Long-Term Infrastructure Plan.
(File No. CSU-F11-000-2012)
(Distributed to all Members of Council on October 2, 2012)
- 23-402 From Matthew Gventer, providing his letter to the Whig Standard clarifying his position with respect to the public meeting for the OLG.
(File No. CSU-P09-000-2012)
(Distributed to all Members of Council on October 2, 2012)
- 25-403 From Kitchenuhmaykoosib Inninuwug First Nation and Productions Cazabon in collaboration with Kingston Aboriginal Community, asking that Council approve the flying of the Kitchenuhmaykoosib Inninuwug First Nation flag from November 12, 2012 until November 14, 2012 at Confederation Park in the City of Kingston.
(File No. CSU-M02-000-2012)
(See Miscellaneous Business Item No. (2))
(Distributed to all Members of Council on October 10, 2012)

- 25-404 From Kitchenuhmaykoosib Inninuwug First Nation and Productions Cazabon in collaboration with Kingston Aboriginal Community, asking that Council proclaim November 12, 2012 as "Third World Canada Tour Day Proclamation" in the City of Kingston.
(File No. CSU-M10-000-2012)
(See Miscellaneous Business Item No. (3))
(Distributed to all Members of Council on October 10, 2012)
- 25-405 From Gavin Herman, Atlantic Solar Inc., asking for Council's support to erect a 500 kw ground mount PV solar array on a property located in the City of Kingston
(File No. CSU-E11-000-2012)
(Distributed to all Members of Council on October 10, 2012)
- 25-406 From the City of Mississauga, advising Council of a resolution that the City of Mississauga passed with respect to the Banning the Sale of Cats and Dogs in Pet Stores.
(File No. CSU-P14-000-2012)
(Distributed to all Members of Council on October 10, 2012)
- 25-407 From the Honourable Charles Sousa, Minister of Citizenship and Immigration, sending out the call for nominations for the June Callwood Outstanding Achievement Award for Voluntarism in Ontario.
(File No. CSU-M11-000-2012)
(Distributed to all Members of Council on October 10, 2012)
- 25-408 From the Association of Municipalities in Ontario (AMO), advising of the Spark Change December 6, 2012 Connections Energy Symposium at the Sheraton Toronto Airport Hotel.
(File No. CSU-A04-000-2012)
(Distributed to all Members of Council on October 10, 2012)
- 25-409 From the Association of Municipalities of Ontario (AMO), providing a report to members with the highlights of the September 2012 AMO Board Meeting.
(File No. CSU-A01-004-2012)
(Distributed to all Members of Council on October 10, 2012)
- 25-410 From the Ontario Good Roads Association, providing the first call for nominations to the Board of Directors.
(File No. CSU-A01-000-2012)
(Distributed to all Members of Council on October 10, 2012)
- 25-411 From Chris Torry, Media Edge, providing information on the Drinking Water Leadership Summit, October 23 – 25, 2012, The Fairmont Royal York, Toronto.
(File No. CSU-A04-000-2012)
(Distributed to all Members of Council on October 10, 2012)

- 25-412 From Toastmasters, asking that Council proclaim November 12 – 18, 2012 as “Toastmasters Week” in the City of Kingston.
(File No. CSU-M10-000-2012)
(See Miscellaneous Business Item No. (4))
(Distributed to all Members of Council on October 10, 2012)
- 25-413 From Monte McNaughton, MPP, Lambton-Kent-Middlesex, asking Council to consider drafting a resolution to support his private members bill, Bill 76, with respect to an *Act to Amend the Ontario Lottery and Gaming Act of 1999*.
(File No. CSU-P09-000-2012)
(Distributed to all Members of Council on October 16, 2012)
- 25-415 From Kevin Arjoon, Deputy City Clerk, extending an invitation to Mayor and Members of Council to Local Government Week activities taking place in City Hall, on Thursday October 18, and Friday, October 19, 2012.
(File No. CSU-M02-000-2012)
(Distributed to all Members of Council on October 16, 2012)
- 25-416 From Association of Municipalities of Ontario (AMO), regarding Bill 129, *An Act to Amend the Workplace Safety and Insurance Act, 1997, with respect to Post Traumatic Stress Disorder*.
(File No. CSU-L11-000-2012)
(Distributed to all Members of Council on October 16, 2012)
- 25-417 From Association of Municipalities of Ontario (AMO), providing the program at a glance for the 2012 Counties, Regions & Single Tier Symposium.
(File No. CSU-A04-000-2012)
(Distributed to all Members of Council on October 16, 2012)
- 25-418 From Association of Municipalities of Ontario (AMO), regarding a policy update on the Local Foods Act.
(File No. CSU-L11-000-2012)
(Distributed to all Members of Council on October 16, 2012)

Referred to the City Clerk

- 23-389 From Association of Fundraising Professionals (AFP), asking that Council proclaim November 15, 2012 as “National Philanthropy Day” in the City of Kingston.
(File No. CSU-M10-000-2012)
(Distributed to all Members of Council on September 24, 2012)
- 23-390 From Kingston: Partners for a Safe Community, asking that Council proclaim October 3, 2012 as “Safe Communities Day” in the City of Kingston.
(File No. CSU-M10-000-2012)
(Distributed to all Members of Council on September 25, 2012)

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- 23-397 From Kingston: Partners for a Safe Community, asking that Council proclaim November, 2012 as "Safe Crossing Month" in the City of Kingston.
(File No. CSU-M10-000-2012)
(Distributed to all Members of Council on October 2, 2012)

Referred to the President and CEO of Utilities Kingston

- 23-398 From Enbridge Pipelines Inc., providing an update on the proposed Line 9B Reversal Project.
(File No. CSU-E06-000-2012)
(Distributed to all Members of Council on October 2, 2012)

DEFERRED

OTHER BUSINESS

BY-LAWS

Council consented to the **addition** of By-Law (8), and the **withdrawal** of By-Laws (3) and (4).

Councillor Hutchison withdrew from the meeting.

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

THAT By-Laws (1) be given its first and second reading.

CARRIED

Councillor Hutchison returned to the meeting.

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

THAT By-Laws (2) and (5) through (7) be given their first and second reading.

CARRIED

- (C) Moved by Councillor Neill
Seconded by Councillor George

THAT By-Laws (5) through (8) be given their third reading.

CARRIED

- (1) A By-Law to Permit Council to Enter into a Municipal Contribution Agreement with Homestead Land Holdings Ltd. For the Provision of Affordable Housing in Exchange for the Acquisition of Property at 58 Leroy Grant Drive, in Kingston.

FIRST AND SECOND READINGS

PROPOSED NO. 2012-149

(See Clause (4), Report No. 112)

- (2) A By-Law to Amend By-Law No. 2002-231, "A By-Law to Regulate Smoking in Public Places and Workplaces in the City of Kingston as Amended"
FIRST AND SECOND READINGS PROPOSED NO. 2012-150
(See Clause (1), Report No. 118)
- (3) A By-Law to Amend By-Law No. 2003-209, "A By-Law to Regulate Traffic".
FIRST AND SECOND READINGS PROPOSED NO. 2012-151
(See Clause (1), Report No. 120)
WITHDRAWN
- (4) A By-Law to Amend By-Law No. 2010-128, "A By-Law to Regulate Parking".
FIRST AND SECOND READINGS PROPOSED NO. 2012-152
(See Clause (1), Report No. 120)
WITHDRAWN
- (5) A By-Law to Amend By-Law No. 76-26, "A By-Law to Regulate the Use of Lands and the Character, Location, and Use of Buildings and Structures in the Township of Kingston" (Zone Modification of the Special Residential Type 4 'R4-37' Zone, 3480 Princess Street)
THREE READINGS PROPOSED NO. 2012-153
(See Clause (1), Report No. 113)
- (6) A By-Law to Establish Block 19 on Plan 1981 as Part of the Public Highway Known as Millwood Drive in the City of Kingston in Accordance with Section 31(4) of the Municipal Act, Chapter 25, S.O. 2001, as Amended.
THREE READINGS PROPOSED NO. 2012-154
(Delegated Authority)
- (7) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, October 16, 2012
THREE READINGS PROPOSED NO. 2012-155
(City Council Meeting No. 2012-25)
- (8) A By-Law to Stop Up, Close and Declare Surplus the Portion of Venture Drive Highway Described as Part 24 on Reference Plan 13R-19877.
THIRD READING PROPOSED NO. 2012-136
(See Clause (f), Report No. 102)

ADJOURNMENT

Moved by Councillor Glover
Seconded by Councillor Schell

THAT Council do now adjourn.

CARRIED

Council adjourned at 11:01 pm.

(Signed)

John Bolognone
City Clerk

Mark Gerretsen
Mayor