



SPECIAL COUNCIL MEETING NO. 2013-10

The Special Meeting of Kingston City Council was held on Wednesday, April 3, 2013, and was called to order at 7:31 pm in the Council Chamber, City Hall. Regular business commenced at 7:31 pm. His Worship Mayor Mark Gerretsen presided.

(Council Chamber)

ROLL CALL

Present: Mayor Gerretsen, Councillor Downes, Councillor George, Deputy Mayor Hector, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (11)

Absent: Councillor Berg, Councillor Glover (2)

(Council Chamber)

Administrative Staff Present:

Mr. K. Arjoon, Deputy City Clerk

Ms. C. Beach, Commissioner of Sustainability and Growth

Mr. J. Bolognone, City Clerk

Mr. J. Garrah, CEO, Kingston Economic Development Corporation

Mr. G. Hunt, Chief Administrative Officer

Mr. M. Lagace, Information Systems & Technology

Mr. H. Linscott, Director, Legal Services

Mr. P. MacLatchy, Director, Environment and Sustainable Initiatives

Mr. W. Rice, Manager, Distributed Computing

Ms. C. Thomson, Assistant to the Mayor

Ms. H. Wilson, Manager, Intergovernmental Relations

APPROVAL OF ADDEDS

Moved by Councillor Downes

Seconded by Councillor George

THAT the addeds be approved.

CARRIED (11:0)

(See Recorded Vote)

(A 2/3 Vote of Council was Received)

YEAS: Councillor Downes, Councillor George, Mayor Gerretsen, Deputy Mayor Hector, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (11)

NAYS: (0)

ABSENT: Councillor Berg, Councillor Glover (2)

DISCLOSURE OF PECUNIARY INTEREST

PRESENTATIONS

Moved by Councillor Paterson
Seconded by Councillor Neill

THAT Council waive the rules of By-Law No. 2010-1, "Council Procedural By-Law", in order to amend the Agenda to allow Briefings to be dealt with before delegations.

CARRIED (9:2)
(A 2/3 Vote of Council was Received)
(See Recorded Vote)

- YEAS: Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (9)
- NAYS: Deputy Mayor Hector, Councillor Hutchison (2)
- ABSENT: Councillor Berg, Councillor Glover (2)

Note: Briefing (1) was dealt with at this point in the meeting.

DELEGATIONS

- (1) Doug Ritchie and Ed Smith of the Downtown Kingston! B.I.A. spoke to Council in regards to Clause (1) of Report No. 54, received from the Chief Administrative Officer (Consider).

BRIEFINGS

- (1) Cynthia Beach, Commissioner of Sustainability and Growth and Carola Bomfim Lima, Manager, Project Development, and Rob Carnegie, Tourism Kingston briefed Council with respect to Clause (a), Report No. 54, received from Commissioner of Sustainability and Growth, Options for Development Scenarios for Block 4 in north Block District.

PETITIONS

REPORTS

Report No. 54: Received from the Chief Administrative Officer (Consider)

Moved by Councillor Scott
Seconded by Councillor George

THAT Report No. 54: Received from the Chief Administrative Officer (Consent) be considered.

(1) Options for Development Scenarios for Block 4 in North Block District

THAT staff be directed to proceed with the preparation of a two stage request for proposal, process, and to include the following provisions:

Item 1 – Building uses

Moved by Councillor George
Seconded by Deputy Mayor Hector

Recommendation 1.1:

THAT Council permit development proposals to include uses included in the current zoning for the property that include a mix of residential type uses, hotel with associated conference space, and ground floor commercial uses.

CARRIED (11:0)
(See Recorded Vote)

YEAS: Councillor Downes, Councillor George, Mayor Gerretsen, Deputy Mayor Hector, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (11)

NAYS: (0)

ABSENT: Councillor Berg, Councillor Glover, (2)

Item 2 – Building height

Option 2.1:

THAT Council permit development proposals to be built to the height permitted by the current zoning by-law.

A VOTE WAS NOT TAKEN ON THIS RECOMMENDATION

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Minutes
Wednesday, April 3, 2013

Moved by Councillor Neill
Seconded by Councillor Hutchison

THAT Council waive the rules of By-Law 2010-1, "Council Procedural By-Law" and that Council resolve in to Committee of the Whole to discuss Option 2.2 of Item (1) of Report No. 54, received from Chief Administrative Officer, Options for Development Scenarios for Block 4 in North Block District.

LOST (3:8)
(See Recorded Vote)

YEAS: Councillor Downes, Councillor Hutchison, Councillor Neill, (3)

NAYS: Councillor George, Mayor Gerretsen, Deputy Mayor Hector, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (8)

ABSENT: Councillor Berg, Councillor Glover (2)

Option 2.2:

Moved by Deputy Mayor Hector
Seconded by Councillor Osanic

THAT Council permit development proposals to be built to a maximum height between 6 and 18 storeys subject to the planning approvals required for the site including an urban design study and Heritage Impact Statements to provide the rationale for the maximum permitted heights with a planning application being prepared with this information for council's consideration.

CARRIED AS AMENDED (11:0)
(See Motion To Amend Which Was CARRIED)
(See Recorded Vote 3)
(See Motion To Amend Which Was LOST)
(See Recorded Vote 2)

Moved by Councillor Hutchison
Seconded by Councillor Downes

THAT the motion of Deputy Mayor Hector and Councillor Osanic be amended by inserting "between 6 and" following the words "a maximum height of".

CARRIED (8:3)
(With Agreed to Amendments)
(See Recorded Vote 1)

Moved by Mayor Gerretsen
Seconded by Councillor Neill

THAT the motion of Deputy Mayor Hector and Councillor Osanic be amended to include wording such that preference be given to proposals with an emphasis on a lower overall height.

LOST (3:8)
(See Recorded Vote 2)

- 1) YEAS: Councillor Downes, Mayor Gerretsen, Deputy Mayor Hector, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Schell (8)
NAYS: Councillor George, Councillor Reitzel, Councillor Scott (3)
ABSENT: Councillor Berg, Councillor Glover (2)
- 2) YEAS: Mayor Gerretsen, Councillor Hutchison, Councillor Neill (3)
NAYS: Councillor Downes, Councillor George, Deputy Mayor Hector, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (8)
ABSENT: Councillor Berg, Councillor Glover (2)
- 3) YEAS: Councillor Downes, Councillor George, Mayor Gerretsen, Deputy Mayor Hector, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (11)
NAYS: (0)
ABSENT: Councillor Berg, Councillor Glover (2)

Item 3 – Parking ratios

Option 3.1:

THAT Council require that development proposals comply with existing parking ratios as set out in the current zoning.

A VOTE WAS NOT TAKEN ON THIS RECOMMENDATION

Option 3.2:

Moved by Councillor Downes
Seconded by Councillor Neill

THAT Council permit development proposals to permit parking according to ratios within a predetermined range, based on implementation of traffic demand management strategies

CARRIED (11:0)
(See Recorded Vote)

YEAS: Councillor Downes, Councillor George, Mayor Gerretsen, Deputy Mayor Hector, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (11)

NAYS: (0)

ABSENT: Councillor Berg, Councillor Glover, (2)

Moved by Deputy Mayor Hector
Seconded by Councillor Paterson

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

CARRIED (10:1)
(A 2/3 Vote Of Council Was Received)
(See Recorded Vote)

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

NAYS: Councillor George (1)

ABSENT: Councillor Berg, Councillor Glover (2)

Item 4 – Public parking requirement

Moved by Deputy Mayor Hector
Seconded by Councillor George

THAT Council require that development proposals include provision of 40 public parking spaces.

CARRIED (11:0)
(With Agreed to Amendments)
(See Recorded Vote)

YEAS: Councillor Downes, Councillor George, Mayor Gerretsen, Deputy Mayor Hector, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (11)

NAYS: (0)

ABSENT: Councillor Berg, Councillor Glover (2)

Item 5 – Heritage building preservation

Option 5.1:

Moved by Deputy Mayor Hector
Seconded by Councillor Osanic

THAT Council require that development proposals include developer ownership and restoration of the heritage buildings at 19-23 Queen Street.

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

YEAS: Councillor George, Mayor Gerretsen, Deputy Mayor Hector, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (10)

NAYS: Councillor Downes (1)

ABSENT: Councillor Berg, Councillor Glover (2)

Option 5.2:

THAT the City retain ownership of heritage buildings and be responsible for the restoration and interior improvements.

A VOTE WAS NOT TAKEN ON THIS RECOMMENDATION

Item 6 – Value proposition for public benefits and financial benefits

Option 6.1:

THAT Council require that development proposals be “cost neutral” to the City.

A VOTE WAS NOT TAKEN ON THIS RECOMMENDATION

Option 6.2:

THAT Council require that development proposals generate net revenue from the sale of land.

A VOTE WAS NOT TAKEN ON THIS RECOMMENDATION

Option 6.3:

Moved by Councillor Paterson
Seconded by Councillor Reitzel

THAT Council require that development proposals be permitted to include a public funding component.

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

YEAS: Councillor Downes, Councillor George, Mayor Gerretsen, Deputor Mayor Hector, Councillor Hutchison, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (10)

NAYS: Councillor Neill (1)

ABSENT: Councillor Berg, Councillor Glover (2)

Item 7 - Conference Centre Uses on the site

Option 7.1:

THAT Council require that development proposals that include a Conference Centre component be “cost neutral” to the City.

A VOTE WAS NOT TAKEN ON THIS RECOMMENDATION

Option 7.2:

Moved by Deputy Mayor Hector

Seconded by Councillor George

THAT Council accept development proposals that include a conference centre component with the option for limited municipal funding contribution that includes funding from community partners, such as the Downtown Kingston: B.I.A. and the Kingston Accommodation Partners (KAP) to capital or other associate costs of a conference centre and that prior to proceeding with the Request for Proposals, staff provide a further report to Council outlining the evaluation criteria for proposals and any changes in the work plan related to this option.

CARRIED AS AMENDED (6:5)

(See Motions To Amend Which Were CARRIED)

(See Recorded Vote 3)

Moved by Councillor Downes

Seconded by Councillor Hutchison

THAT the motion of Deputy Mayor Hector and Councillor George be amended by including the following wording after the word “contribution”: “that includes funding from community partners, such as the Downtown Kingston: B.I.A. and the Kingston Accommodation Partners (KAP)”.

CARRIED (10:1)

(With Agreed to Amendments)

(See Recorded Vote 1)

Moved by Councillor Hutchison
Seconded by Councillor Osanic

THAT the motion of Deputy Mayor Hector and Councillor George be amended by including the word “limited” in front of the word “municipal funding”.

CARRIED (11:0)
(With Agreed to Amendments)
(See Recorded Vote 2)

- 1) YEAS: Councillor Downes, Councillor George, Mayor Gerretsen, Deputy Mayor Hector, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell (10)
NAYS: Councillor Scott (1)
ABSENT: Councillor Berg, Councillor Glover, (2)
- 2) YEAS: Councillor Downes, Councillor George, Mayor Gerretsen, Deputy Mayor Hector, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (11)
NAYS: (0)
ABSENT: Councillor Berg, Councillor Glover (2)
- 3) YEAS: Councillor George, Mayor Gerretsen, Deputy Mayor Hector, Councillor Paterson, Councillor Reitzel, Councillor Scott (6)
NAYS: Councillor Downes, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Schell (5)
ABSENT: Councillor Berg, Councillor Glover (2)

Item 8 – Proceed with obtaining necessary statutory approvals

THAT staff be authorized to prepare the necessary background studies and reports for the approval of these options including requirements under the *Municipal Act*, *Planning Act* and *Heritage Act* for Council to provide approvals through the statutory approvals process and that a final report be prepared for Council to approve the terms of reference for the redevelopment of the property.

(The Report of the Commissioner of Sustainability and Growth (13-150) is attached as Schedule Pages 1-12, and Exhibits A, B, and C are attached thereto.)
(File No. CSU-D18-000-2013)

CARRIED (11:0)
(See Recorded Vote)

- YEAS: Councillor Downes, Councillor George, Mayor Gerretsen, Deputy Mayor Hector, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (11)
- NAYS: (0)
- ABSENT: Councillor Berg, Councillor Glover (2)

(The Report of the Commissioner of Sustainability and Growth (13-150) was attached to the Agenda.)
(File No. CSU-D18-000-2013)

INFORMATION REPORTS

Council consented to the **addition** of the following Information Report:

(1) Public Feedback Summary and Heritage Report

The purpose of this report is to provide Council with a summary of public feedback and questions that have been raised at the Public Open House in regards to the development of Block 4 in North Block district.

(The Report of the Commissioner of Sustainability and Growth (13-155) was attached to the Agenda.)
(File No. CSU-D18-000-2013)

NEW MOTIONS

NOTICES OF MOTION

TABLING OF DOCUMENTS

COMMUNICATIONS

Referred to All Members of Council

- 10-173 From Matt Hutcheon, CEO Greater Kingston Chamber of Commerce, with respect to the scenario review for Block 4 – North Block District.
(File No. CSU-D18-000-2013)
(Distributed to all Members of Council on April 3, 2013)
- 10-174 From Murray Matheson, Kingston Accommodation Partners, with respect to the development of Bock 4 – North Block District.
(File No. CSU-D18-000-2013)
(Distributed to all Members of Council, Special Council Meeting on April 3, 2013)

OTHER BUSINESS

BY-LAWS

- (A) Moved by Deputy Mayor Hector
Seconded by Councillor Osanic

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

CARRIED (11:0)
(See Recorded Vote)

YEAS: Councillor Downes, Councillor George, Mayor Gerretsen, Deputy Mayor Hector, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (11)

NAYS: (0)

ABSENT: Councillor Berg, Councillor Glover (2)

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

THAT By-Law (1) be given its third reading.

CARRIED (11:0)
(See Recorded Vote)

YEAS: Councillor Downes, Councillor George, Mayor Gerretsen, Deputy Mayor Hector, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (11)

NAYS: (0)

ABSENT: Councillor Berg, Councillor Glover (2)

ADJOURNMENT

Moved by Deputy Mayor Hector
Seconded by Councillor Paterson

THAT Council do now adjourn.

CARRIED (11:0)
(See Recorded Vote)

YEAS: Councillor Downes, Councillor George, Mayor Gerretsen, Deputy Mayor Hector, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (11)

NAYS: (0)

ABSENT: Councillor Berg, Councillor Glover (2)

Council adjourned at 12:13 pm.

(Signed)

John Bolognone
City Clerk

Mark Gerretsen
Mayor