



## CITY COUNCIL MEETING NO. 2013-11

The Regular Meeting of Kingston City Council was held on Tuesday, April 9, 2013 and Thursday, April 11, 2013 and was called to order at 7:31 pm in the Council Chamber, City Hall. Regular business commenced at 7:31 pm. Council recessed on Tuesday, April 9, 2013 at 11:15 p.m., and reconvened on Thursday April 11, 2013 at 7:30 p.m. His Worship Mayor Mark Gerretsen presided.

### **(Council Chamber)**

#### **ROLL CALL**

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

Absent: (0)

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### **(Council Chamber)**

#### **Administrative Staff Present:**

Mr. K. Arjoon, Deputy City Clerk  
Ms. C. Beach, Commissioner of Sustainability and Growth  
Mr. J. Bolognone, City Clerk  
Ms. Pat Carrol, Manager, Taxation  
Mr. W. Ferris, Director, Recreation and Leisure Services  
Mr. L. Follwell, Manager, Recreation Facilities  
Ms. Deanna Green, Manager, Traffic Division  
Ms. A. Henderson, Senior Building Official  
Mr. P. Huigenbos, Acting Director, Real Estate and Construction Services  
Mr. G. Hunt, Chief Administrative Officer  
Ms. L. Hurdle, Commissioner of Community Services  
Mr. J. Keech, President and CEO, Utilities Kingston  
Ms. D. Kennedy, Director, Financial Services  
Mr. M. Lagace, Information Systems & Technology  
Mr. H. Linscott, Director, Legal Services  
Mr. B. McCurdy, Director, Cultural Services  
Mr. S. Murphy, Manager, Building & Licensing  
Ms. S. Nicholson, Director, Corporate Affairs  
Mr. S. Orme, GIS Technician  
Mr. W. Rice, Manager, Distributed Computing  
Mr. P. Robertson, City Curator  
Mr. D. Stowe, Supervisor, Permits  
Ms. C. Thomson, Assistant to the Mayor

Mr. G. Wallace, Project Manager

Ms. H. Wilson, Manager, Intergovernmental Relations

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**APPROVAL OF ADDEDS**

Moved by Councillor George  
Seconded by Councillor Berg

**THAT** the addeds be approved.

**CARRIED (13:0)**  
**(A 2/3 Vote of Council was Received)**  
**(See Recorded Vote)**

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

NAYS: (0)

ABSENT: (0)

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**DISCLOSURE OF PECUNIARY INTEREST**

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**PRESENTATIONS**

(1) Mayor Gerretsen made a presentation to Quinton Bradshaw, winner of the "As Mayor I would Challenge".

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**DELEGATIONS**

Moved by Councillor Neill  
Seconded by Councillor Osanic

**THAT** Clauses 11.4 and 11.5 of By-law 2010-1 be waived, in order to allow delegation from Troy Sherman, in regards to Clause (1), Report No. 56, Received from the CAO (Recommend), regarding the Electoral District Boundary Review.

**CARRIED (9:4)**  
**(A 2/3 Vote of Council was Received)**  
**(See Recorded Vote)**

YEAS: Councillor Downes, Mayor Gerretsen, Councillor Glover, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell (9)  
NAYS: Councillor Berg, Councillor George, Deputy Mayor Hector, Councillor Scott (4)  
ABSENT: (0)

Council consented to the **addition** of delegation (4).

- (1) Jacques Menard, Friends of Belle Park, spoke to Council in regards to Clause (6) Report No. 56, Received from CAO (Recommend), regarding the Belle Park Fairway fee amendments.
- (2) Helen Chadwick, Chair of Limestone District School Board spoke to Council in regards to Clause (1) Report No. 56, Received from CAO (Recommend), regarding the Electoral District Boundary Review.
- (3) Natalie Mehra, Provincial Director, Ontario Health Coalition, spoke to Council in regards to New Motions (1), regarding the private financing and maintenance of the new Providence Care hospital.
- (4) Troy Sherman, Municipal Affairs Commissioner, Alma Mater Society (AMS), spoke to Council in regards to Clause (1) Report No. 56, Received from CAO (Recommend), regarding the Electoral District Boundary Review.

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## **BRIEFINGS**

- (1) Ross Sutherland, from the Kingston Health Coalition, spoke to Council on the merits of maintaining public development and operation of Health Care Facilities.
- (2) Pat Carrol, Manager, Taxation and Revenue, City of Kingston, spoke Council in regards to Clause (2) Report No. 59, received at the Administrative Policies Committee from City Treasurer, 2013 Capping Parameters for Commercial, Industrial and Multi-Residential Properties.

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**PETITIONS**

(1) A petition bearing approximately 323 signatures was presented by Councillor Osanic and referred to the Commissioner of Community Services and reads as follows:

“We the undersigned citizens, tax-payers, residents and visitors of Kingston, Ontario strongly protest the city’s draft Parkland By-Law, presented to the public at the Planning Committee Meeting of the City Council on February 7, 2013. The purpose of drafting a Parkland By-Law was to harmonize disparate regulations in the township and city. Instead, Commissioner Hurdle, Community Services, presented a draft by-law that:

- Fails to take into account the need to redouble efforts to grow city greenspaces in the faces of rapid climate change.
- Contains provisions at variance with provincial standards and the practices of other Ontario cities.
- Discourages developers from creating and preserving parkland and even foresees passing along costs to acquire greenspaces to taxpayers.
- Threatens the integrity of what the city’s external consultant calls, “a high quality public realm (that) has a tremendous value” for all.

We demand that city staff and council produce a draft by-law that respects the spirit and letter of the City’s Strategic Plan (which dictates “creating and protecting greenspaces”) and the goals of the Sustainable Kingston Plan which calls for “actively conserving, protecting, restoring, enhancing, and expanding natural areas and green space for public enjoyment, community health, and ecosystem resiliency.”

**REFERRED TO THE COMMISSIONER OF COMMUNITY SERVICES**

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

**Motions of Congratulations**

(1) Moved by Councillor Berg  
Seconded by Councillor Paterson

**THAT** the congratulations of Kingston City Council be extended to the K-Rock Centre team on winning the 2013 Canadian Venue of the Year, under 8,000 seats, at the Canadian Music and Broadcast Industry Awards.

**Motions of Condolence**

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

**THAT** the condolences of Kingston City Council be extended to Brenda Dillon, Licensing & Enforcement, on the passing of her mother, Hazel Wicklam. Hazel will be greatly missed by her family and friends.

**CARRIED (13:0)**  
**(See Recorded Vote)**

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

NAYS: (0)

ABSENT: (0)

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**DEFERRED MOTIONS**

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**REPORTS**

**Report No. 55: Received from the Chief Administrative Officer (Consent)**

Moved by Councillor Berg  
Seconded by Councillor Paterson

**THAT** Report No. 55: Received from the Chief Administrative Officer (Consent) be received and adopted.

**Report No. 55**

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

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

**(a) Award of Contract – Operator for a Pro Shop at the INVISTA Centre**

**THAT** RFP No. F31-CSG-RLS-2013-11 for the Operator of a Pro Shop at INVISTA Centre be awarded to Pro Graphics Sports Ltd., for a term of five (5) years commencing on June 1, 2013 and ending on May 31, 2018 at the annual rate of seventeen thousand one hundred dollars (\$17,100) with annual step increases of two percent (2%) with the

option to renew for one additional five (5) year term to the satisfaction of staff upon the same terms and condition; and

**THAT** the Mayor and City Clerk be authorized to enter into a license agreement with Pro Graphic Sports Ltd. in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Community Services (13-151) was attached to the agenda.)

(File No. CSU-R05-002-2013)

**(b) Award of Contract – Collection of Funds for the City of Kingston**

**THAT** the Mayor and Clerk be authorized to enter into an agreement with Brinks Canada Limited, for the collection of funds, in a form subject to the satisfaction of the Director of Legal Services.

(The Report of the City Treasurer (13-130) was attached to the agenda.)

(File No. CSU-F31-000-2013)

**(c) Renaming of Potter Street to Holden Street**

**WHEREAS** at the request of the property owner, a new road name is required for a public road which will be used as a link to the Woodhaven Subdivision – Barr Homes; and

**WHEREAS** this public road is located west of Bayridge Drive and is directly accessed off of Princess Street and is shown as Potter Street, as shown as Parts 1 and 3 on Plan 13R602; and

**WHEREAS** the naming of Holden Street is consistent with the adopted road naming conventions of Civic Addressing and Road Naming By-law No. 2005-98 and emergency response requirements; and

**WHEREAS** the Clerk has advertised a Notice of Intention to pass the By-law on March 26, 2013, in accordance with the City Public Notice Policy;

**THEREFORE BE IT RESOLVED THAT** a by-law be presented to rename Potter Street to Holden Street, as outlined in Exhibit A to report 13-134.

**(See By-Law No. (5), 2013-87)**

(The Report of the Commissioner of Sustainability and Growth (13-134) was attached to the agenda.)

(File No. CSU-D20-000-2013)

**(d) Endorsement of the 2012 Water System Annual Compliance Report**

**WHEREAS** the provision of high quality safe drinking water is a priority of the City of Kingston; and

**WHEREAS** the requirements of the Safe Drinking Water Act, 2002, requires Council to be informed of matters regarding the operation of the Water System and formally receive the Annual Compliance Reports for each of the Water Treatment Facilities;

**THEREFORE BE IT RESOLVED THAT** Council receive the 2012 Annual Compliance Reports for The King Street Water Treatment Plant, The Point Pleasant Water Treatment Plant and the Cana Well Water Treatment Supply System as required by the terms and conditions outlined in Schedule 22 of the Ontario Reg 170/03.

(The Report of the President and CEO of Utilities Kingston (13-139) was attached to the agenda.)

(File No. CSU-E03-000-2013)

**CARRIED (13:0)**  
**(See Recorded Vote)**

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

NAYS: (0)

ABSENT: (0)

**(e) Appointment of Municipal By-Law Enforcement Officers – Kingston Yacht Club**

**THAT** a by-law be presented to amend By-Law No. 99-166, “A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or Local Board”, to appoint Glenn Singleton and Brett Thompson for the purpose of issuing parking violation tickets and to enforce the provisions of By-law 99-166 on the property at 13 Maitland Street; and

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

**(See By-Law No. (6), 2013-88)**

(The Report of the Commissioner of Sustainability and Growth (13-153) was attached to the agenda.)

(File No. CSU-P01-002-2013)

**(f) Appointment of Municipal By-law Enforcement Officers to Enforce the No Smoking By-Law**

**THAT** a by-law be presented to amend By-Law No. 98-9, as amended, being “A By-Law to Appoint Municipal Law Enforcement Officers of the Corporation of the “New” City of Kingston”, to enact the following:

- a) That Section 2 be amended to add the following employees of Kingston, Frontenac and Lennox and Addington Public Health: John Fraser, Ryan Decker, Mathew Doyle, Andrew Girouard, Leanne Addicott, Don Allan, Lindsay Backus, Edward Gardner, Paul Karran, Sarah Ryding, Janice Mazerolle, Carolyn McInnis, Sarah van Dijk, Miranda Lezzi, Caitlin Prentice; and
- b) That Section 2 be amended to remove: Darlene Mecredy, Peter Moccio, David Cooke, Andrew Dubchak, Hank Blok, Amanda Knapp, Brian Black, Jerry Zalewski, Jo-Anne Peterson, Erin Gilroy.

**(See By-Law No. (9), 2013-91)**

(The Report of the City Solicitor and Director of Legal Services (13-140) was attached to the agenda.)  
(File No. CSU-P01-000-2013)

**CARRIED (13:0)**  
**(Clauses (a) through (c) and (e) and (f))**  
**(See Recorded Vote)**

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

NAYS: (0)

ABSENT: (0)

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**REPORTS (CONTINUED)**

**Report No. 56: Received from the Chief Administrative Officer (Recommend)**

Moved by Councillor Berg  
Seconded by Councillor George

**THAT** Report No. 56: Received from the Chief Administrative Officer (Recommend) be received and adopted, clause by clause.

**Report No. 56**

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

**(1a) Staff Briefing:** John Bolognone, City Clerk and George Wallace, Senior Special Projects Manager, briefed Council on the Final Report – Electoral District Boundary Review – Preferred and Alternate Boundary Configurations for the Re-Divided Electoral Districts for the 2014 Municipal Election.

Moved by Councillor Reitzel  
Seconded by Councillor George

**THAT** Council complete Clause (1) of Report No. 56, received from CAO(Recommend) and Time Sensitive Matters (New Motions (3) and Information Report (3))

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

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

NAYS: Councillor Downes, Councillor Glover, Councillor Neill, (3)

ABSENT: (0)

**(1) Final Report – Electoral District Boundary Review – Preferred and Alternate Boundary Configurations for the Re-Divided Electoral Districts for the 2014 Municipal Election**

**1.0 THAT** Council receive the Preferred boundary configuration (Revised Option 4) and two Alternate boundary configurations (Revised Option 3A and Option 1) for re-dividing the City's existing electoral districts for the 2014 municipal election as proposed by the City Clerk in consultation with the Technical Advisory Team; and

**1.1 THAT** Council approve the Alternate boundary configuration as shown on Option 1 for re-dividing the City's existing electoral districts for the 2014 municipal election.

2. **THAT** in the event that Council does not approve the Preferred boundary configuration (Revised Option 4) that Council approve the Alternate boundary configuration as shown on Revised Option 3A for re-dividing the City's existing electoral districts for the 2014 municipal election.

**A VOTE WAS NOT TAKEN ON THIS RECOMMENDATION**

3. **THAT** in the event that Council decides not to include the post-secondary student estimates in the total population counts for the re-divided electoral districts, that Council approve the Alternate boundary configuration as shown on Option 1 for re-dividing the City's existing electoral districts for the 2014 municipal election.

**A VOTE WAS NOT TAKEN ON THIS RECOMMENDATION**

4. **THAT** pursuant to the provisions of Section 222 (1) of the *Municipal Act*, that Council pass a By-law to establish the approved boundary configuration for the twelve (12) re-divided electoral districts for the 2014 municipal election as illustrated on Schedule 'A' attached to and forming part of By-Law No. 2013-83; and

**(Note: A Draft of By-law No. 2013-83 was attached to the agenda)**

- 4.1 **THAT** pursuant to the provisions of Section 222 (8) of the *Municipal Act*, the boundaries for the twelve (12) re-divided electoral districts as approved by Council and illustrated on Schedule 'A' attached to and forming part of By-Law No. 2013-83 be established for the City of Kingston effective December 1<sup>st</sup>, 2014; and

- 4.2 **THAT** pursuant to the provisions of Section 222 (9) of the *Municipal Act*, the re-divided electoral districts as approved by Council and illustrated on Schedule 'A' attached to and forming part of By-Law No. 2013-83 shall serve as the basis for administering the 2014 municipal election; and

- 4.3 **THAT** in accordance with the May 18<sup>th</sup>, 2010 direction of Council to review the electoral district boundaries every ten years, the next electoral district boundary review shall commence in 2020 to ensure that the review process is completed by December 31<sup>st</sup>, 2021 in order that any resulting changes to the electoral district boundaries are enacted and may be used as the basis for administering the 2022 municipal election; and

- 4.4 **THAT**, for any future electoral district boundary reviews, the composition of the Technical Advisory Team (TAT) shall include the Director of Education of the Limestone District School Board, or his/her staff designate; and

- 4.5 **THAT** Council express its appreciation to the members of the Technical Advisory Team (Kent Fitzhugh and Carol Church, Ministry of Municipal Affairs and Housing, John Meligrana, Queen's University and Paige Agnew, St. Lawrence College) for taking time out of their busy schedules and providing their collective expertise and guidance to staff in the review of the various boundary configurations for the re-

divided electoral districts and the submissions from the public respecting the various options.

**(See By-Law No. (1), 2013-83)**

(The Report of the City Solicitor and Director of Legal Services (13-144) was attached to the agenda.)

(File No. CSU-C07-000-2013)

**CARRIED AS AMENDED (7:6)**  
**(See Motion To Amend Which Was CARRIED)**  
**(See Recorded Vote 2)**

Moved by Councillor Reitzel  
Seconded by Councillor Scott

**THAT** Clause 1 of Report 56 of the Chief Administrative Officer be amended by deleting in Section 1.1, the word "Preferred" and inserting "Alternate" and further to delete the wording "Revised Option 4" and to insert "Option 1".

**CARRIED (7:6)**  
**(See Recorded Vote 1)**

(1) YEAS: Councillor Berg, Councillor George, Mayor Gerretsen, Deputy Mayor Hector, Councillor Paterson, Councillor Reitzel, Councillor Scott (7)  
NAYS: Councillor Downes, Councillor Glover, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Schell, (6)  
ABSENT: (0)

(2) YEAS: Councillor Berg, Councillor George, Mayor Gerretsen, Deputy Mayor Hector, Councillor Paterson, Councillor Reitzel, Councillor Scott (7)  
NAYS: Councillor Downes, Councillor Glover, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Schell, (6)  
ABSENT: (0)

Moved by Councillor George  
Seconded by Councillor Downes

That Council recess until Thursday April 11, 2013 at 7:30 p.m. in Council Chamber.

**CARRIED (12:1)**  
**(See Recorded Vote)**

YEAS: Councillor Berg, Councillor George, Mayor Gerretsen, Councillor Glover, Deputy Mayor Hector, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (12)  
NAYS: Councillor Downes (1)  
ABSENT: (0)

Council recessed at 11:15 p.m.

**City Council Meeting No. 2013-11  
Reconvening of Council  
Thursday April 11, 2013**

**(Council Chamber)**

**ROLL CALL**

Present: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Glover, Deputy Mayor Hector, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Scott (12)

Absent: Councillor Schell (1)

**(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. John Giles, Manager Solid Waste Operations  
Ms. Deanna Green, Manager, Traffic Division  
Mr. G. Hunt, Chief Administrative Officer  
Ms. L. Hurdle, Commissioner of Community Services  
Mr. J. Keech, President and CEO, Utilities Kingston  
Ms. D. Kennedy, Director, Financial Services  
Mr. M. Lagace, Information Systems & Technology  
Mr. H. Linscott, Director, Legal Services  
Mr. B. McCurdy, Director, Cultural Services  
Mr. S. Murphy, Manager, Building & Licensing  
Mr. P. Robertson, City Curator  
Mr. D. Stowe, Supervisor, Permits  
Ms. C. Thomson, Assistant to the Mayor  
Mr. G. Wallace, Project Manager  
Mr. C. Wiginton, Manager Cultural Services  
Ms. H. Wilson, Manager, Intergovernmental Relations

**Report No. 56: Received from the Chief Administrative Officer (Recommend)**

Moved by Councillor Berg  
Seconded by Councillor George

**THAT** Report No. 56: Received from the Chief Administrative Officer (Recommend) be received and adopted, clause by clause.

**Report No. 56**

Council consented to the amendment of Clause (6), Report No. 56, received from the Chief Administrative Officer (Recommend).

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

**(2) Extendicare Canada and Centric Health Active Contract Renewals for Rideaucrest Home**

**THAT** the Mayor and Clerk be authorized to enter into a three (3) year contract with Extendicare Canada for \$342,000 per year, plus applicable tax, to the satisfaction of the Director of Legal Services; and

**THAT** the Mayor and Clerk be authorized to enter into a contract with Centric Health Active under the same terms and conditions as the existing contract with LifeMark Health Management to the satisfaction of the Director of Legal Services.

(The Report of the Commissioner of Community Services (13-149) was attached to the agenda.)

(File No. CSU-S02-000-2013)

**CARRIED (9:3)**  
**(See Recorded Vote)**

YEAS: Councillor Berg, Councillor George, Mayor Gerretsen, Deputy Mayor Hector, Councillor Hutchison, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Scott (9)

NAYS: Councillor Downes, Councillor Glover, Councillor Neill (3)

ABSENT: Councillor Schell (1)

**(3) Capital Budget Amendment for Weigh Scale Conversion and Upgrade at the Kingston Area Recycling Centre**

**THAT** a capital budget amendment of \$65,000.00, from the solid waste and recycling capital reserve fund be allocated for the upgrade of the weigh scale at the Kingston Area Recycling Centre; and

**THAT** the Mayor and Clerk be authorized to enter into an agreement with Mettler-Toledo, for the conversion and upgrade of the weigh scale at the Kingston Area Recycling Centre, in a form satisfactory to the Director of Legal Services.

(The Report of the President and CEO of Utilities Kingston (13-114) was attached to the agenda.)

(File No. CSU-E07-001-2013)

**CARRIED (12:0)**  
**(See Recorded Vote)**

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

NAYS: (0)

ABSENT: Councillor Schell (1)

#### **(4) Age-friendly Advisory Committee**

**THAT** a by-law, attached to Report 13-141 as Exhibit A, be presented to Council for all three readings, to amend By-law No. 2010-205 as amended being "A Bylaw to Define the Mandate and Meeting Procedures for Committees Established by the Corporation of the City of Kingston" to include the Age-friendly Advisory Committee mandate; and

**THAT**, following Council approval of the by-law, staff be directed to place the necessary advertisements to seek members for appointments to the committee; and

**THAT** following collection of the applications, the City Clerk be directed to schedule a meeting of the Nominations Advisory Committee in order to consider the applications and make a recommendation to Council regarding the appointments to the committee.

**(See By-Law No. (13), 2013-95)**

(The Report of the Commissioner of Sustainability and Growth (13-141) was attached to the agenda.)

(File No. CSU-S02-000-2013)

**CARRIED (12:0)**  
**(See Recorded Vote)**

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

NAYS: (0)

ABSENT: Councillor Schell (1)

**(5) Request for Municipal Council Support Resolution – SkyPower Projects ULC**

**WHEREAS** SkyPower Projects ULC (the "Applicant") proposes to construct and operate five ground mount solar facilities (the "Project") on 3928 Howes Road, 3784 Unity Road, 3693 Unity Road, 3872 Unity Road, 3936 Unity Road, and the property located on Con 6 WA Pt Lot 9 (the "Lands") in the City of Kingston under the Province's FIT Program; and

**WHEREAS** the Applicant has requested that Council of the City of Kingston indicate by resolution Council's support for the construction and operation of the Project on the Property; and

**WHEREAS**, pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other persons applying for FIT Contracts;

**NOW THEREFORE BE IT RESOLVED THAT** Council of the City of Kingston supports the construction and operation of the Project on the Lands. This resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose; and

**THAT** the City of Kingston executes the Landscape and Site Design Guideline Agreement with SkyPower Projects ULC.

(The Report of the Commissioner of Sustainability and Growth (13-147) was attached to the agenda.)

(File No. CSU-E11-000-2013)

**CARRIED (12:0)**  
**(See Recorded Vote)**

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

NAYS: (0)

ABSENT: Councillor Schell (1)

**(6) Belle Park Fairways fee amendments**

Moved by Councillor Hutchison  
Seconded by Councillor Osanic

**THAT** Council waive the rules of By-Law No. 2010-1, "Council Procedural By-Law", (Section 13.25) in order to introduce a motion of reconsideration.

**CARRIED (12:0)**  
**(A 2/3 Vote of Council was Received)**  
**(See Recorded Vote)**

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

NAYS: (0)

ABSENT: Councillor Schell (1)

Moved by Councillor Osanic  
Seconded by Councillor Paterson

**THAT** Council waive the rules of By-Law No. 2010-1, "Council Procedural By-Law", in order to reconsider the recommendation regarding fees and charges which was approved at the Council meeting held on December 18, 2012:

**“THAT** a by-law be presented to amend By-Law 2005-10 "A By-Law to Establish Fees and Charges to be Collected by the Corporation of the City of Kingston", as amended, in order to establish fees and charges for 2013; and

**THAT** a by-law be presented to amend By-Law 93-100, as amended, being "A By-Law to Define the Various Classes of Group Homes within the City of Kingston and Provide for the Registration Thereof"; in order to consolidate fees into By-Law 2005-10, as amended; and

**THAT** the aforementioned by-laws be given three readings in order to allow for fees and charges to be adjusted on January 1<sup>st</sup> in accordance with policy and consistent practice.”

**CARRIED (12:0)**  
**(A 2/3 Vote of Council was Received)**  
**(See Recorded Vote)**

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

NAYS: (0)

ABSENT: Councillor Schell (1)

**THAT** a by-law be presented to amend By-Law 2005-10 " A By-Law to Establish Fees and Charges to be Collected by the Corporation of the City of Kingston", as amended, in order to establish fees and charges for 2013; and

**THAT** a by-law be presented to amend By-Law 93-100, as amended, being "A By-Law to Define the Various Classes of Group Homes within the City of Kingston and Provide



for the Registration Thereof"; in order to consolidate fees into By-Law 2005-10, as amended; and

**THAT** the aforementioned by-laws be given three readings in order to allow for fees and charges to be adjusted on January 1<sup>st</sup> in accordance with policy and consistent practice; and

**THAT** a by-law be presented to amend By-Law 2005-10 "A By-Law to Establish Fees and Charges to be Collected by the Corporation of the City of Kingston, as amended", to enact the following:

a) **THAT** the following be deleted from the Belle Park Golf Course Section:

Fees – Belle Park Golf Course			
Description of Fee	2013	2013	HST
Junior (18 years of age and under as of May 1, 2012)		\$307.83	Y

b) **THAT** the following section be added to the Belle Park Golf Course Section:

Fees – Belle Park Golf Course			
Description of Fee	2013	NEW	HST
Junior/Student (up to 25 years)	N/A	\$188.88	Y
Corporate	N/A	\$1,528.53	Y
Locker (Junior, Student)	N/A	\$25.00	Y
40 Round Package	N/A	\$574.92	Y
20 Round Package	N/A	\$287.46	Y
10 Round Package	N/A	\$172.48	Y
9 Holes – Junior/Student (With an adult)	N/A	\$10.18	Y

**THAT** the amending by-law receive all three readings.

**CARRIED AS AMENDED (12:0)**  
**(See Motion to Amend Which Was Carried)**  
**(See Recorded Vote 2)**

Moved by Deputy Mayor Hector  
 Seconded by Councillor George

**THAT** the motion be amended to add the following wording:

**THAT** a by-law be presented to amend By-Law 2005-10 "A By-Law to Establish Fees and Charges to be Collected by the Corporation of the City of Kingston, as amended", to enact the following:

a) **THAT** the following be deleted from the Belle Park Golf Course Section:

<b>Fees – Belle Park Golf Course</b>			
<b>Description of Fee</b>		<b>2013</b>	<b>HST</b>
Junior (18 years of age and under as of May 1, 2012)		\$307.83	Y

b) **THAT** the following section be added to the Belle Park Golf Course Section:

<b>Fees – Belle Park Golf Course</b>			
<b>Description of Fee</b>	<b>2013</b>	<b>NEW</b>	<b>HST</b>
Junior/Student (up to 25 years)	N/A	\$188.88	Y
Corporate	N/A	\$1,528.53	Y
Locker (Junior, Student)	N/A	\$25.00	Y
40 Round Package	N/A	\$574.92	Y
20 Round Package	N/A	\$287.46	Y
10 Round Package	N/A	\$172.48	Y
9 Holes – Junior/Student (With an adult)	N/A	\$10.18	Y

**THAT** the amending by-law receive all three readings.

**CARRIED (12:0)**  
**(See Recorded Vote 1)**

- (1) YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Glover, Deputy Mayor Hector, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Scott (12)  
 NAYS: (0)  
 ABSENT: Councillor Schell (1)
- (2) YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Glover, Deputy Mayor Hector, Councillor Hutchison, Councillor

Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Scott (12)

NAYS: (0)

ABSENT: Councillor Schell (1)

**(See By-Law No. (12), 2013-94)**

(The Report of the Commissioner of Community Services (13-148) was attached to the agenda.)

(File No. CSU-R04-000-2013)

**(7) Relief to Sign By-Law 2009-140 Seven ground signs at 76 Stuart Street (Kingston General Hospital)**

**THAT** a by-law be presented to amend By-law 2009-140, to permit the owners of 76 Stuart Street to erect signs 2, 3, and 10 set back less than 3 metres from the street line and signs 1, 4, 5, and 9 set back less than 3 metres from the street lines and providing less than 4.25 metres of clear space below the sign within the triangular space formed by the street property lines for a distance of 15.2 metres from their point of intersection as outlined in Report No. 13-145.

**(See By-Law No. (7), 2013-89)**

(The Report of the Commissioner of Sustainability and Growth (13-145) was attached to the agenda.)

(File No. CSU-T07-000-2013)

**CARRIED (11:1)**  
**(See Recorded Vote)**

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

NAYS: Councillor Glover (1)

ABSENT: Councillor Schell (1)

**(8) Cultural Services Advisory Committee Restructuring**

**WHEREAS** the Cultural Services Department was established in 2008 and the City of Kingston approved its first-ever Culture Plan in 2010; and

**WHEREAS** the role and function of the Cultural Services Department has now evolved to include public programming, asset management, capacity building, community engagement and education, policy development and community cultural development; and

**WHEREAS** the existing Advisory Committee structure has played a vital role in terms of moving forward Kingston's cultural development; and

**WHEREAS** it has been identified that an amended Advisory Committee structure is required to support the continuing implementation of the Kingston Culture Plan and the priorities identified in Kingston's Strategic Plan 2011-2014;

**THEREFORE BE IT RESOLVED THAT** a by-law as attached as Exhibit A to Report 13-135, be presented to amend By-Law 2010-205, being "a By-law to define the mandate and meeting procedures for committees of established by The Corporation of the City of Kingston", to enact the following:

**THAT** the Terms of Reference for the Arts, Recreation and Community Policies Committee (Schedule A-3) be repealed and replaced with the revised Terms of Reference as attached as Exhibit 'A' to Report 13-135 to update references with respect to culture;

**THAT** the MacLachlan Woodworking Museum Advisory Committee (Schedule B-6) and the Pump House Steam Museum (Schedule B-11) be dissolved effective April 23, 2013; and

**THAT** a Museums and Collections Advisory Committee, as outlined in Exhibit 'A' to Report 13-135, be established, effective April 23, 2013; and

**THAT** the Grand Theatre Advisory Committee (Schedule B-10) be dissolved effective August 30, 2013; and

**THAT** the composition of the Arts Advisory Committee mandate (Schedule F-3) be repealed and replaced with the revised mandate as outlined in Exhibit 'A' to Report 13-135, effective August 30, 2013.

**(See By-Law No. (8), 2013-90)**

(The Report of the Commissioner of Sustainability and Growth (13-135) was attached to the agenda.)

(File No. CSU-C15-000-2013) (File No. CSU-R00-000-2013)

**CARRIED (12:0)**  
**(See Recorded Vote)**

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

NAYS: (0)

ABSENT: Councillor Schell (1)

**(9) Sir John A. Macdonald Bicentennial Commission Funding**

**THAT** the City provide funding assistance of \$75,000, from the approved budget for 2012 for Commemorative Events, to Salon Theatre Productions in support for events for 2012 and January 2013, conditional upon Salon Theatre Productions entering into the municipal service agreement, attached as Exhibit B, and that the Mayor and Clerk be authorized to sign that agreement in a form satisfactory to the Commissioner, Sustainability & Growth and the Director of Legal Services.

(The Report of the Commissioner of Sustainability and Growth (13-102) was attached to the agenda.)

(File No. CSU-M02-000-2013)

**CARRIED (12:0)**  
**(See Recorded Vote)**

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

NAYS: (0)

ABSENT: Councillor Schell (1)

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**Report No. 57: Received from the Planning Committee**

Moved by Councillor Paterson

Seconded by Councillor Berg

**THAT** Report No. 57: Received from the Planning Committee be received and adopted.

**Report No. 57**

To the Mayor and Members of Council:

The Planning Committee reports and recommends as follows:

1) **Application for Official Plan Amendment and Zoning By-Law Amendment 16, 26, 42 & 58 Leroy Grant Drive**

**THAT** the application for Official Plan Amendment, and Zoning By-Law Amendment (Our Files No. D09-073-2012 and D14-266-2012) submitted by IBI Group, on behalf of Homestead Land Holdings, for the properties municipally known as 16, 26, 42 & 58 Leroy Grant Drive, **BE APPROVED**; and

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

**THAT** the Council of The Corporation of the City of Kingston, in accordance with the provisions of Section 17 of the Planning Act, R.S.O. 1990, c.P13, hereby enacts as follows:

1. The Official Plan for the City of Kingston is hereby amended by the following map change which shall constitute Amendment No. 22 to the Official Plan for the City of Kingston.

(a) **AMEND** Schedule '3-A, Land Use' of the Official Plan for the City of Kingston, so as to designate 58 Leroy Grant Drive, as shown on Schedule 'A' to By-Law No. 2013-92 as 'Residential';

2.0 By-Law No. 8499 of The Corporation of the City of Kingston, entitled "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston", as amended, is hereby further amended as follows:

2.1. Map 13 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from Multiple Family Dwelling 'B3' Zone to Special Multiple Family Dwelling 'B3-423' Zone, as shown on Schedule "A" attached to and forming part of By-Law No. 2013-93.

2.2. By **Adding** a new subsection 423 thereto as follows:

"(423) 'B3.423', 16, 26, 42 & 58 Leroy Grant Drive

Notwithstanding the provisions of Section 5 and 16 hereof to the contrary, the lands designated 'B3.423' on Schedule 'A' hereto, the following regulations shall apply:

1. Density: maximum density shall be 159 dwelling units per hectare;
2. Parking: minimum parking is 1.1 spaces per unit;
3. Minimum height for vehicle clearance in an enclosed parking structure for a barrier free parking space shall be 2.1 metres; and
4. Parking is permitted in all yards;
5. Bicycle parking shall be 0.5 spaces per dwelling unit;
6. The minimum amenity space area shall be 16,500 square metres;
7. The minimum aggregate side yard width shall be a measurement equal to 1.25 times the height of the building; and
8. For the purposes of interpretation the lands within the 'B3.423' Zone shall be treated as a single parcel."; and

**THAT** the Zoning By-Law Amendment and Official Plan Amendment By-Laws be presented to City Council for all three readings

(Note: A copy of the draft by-laws was attached to the agenda.)

**(See By-Law No. (10), 2013-92)**

**(See By-Law No. (11), 2013-93)**

**CARRIED (12:0)**  
**(See Recorded Vote)**

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

NAYS: (0)

ABSENT: Councillor Schell (1)

\* \* \* \* \*

**Report No. 58: Received from the Administrative Policies Committee**

Moved by Deputy Mayor Hector  
Seconded by Councillor Paterson

**THAT** Report No. 58: Received from the Administrative Policies Committee be received and adopted.

**Report No. 58**

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

**(1) Tax Write Offs Pursuant to the Municipal Act, 2001**

**THAT** Council approves the cancellation, reduction or refund of taxes pursuant to applications made under Sections 357 and 358 of the Municipal Act, 2001 totalling \$60,614.84 of which \$45,158.61 is the City's portion and amounts charged back to the school boards and Downtown Kingston! BIA are \$14,652.94 and \$803.29 respectively, as listed in Exhibit A to report AP-13-010.

(Note: A copy of Exhibit A was attached to the agenda.)

**(2) 2013 Capping Parameters for Commercial, Industrial and Multi-Residential Properties**

1. **THAT** the 2013 capping program be approved as outlined in this report and that the funding for capped properties be provided from within each respective tax class; and
2. **THAT** a by-law be presented to establish the 2013 optional capping parameters:

- a) **THAT** the commercial and industrial property cap limits will be the greater of:
  - i. 10% of previous year's annualized (capped) tax, or
  - ii. 5% of previous year's uncapped (CVA) taxes; and
- b) **THAT** threshold limits apply to move commercial, industrial and multi-residential capped taxes to uncapped (CVA) taxes whenever capped taxes are within \$250 of the uncapped tax; and
- c) **THAT** for 2013, properties which have reached their uncapped tax during 2012, or crossed over from the clawed back category to the capped category, or crossed over from the capped category to the clawed back category remain at uncapped taxes and be excluded from any further and future capping adjustments; and
- d) **THAT** new construction/new-to-class limits will be a minimum tax level of 100% of their uncapped taxes, which will apply to eligible properties commencing taxation for part or all of 2013, and for future years.

(Note: A copy of the draft by-law was attached to the agenda.)  
**(See By-Law No. (2), 2013-84)**

**(3) 2013 Tax Ratios**

1. **THAT** Council approve the 2013 tax ratios as follows:
  - a. the residential property class be set at 1.00;
  - b. the new multi-residential property class be set at 1.00;
  - c. the multi-residential property class be set at 2.355576;
  - d. the commercial property class be set at 1.98;
  - e. the industrial property class be set at 2.63;
  - f. the pipe line property class be set at 1.1728;
  - g. the farmlands property class be set at 0.25;
  - h. the managed forests property class be set at 0.25; and
2. **THAT** a by-law be presented in order to establish the 2013 tax ratios.

(Note: A copy of the draft by-law was attached to the agenda.)  
**(See By-Law No. (3), 2013-85)**

**(4) Amendments to By-Law 2005-100, A Bylaw for Prescribing Standards for the Maintenance and Occupancy of Property within the City of Kingston**

**WHEREAS** at the regular meeting of Kingston City Council held on March 5, 2013, Council passed a resolution regarding Clause (2), Report No. 47, and deferred Section



5.80, of By-law 205 -100, to the Administrative Policies Committee to seek further clarification on the term “impervious”; and

**WHEREAS** at the regular meeting of the Administrative Policies Committee, held on March 20, 2013, the Committee considered the term “impervious” in relation to the Ontario Building Code, Section 9.29.2.1, that requires walls to be waterproof at tubs and showers, and Section 9.30.1.2 that requires bathroom floors to be water resistant;

**THEREFORE BE IT RESOLVED THAT** by-law 2013-86, being a by-law to amend By-Law 2005-100 “A By-Law for Prescribing Standards for the Maintenance and Occupancy of Property within the City of Kingston” commonly known as the Property Standards By-Law, be further amended as follows:

1.19 Section 5.80, of By-Law 2005-100 is repealed and the following substituted:

5.80 All bathroom walls surrounding bathtubs and showers shall be water proof and floors shall be water resistant.

(Note: A copy of the draft by-law was attached as to the agenda.)

**(See By-Law No. (4), 2013-86)**

**CARRIED (12:0)**  
**(Clauses (1) through (4))**  
**(See Recorded Vote)**

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

NAYS: (0)

ABSENT: Councillor Schell (1)

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**Report No. 59: Received from the Nominations Advisory Committee**

Moved by Councillor Berg  
Seconded by Councillor Neill

**THAT** Report No. 59: Received from the Nominations Advisory Committee be received and adopted.

**Report No. 59**

To the Mayor and Members of Council:

The Nominations Advisory Committee reports and recommends as follows:

**(1) Appointments to the Responsible Pet Ownership Program Working Group**

**THAT** the following individuals be appointed to the Responsible Pet Ownership Working Group:

- Jennifer Allan, Urban Paws (Pet Store)
- Marg Buckholtz, Spay Neuter Kingston Initiative
- Dr. Paula Kirkwood Zahara (Veterinarian)
- Kareen Lush, Kingston Animal Rescue
- Jason Malley, Pet Valu (Pet Store)
- Janice Saunders, Kingston Humane Society

**CARRIED (12:0)**  
**(See Recorded Vote)**

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

NAYS: (0)

ABSENT: Councillor Schell (1)

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**INFORMATION REPORTS**

Council consented to the **addition** of Information Report (3).

**(1) Artillery Park Project Monthly Status Report**

The purpose of this report is to provide Council with a status report on the Artillery Park Project.

(The Report of the Commissioner of Community Services (13-152) was attached to the agenda.)

(File No. CSU-R05-000-2013)

**(2) 2013 Municipal Debt Limits – Information Report**

The purpose of this report is to provide Council with information with respect to the Municipality's Debt Limits.

(The Report of the City Treasurer (13-075) was attached to the agenda.)

(File No. CSU-F11-000-2013)

**(3) Westbrook Indoor Sports Facility – Request For Deadline Extension**

The purpose of this report is to present Council with information received from Westbrook Golf Club requesting a deadline extension.

(The Report of the Commissioner of Community Services (13-162) was attached to the Addeds)  
(File No. CSU-R05-000-2013)

Moved by Councillor George  
Seconded by Coucillor Glover

**THAT** Council waive the rules of By-Law No. 2010-1, “Council Procedural By-Law”, in order to reconsider Information Report (3), Westbrook Indoor Sports Facility Request for Deadline Extension

**CARRIED (11:1)  
(See Recorded Vote)**

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

NAYS: Councillor Downes (1)

ABSENT: Councillor Schell (1)

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**MISCELLANEOUS BUSINESS**

**(1)** Moved by Deputy Mayor Hector  
Seconded by Councillor Hutchison

**THAT** as requested by the Ukrainian Canadian Club of Kingston, Council designate the “Lviv, Ukraine – Folklore Festival”, being held Friday, June 14, Saturday, June 15 and Sunday, June 16, 2013, at Regiopolis Notre Dame Catholic High School, as an event of municipal significance, to which Special Occasion Permits may be issued by the Alcohol and Gaming Commissioner of Ontario.

**(See Communication No. 11-149)**

**CARRIED (12:0)  
(See Recorded Vote)**

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

NAYS: (0)

ABSENT: Councillor Schell (1)

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

**THAT** the resignation of Mr. John Carr from the Municipal Accessibility Advisory Committee be received with regret.

**(See Communication No. 11-157)**

**CARRIED (12:0)**  
**(See Recorded Vote)**

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

NAYS: (0)

ABSENT: Councillor Schell (1)

- (3) Moved by Deputy Mayor Hector  
Seconded by Councillor George

**THAT**, as requested by Transplant Advocate Association, Council proclaim April 21 to April 28, 2013 "National Organ and Tissue Donation Awareness Week".

**(See Communication No. 11-146)**

**CARRIED (12:0)**  
**(See Recorded Vote)**

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

NAYS: (0)

ABSENT: Councillor Schell (1)

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

**THAT** Council appoint Councillor Neill and Councillor Osanic to serve on the Responsible Pet Ownership Program Working Group.

**(See Clause (6), Report No. 38)**

**CARRIED (12:0)**  
**(See Recorded Vote)**

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

NAYS: (0)

ABSENT: Councillor Schell (1)

\* \* \* \* \*

Councillor Osanic indicated that she is employed by the Ontario Ministry of Health and Long-Term Care, she recused herself from participating in the discussion and vote, and withdrew from the meeting.

## **NEW MOTIONS**

Council consented to the **addition** New Motions No. (3).

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

**WHEREAS** a new hospital has been proposed for Kingston to bring together the rehabilitation, complex continuing care, specialized geriatrics, palliative care and mental health services currently provided at St. Mary's of the Lake and Mental Health Services (MHS); and

**WHEREAS** a 2012 study by Siemiatycki and Farooqi, University of Toronto professors, found that in the 23 public-private-partnership hospitals they studied the average cost was 16% more using the for-profit approach rather than a public approach; and

**WHEREAS** Ontario's Auditor General found that the William Osler Hospital in Brampton will cost approximately two hundred million dollars more using a similar for-profit approach as proposed for the new Providence Care hospital than if a public approach had been used; and

**WHEREAS** a condition of the Request For Proposal (RFP) for Kingston's new Providence Care hospital contains a condition that the proponent, in this case Infrastructure Ontario, a crown corporation wholly owned by the Province of Ontario, can alter the conditions of the RFP; and

**WHEREAS** the City of Kingston and the residents of Kingston are expected to contribute to the cost of the new Providence Care hospital; and

**WHEREAS** using the calculations of Ontario's Auditor General, Kingston's new hospital could cost one hundred million dollars more than a publicly financed and run hospital;

**THEREFORE BE IT RESOLVED THAT** Kingston City Council have staff write a letter to the Premier of Ontario, the Minister of Health and Long-Term Care and Infrastructure Ontario requesting that they remove from the RFP the private financing and maintenance of the new Providence Care hospital and have these responsibilities undertaken through the public non-profit sector; and

**THAT** copies of this correspondence be distributed to the Honourable John Gerretsen, MPP Kingston and the Islands, Tim Hudak, the Leader of the Opposition and Andrea Horwath, Leader of the Ontario New Democratic Party.

**LOST (5:6)**  
**(See Recorded Vote)**

**YEAS:** Councillor Downes, Councillor George, Councillor Glover, Councillor Hutchison, Councillor Neill (5)

**NAYS:** Councillor Berg, Mayor Gerretsen, Deputy Mayor Hector, Councillor Paterson, Councillor Reitzel, Councillor Scott (6)

**ABSENT:** Councillor Osanic, Councillor Schell (2)

Councillor Osanic returned to the meeting.

- (2)** Moved by Deputy Mayor Hector  
Seconded by Councillor Scott

**WHEREAS** the City of Kingston is striving to increase Active Transportation; and

**WHEREAS** the City of Kingston works to maintain a safe transportation system for all users; and

**WHEREAS** most collisions involving pedestrians, cyclists or vehicles occur at signalized intersections; and

**WHEREAS** collisions resulting in serious injury or death can occur when motorists run red lights at signalized intersections; and

**WHEREAS** the Province of Ontario permits municipalities to operate "Red Light Camera" systems; and

**WHEREAS** there is increased concern with respect to motorists running red lights at intersections and higher instances of property damage with insurance cost implications in Kingston; and

**WHEREAS** this illegal driving behaviour is dangerous and increases the risk for pedestrians, cyclists and other motorists; and

**WHEREAS** it is a challenge, time-consuming and expensive for police to enforce red light infractions at intersections adding to the high operational cost of policing and the municipal tax burden on residents; and

**WHEREAS** red light cameras are proven to be an effective means to reduce the incidences of red light infractions making streets safer for all users;

**THEREFORE BE IT RESOLVED THAT** City staff be directed to develop a business case to study the feasibility of implementing and operating a red light camera program in Kingston and that the sum of \$50,000 be directed from the Working Fund Reserve to complete this work by end of Q1 2014.

**CARRIED AS AMENDED (8:4)**  
**(See Motion To Amend Which Was CARRIED)**  
**(See Motion To Amend Which Was LOST)**  
**(See Recorded Vote 3)**

Moved by Deputy Mayor Hector  
Seconded by Councillor Scott

**THAT** New Motion (2), be amended by deleting the words “in 2013 for consideration in the next capital budget deliberations” and inserting the words “by the end of the Q1 2014.

**CARRIED (12:0)**  
**(See recorded Vote 1)**

Moved by Councillor Osanic  
Seconded by Councillor Downes

**THAT** New motions (2) be amended by deleting the words “ and that the sum of \$50,000 be directed from the Working Fund Reserve.”

**LOST (4:8)**  
**(See Recorded Vote 2)**

- (1) YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Councillor Glover, Deputy Mayor Hector, Councillor Hutchison, Councillor Neill, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Scott (12)  
NAYS: (0)  
ABSENT: Councillor Schell (1)
- (2) YEAS: Councillor Downes, Councillor Glover, Councillor Neill, Councillor Osanic, (4)  
NAYS: Councillor Berg, Councillor George, Mayor Gerretsen, Deputy Mayor Hector, Councillor Hutchison, Councillor Paterson, Councillor Reitzel, Councillor Scott (8)  
ABSENT: Councillor Schell (1)
- (3) YEAS: Councillor Berg, Councillor George, Mayor Gerretsen, Deputy Mayor Hector, Councillor Hutchison, Councillor Paterson, Councillor Reitzel, Councillor Scott (8)  
NAYS: Councillor Downes, Councillor Glover, Councillor Neill, Councillor Osanic (4)  
ABSENT: Councillor Schell (1)

- (3)** Moved by Mayor Gerretsen  
Seconded by Deputy Mayor Hector

**THAT** the Kingston Economic Development Corporation (KEDCO) be invited to brief Council with respect to the KEDCO Strategic Plan at the April 23, 2013 Council Meeting.

**CARRIED (13:0)**  
**(See Recorded Vote)**

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

NAYS: (0)  
ABSENT: (0)

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## **NOTICES OF MOTION**

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- Moved by Councillor Paterson  
Seconded by Councillor Scott

**THAT** Council waive the rules of By-Law No. 2010-1, "Council Procedural By-Law", in order to extend the meeting on April 11, 2013 past 11:00 pm to complete the agenda.

**CARRIED (9:3)**  
**(A 2/3 Vote Of Council Was Received)**  
**(See Recorded Vote)**

YEAS: Councillor Berg, Councillor Downes, Councillor George, Mayor Gerretsen, Deputy Mayor Hector, Councillor Osanic, Councillor Paterson, Councillor Reitzel, Councillor Schell, Councillor Scott (9)

NAYS: Councillor Glover, Councillor Hutchison, Councillor Neill (3)  
ABSENT: (0)



**MINUTES**

Moved by Councillor Reitzel  
Seconded by Councillor Osanic

**THAT** the Minutes of City Council Meeting No. 2013-08, held Tuesday, March 19, 2013 and the City Council Meeting No. 2013-09, held Wednesday, March 20, 2013 be confirmed.  
**(Distributed to all Members of Council on April 5, 2013)**

**CARRIED (12:0)**  
**(See Recorded Vote)**

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

NAYS: (0)

ABSENT: Councillor Schell (1)

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**TABLING OF DOCUMENTS**

2013-23 Cataraqui Region Conservation Authority  
Agenda – March 27, 2013  
(File No. CSU-D03-000-2013)

2013-24 Kingston Frontenac Public Library Board  
Minutes – February 27, 2013  
(File No. – CSU-R02-000-2013)

2013-25 Kingston & Frontenac Housing Corporation  
Agenda – March 25, 2013  
(File No. – CSU-S13-000-2013)

2013-26 Downtown Kingston! Business Improvement Area Board of Management  
Minutes – January 16, 2013  
(File No. – CSU-A01-001-2013)

2013-27 Downtown Kingston! Business Improvement Area Board of Management  
Minutes – February 13, 2013  
(File No. – CSU-A01-001-2013)

2013-28 Kingston & Frontenac Housing Corporation  
Minutes – February 14, 2013  
(File No. – CSU-S13-000-2013)

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## COMMUNICATIONS

Council consented to the **addition** of Communications (11-175) and (11-179) to (11-187)

### Filed

- 11-151 From Committee of Adjustment, a Notice of Decision for the following application: CONSENT – In respect of an application for consent to sever the property at Westbrook Meadows Subdivision (Block 106, Plan 13M-64). Committee decided that the application **SHOULD BE PROVISIONALLY APPROVED**, subject to conditions. The final date for appeal is April 8, 2013.  
(File No. CSU-D19-000-2013)
- 11-163 From Glen Lawrence Golf Club, an application for a liquor license from the Alcohol and Gaming Commission of Ontario for an establishment located at 2022 Highway 2 East.  
(File No. CSU-P09-000-2013)
- 11-164 From Committee of Adjustment, a Notice of Decision for the following application: MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 8499 for the property at 306 University Avenue, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is April 15, 2013.  
MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 8499 for the property at 175 Park Street, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is April 15, 2013.  
MINOR VARIANCE – In respect of an application to request relief from Zoning By-Law No. 76-26 for the property at 2785 Orser Road, the Committee decided that the application **SHOULD BE APPROVED**, subject to conditions. The final date for appeal is April 15, 2013.  
(File No. CSU-D19-000-2013)

### Referred to All Members of Council

- 08-124 From Charles Simonds, Chair, Kingston, Frontenac, and Lennox & Addington Public Health (KFL & A), informing Council that they passed a motion “Endorsement of Energy Drink Regulations”.  
(File No. CSU-S08-000-2013)  
**(Distributed to all Members of Council on March 04, 2013)**  
**(Redistributed to all Members of Council on March 22, 2013)**
- 08-127 From Cruickshank Construction Ltd., advising Council of the lane closures that will be occurring between Monday, March 11, 2013 and Friday March 15, 2013.  
(File No. CSU-T08-000-2013)  
**(Distributed to all Members of Council on March 7, 2013)**  
**(Redistributed to all Members of Council on March 22, 2013)**

- 08-128 From Ministry of the Environment, informing Council that Ontario is providing grants to help communities take action to protect and restore their corner of the Great Lakes and St. Lawrence River Basin.  
(File No. CSU-F11-000-2013)  
**(Distributed to all Members of Council on March 7, 2013)**  
**(Redistributed to all Members of Council on March 22, 2013)**
- 08-129 From Ontario Association of Fire Chiefs (O AFC), informing Council of their seminar on The Essentials of Firefighting and Firefighting 101, Sunday, May 5 and Monday May 6, 2013.  
(File No. CSU-A04-000-2013)  
**(Distributed to all Members of Council on March 7, 2013)**  
**(Redistributed to all Members of Council on March 22, 2013)**
- 08-132 From Autism Ontario-Kingston Chapter, asking that Council proclaim April 2, 2013 as World Autism Awareness Day.  
(File No. CSU-M10-000-2013)  
**(See Miscellaneous Business Item No. (1))**  
**(Distributed to all Members of Council on March 8, 2013)**  
**(Redistributed to all Members of Council on March 22, 2013)**
- 08-133 From Jennifer Medves, RN, PhD, Vice-Dean (Health Sciences) & Director, School of Nursing, Queen's University, encouraging the City of Kingston By-Law be amended so that indoor tanning services be prohibited to youth under 19 years of age.  
(File No. CSU-S08-000-2013)  
**(Distributed to all Members of Council on March 11, 2013)**  
**(Redistributed to all Members of Council on March 22, 2013)**
- 08-134 From Rod Phillips, President & CEO of Ontario Lottery and Gaming (OLG), acknowledging receipt of Kingston City Council's resolution expressing support for the City of Kingston as a host community, in principle.  
(File No. CSU-P09-000-2013)  
**(Distributed to all Members of Council on March 11, 2013)**  
**(Redistributed to all Members of Council on March 22, 2013)**
- 08-135 From Neil MacMillan, Friends of Belle Park, advising Council that the closure of Belle Park would be a step in the wrong direction.  
(File No. CSU-S08-000-2013)  
**(Distributed to all Members of Council on March 13, 2013)**  
**(Redistributed to all Members of Council on March 22, 2013)**

- 11-146 From Shilane Labbett, Transplant Advocate Association, asking that Council proclaim April 21 to April 28, 2013 as “ National Organ and Tissue Donation Awareness Week” in the City of Kingston.  
(File No. CSU-M10-000-2013)  
**(Distributed to all Members of Council on March 22, 2013)**  
**(See Miscellaneous Business Item No. (3))**
- 11-147 From Cruickshank Construction Ltd., advising Council of the lane closures that will be occurring between Monday, March 25 and Thursday, March 28, 2013.  
(File No. CSU-T08-000-2013)  
**(Distributed to all Members of Council on March 22, 2013)**
- 11-148 From the Corporation of Loyalist Township, Notice of Passing of Zoning By-Law 2013-022, to add definitions for the terms balcony, deck and porch.  
(File No. CSU-D14-000-2013)  
**(Distributed to all Members of Council on March 22, 2013)**
- 11-149 From Nadia A. Luciuk, Pavilion Coordinator, Ukrainian Canadian Club of Kingston, asking Council to declare that Lviv, Ukraine – Folklore 2013 is a Community Festival of municipal significance to which Special Occasion permits may be issued by the Liquor License Board.  
(File No. CSU-M02-000-2013) (File No. CSU-P09-000-2013)  
**(See Miscellaneous Business Item No. (1))**  
**(Distributed to all Members of Council on March 22, 2013)**
- 11-150 From Association of Municipalities (AMO), providing Council with details of Town Hall Information Sessions.  
(File No. CSU-A01-004-2013)  
**(Distributed to all Members of Council on March 22, 2013)**
- 11-152 From Cataraqui Region Conservation Authority, providing Council with its 2013 Watershed Report Card.  
(File No. CSU-E05-000-2013)  
**(Distributed to all Members of Council on March 22, 2013)**
- 11-153 From Carol Koob, Executive Assistant to the Medical Officer of Health, informing Council that the next regular Board meeting will be held April 24, 2013.  
(File No. CSU-S08-001-2013)  
**(Distributed to all Members of Council on March 22, 2013)**
- 11-154 From Association of Municipalities (AMO), informing Council Provincial Government applauded for improving municipal POA fine collection.  
(File No. CSU-L11-000-2013)  
**(Distributed to all Members of Council on March 22, 2013)**

- 11-155 From Association of Municipalities (AMO), providing Council with information on The Federal Budget.  
(File No. CSU-F05-000-2013)  
**(Distributed to all Members of Council on March 22, 2013)**
- 11-156 From Mario Sergio, Minister Responsible for Seniors, providing Council with the deadline date for nominations for Senior Achievement Award.  
(File No. CSU-M11-000-2013)  
**(Distributed to all Members of Council on March 22, 2013)**
- 11-157 From John Carr, advising of his resignation from the Municipal Accessibility Advisor Committee.  
(File No. CSU-C12-000-2013)  
**(See Miscellaneous Business Item No. 2)**  
**(Distributed to all Members of Council on March 22, 2013)**
- 11-158 From Township of Leeds and the Thousand Islands, informing Council of the Notice of Intent to consider removal of a Holding Symbol from the Zoning By-law.  
(File No. CSU-D28-000-2013)  
**(Distributed to all Members of Council on March 28, 2013)**
- 11-159 From Limestone District School Board, providing Council with a resolution from their Regular Meeting in regards to the City of Kingston electoral boundary changes.  
(File No. CSU-C07-000-2013)  
**(See Clause (1), Report No. 56)**  
**(Distributed to all Members of Council on March 28, 2013)**
- 11-160 From Loyalist Township, providing Council with a Notice of Study Completion regarding Class Environment Assessment for Odessa West Stormwater Management Facility.  
(File No. CSU-E05-000-2013)  
**(Distributed to all Members of Council on March 28, 2013)**
- 11-161 From Association of Municipalities Ontario (AMO), providing Council with the highlights of the March 2013 Board Meeting.  
(File No. CSU-A01-004-2013)  
**(Distributed to all Members of Council on March 28, 2013)**
- 11-162 From Federation of Canadian Municipalities (FCM), providing Council with a summary of The Board of Directors and Standing Committee Meetings in Prince George, B.C. March 6 to March 9, 2013.  
(File No. CSU-A01-002-2013)  
**(Distributed to all Members of Council on March 28, 2013)**

- 11-167 From Bob Chiarelli, Minister, Ministry of Energy, providing Council with The Report of the Ontario Distribution Sector Review Panel.  
(File No. CSU-E06-000-2013)  
**(Letter Distributed to all Members of Council on April 3, 2013)**  
**(The Report of the Ontario Distribution Sector Review is available in the Clerk's Department)**
- 11-168 From Via Rail, informing Council of the Town Hall Public Forum "Via Rail – Stop the Cuts!).  
(File No. CSU-A04-000-2013)  
**(Distributed to all Members of Council on April 3, 2013)**
- 11-169 From James Jeff McLaren, Friends of Belle Park, providing Council with a report on the Environmental Legal History of Belle Park.  
(File No. CSU-R04-000-2013)  
**(Distributed to all Members of Council on April 3, 2013)**
- 11-170 From Association of Municipalities Ontario (AMO), informing Council they are bringing international speakers and experience to 2013 AMO Urban Symposium.  
(File No. CSU-A04-000-2013)  
**(Distributed to all Members of Council on April 3, 2013)**
- 11-171 From Suzanne H. Crowhurst Lennard, Ph.D. (Arch), Director, International Making Cities Livable Conferences, informing Council of Reshaping Suburbia into Healthy Communities at the 50<sup>th</sup> International Making Cities Livable (IMCL) Conference.  
(File No. CSU-A04-000-2013)  
**(Distributed to all Members of Council on April 3, 2013)**
- 11-172 From Association of Municipalities Ontario (AMO), informing Council of Interest Arbitration – Private Members' Bill Tabled.  
(File No. CSU-L11-000-2013)  
**(Distributed to all Members of Council on April 3, 2013)**
- 11-175 From Kingston Economic Development Corporation (KEDCO), with respect to a Report prepared by 8020Info Inc. "The Potential for a Convention Facility in Kingston – A Review of Future Possibilities".  
(File No. CSU-D18-000-2013)  
**(Distributed to all Members of Council on April 5, 2013)**
- 11-180 From Deb Matthews, Minister of Health and Long-Term Care in regards to Providence Care Hospital.  
(File No. CSU-S08-000-2013)  
**(Distributed to all Members of Council on April 9, 2013)**

- 11-181 From Susan M. Bazely, Co-Chair, Williamsville Community Association, with respect to Electoral District Boundary Review.  
(File No. CSU-C07-000-2013)  
**(Distributed to all Members of Council on April 9, 2013)**
- 11-182 From Lori Wolfe, City Clerk, City of Brantford, in regards to Brantford City Council resolution on Changes to Heads and Beds Legislation.  
(File No. CSU-F22-000-2013)  
**(Distributed to all Members of Council on April 9, 2013)**
- 11-183 From Troy Sherman, Municipal Affairs Commissioner, Queen's University Alma Mater Society (AMS) Student Government, in regards to Electoral District Boundary Review.  
(File No. CSU-C07-000-2013)  
**(Distributed to all Members of Council on April 9, 2013)**
- 11-184 From Elia Anagnostopoulos, Board Chair, University Hospitals Kingston Foundation, with respect to Providence Care Hospital.  
(File No. CSU-S08-000-2013)  
**(Distributed to all Members of Council on April 9, 2013)**
- 11-185 From Canadian Union of Public Employees (CUPE), a guide for Municipalities considering P3s.  
(File No. CSU-S08-000-2013)  
**(Distributed to all Members of Council on April 9, 2013)**
- 11-186 From Matthew Scribner, President, Society of Graduate and Professional Students, in regards to Electoral District Boundary Review.  
(File No. CSU-C07-000-2013)  
**(Distributed to all Members of Council on April 9, 2013)**
- 11-187 From Morgan Davis, President Student Association of St. Lawrence College – Kingston Campus, in respect to Electoral District Boundary Review.  
(File No. CSU-C07-000-2013)  
**(Distributed to all Members of Council on April 9, 2013)**

#### **Referred to City Clerk**

- 08-125 From Bhavana Varma, President & CEO, United Way, asking that Council proclaim the week of May 4 until May 12, 2013 as "United Way Success by 6 Week" in the City of Kingston.  
(File No. CSU-M10-000-2013)  
**(Distributed to all Members of Council on March 7, 2013)**  
**(Redistributed to all Members of Council on March 22, 2013)**

- 08-126 From Marie-Claude Lachance, Project Coordinator, Kingston Partners for a Safe Community (KPSC), asking that Council proclaim the week of April 28 until May 4, 2013 as "Rail Safety Week" in the City of Kingston.  
(File No. CSU-M10-000-2013)  
**(Distributed to all Members of Council on March 7, 2013)**  
**(Redistributed to all Members of Council on March 22, 2013)**
- 11-165 From Stephen Hartley, Kingston Pride, asking that Council proclaim the month of June 2013, "Kingston Pride Month" in the City of Kingston.  
(File No. CSU-M10-000-2013)  
**(Distributed to all Members of Council on April 3, 2013)**
- 11-166 From Connie Ball, Executive Director, Kingston Humane Society, asking that Council proclaim the month of May 2013, "May is Kingston Humane Society Month" in the City of Kingston.  
(File No. CSU-M10-000-2013)  
**(Distributed to all Members of Council on April 3, 2013)**
- 11-179 From Bhavana Varma, President & CEO United Way serving KFL&A, asking Council proclaim April 21 – 27, 2013 "Volunteer Week."  
(File No. CSU-M10-000-2013)  
**(Distributed to all Members of Council on April 5, 2013)**

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## **OTHER BUSINESS**

### **Westbrook Indoor Sports Facility Initiative**

Moved by Councillor George  
Seconded by Councillor Berg

**THAT** Council waive the rules of By-Law No. 2010-1, "Council Procedural By-Law", (Section 13.25) in order to introduce a motion of reconsideration.

**CARRIED (11:1)**  
**(A 2/3 Vote of Council was Received)**  
**(See Recorded Vote)**

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

NAYS: Councillor Downes (1)

ABSENT: Councillor Schell (1)



Moved by Councillor Berg  
Seconded by Councillor George

**THAT** Council waive the rules of By-Law No. 2010-1, "Council Procedural By-Law", in order to reconsider the following recommendation regarding Westbrook Indoor Sports Facility matter which was approved at the Council meeting held on March 19, 2013.

**"THAT** Council direct staff to continue to monitor the progress of the Westbrook Indoor Sports Facility Initiative; and

**THAT** if by April 15, 2013, the City has not received application fees in full for the Westbrook Indoor Sports Facility development, that Council direct staff to release an RFP to seek a third party operator to set up and operate an indoor sports facility at John Machin Fields Park; and

**THAT** Council direct staff to report back to Council with a successful proponent and proposed terms of an agreement which would include a municipal capital facility by-law."

**CARRIED (12:0)**  
**(A 2/3 Vote of Council was Received)**  
**(See Recorded Vote)**

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

NAYS: (0)

ABSENT: Councillor Schell (1)

**THAT** Council direct staff to continue to monitor the progress of the Westbrook Indoor Sports Facility Initiative; and

**THAT** if by May 21, 2013, the City has not received application fees in full for the Westbrook Indoor Sports Facility development, that Council direct staff to release an RFP to seek a third party operator to set up and operate an indoor sports facility at John Machin Fields Park; and

**THAT** Council direct staff to report back to Council with a successful proponent and proposed terms of an agreement which would include a municipal capital facility by-law.

**CARRIED AS AMENDED (11:1)**  
**(See Motion To Amend Which Was CARRIED)**  
**(See Recorded Vote 2)**

Moved by Councillor George  
Seconded by Councillor Berg

**THAT** the motion be amended by deleting the date "April 15, 2013" and replacing it with the date "May 21, 2013".

**CARRIED (10:2)**  
**(With Agreed To Amendments)**  
**(See Recorded Vote 1)**

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

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## BY-LAWS

Council consented to the separation of By-Law (1).

Moved by Councillor Hutchison  
Seconded by Councillor Neill

That By-law (1) be deferred to the next meeting of Council.

**LOST (5:7)**  
**(See Recorded Vote)**

- YEAS: Councillor Downes, Councillor Glover, Councillor Hutchison, Councillor Neill, Councillor Osanic (5)  
NAYS: Councillor Berg, Councillor George, Mayor Gerretsen, Deputy Mayor Hector, Councillor Paterson, Councillor Reitzel, Councillor Scott (7)  
ABSENT: Councillor Schell (1)

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

**THAT** By-Laws (2) through (13) and (21) be given their first and second reading.

**CARRIED (12:0)**  
**(See Recorded Vote)**

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

NAYS: (0)

ABSENT: Councillor Schell (1)

Moved by Councillor Reitzel

Seconded by Councillor Scott

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

**CARRIED (7:5)**  
**(See Recorded Vote)**

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

NAYS: Councillor Downes, Councillor Glover, Councillor Hutchison, Councillor Neill, Councillor Osanic (5)

ABSENT: Councillor Schell (1)

- (B) Moved by Councillor Paterson  
Seconded by Deputy Mayor Hector

**THAT** Clause 11.34 of By-Law No. 2010-1 be suspended for the purpose of giving By-Laws (12) and (13) three readings.

**CARRIED (12:0)**  
**(A 2/3 Vote of Council was Received)**  
**(See Recorded Vote)**

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

NAYS: (0)

ABSENT: Councillor Schell (1)

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

**THAT** By-Laws (10) through (21) be given their third reading.

**CARRIED (12:0)**  
**(See Recorded Vote)**

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

NAYS: (0)

ABSENT: Councillor Schell (1)

- (1) A By-Law To Re-Divide The City Of Kingston's Electoral District (Ward) Boundaries  
FIRST AND SECOND READINGS PROPOSED NO. 2013-83  
**(See Clause (1), Report No. 56)**
- (2) A By-Law To Establish The 2013 Tax Capping Limits  
FIRST AND SECOND READINGS PROPOSED NO. 2013-84  
**(See Clause (2), Report No. 58)**
- (3) A By-Law To Establish The 2013 Tax Ratios  
FIRST AND SECOND READINGS PROPOSED NO. 2013-85  
**(See Clause (3), Report No. 58)**
- (4) A By-Law To Amend By-Law No. 2005-100 "A By-Law For Prescribing Standards For The Maintenance And Occupancy Of Property Within The City Of Kingston".  
FIRST AND SECOND READINGS PROPOSED NO. 2013-86  
**(See Clause (4), Report No. 58)**  
**(See Clause (2), Report No. 47)**
- (5) A By-Law To Approve The Renaming Of Potter Street To Holden Street, As Shown On Parts 1 And 3 On Plan 13R602 Located West Of Bayridge Drive And North Of Princess Street, City Of Kingston  
FIRST AND SECOND READINGS PROPOSED NO. 2013-87  
**(See Clause (c), Report No. 55)**
- (6) A By-Law To Amend By-Law No. 99-166 "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board".  
FIRST AND SECOND READINGS PROPOSED NO. 2013-88  
**(See Clause (e), Report No. 55)**
- (7) A By-Law To Amend By-Law No. 2009-140 "A By-Law To Provide For The Prohibition And Regulation Of Signs And Other Advertising Devices In The City Of Kingston"  
FIRST AND SECOND READINGS PROPOSED NO. 2013-89  
**(See Clause (7), Report No. 56)**

- (8) A By-Law To Amend By-Law No. 2010-205 Being “A By-Law To Define The Mandate And Meeting Procedures For Committees Established By The Corporation Of The City Of Kingston” (To Establish The Museums And Collections Advisory Committee, To Repeal And Replace The Arts Recreation, And Community Policies Committee (Schedule A-3), And The Arts Advisory Committee (Schedule F-3), And To Dissolve The Grand Theatre Community Advisory Board (Schedule B-10), The Maclachlan Woodworking Museum Advisory Committee (Schedule B-6) And The Pump House Steam Museum Advisory Committee (Schedule B-11)).  
FIRST AND SECOND READINGS PROPOSED NO. 2013-90  
**(See Clause (8), Report No. 56)**
- (9) A By-Law To Amend By-Law No. 98-9 “A By-Law To Appoint Municipal Law Enforcement Officers Of The Corporation Of The “New” City Of Kingston (Appoint John Fraser, Ryan Decker, Matthew Doyle, Andrew Girouard, Leanne Addicott, Don Allan, Lindsay Backus, Edward Gardner, Paul Karran, Sarah Ryding, Janice Mazerolle, Carolyn Mcinnis, Sarah Van Dijk, Miranda Lezzi, Caitlin Prentice – Kingston, Frontenac And Lennox & Addington Public Health, Remove Darlene Mecredy, Peter Moccio, David Cooke, Andrew Dubchak, Hank Blok, Amanda Knapp, Brian Black, Jerry Zalewski, Jo-Anne Peterson, Erin Gilroy)  
FIRST AND SECOND READINGS PROPOSED NO. 2013-91  
**(See Clause (f), Report No. 55)**
- (10) A By-Law To Amend The Official Plan For The City Of Kingston Planning Area (Amendment No. 22, Known Municipally As 58 Leroy Grant Drive)  
THREE READINGS PROPOSED NO. 2013-92  
**(See Clause (1), Report No. 57)**
- (11) A By-Law To Amend By-Law No. 8499, “Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston” (Zone Change From Multiple Family Dwelling ‘B3’ Zone To Special Multiple Family Dwelling ‘B3-423’, 16, 26, 42 & 58 Leroy Grant Drive)  
THREE READINGS PROPOSED NO. 2013-93  
**(See Clause (1), Report No. 57)**
- (12) A By-Law To Amend By-Law No. 2005-10 “A By-Law To Establish Fees And Charges To Be Collected By The Corporation Of The City Of Kingston” (Deletion Of Junior Fee And Addition Of Additional Fee Structures For Belle Park Golf Course)  
THREE READINGS PROPOSED NO. 2013-94  
**(See Clause (6), Report No. 56)**
- (13) A By-Law To Amend By-Law No. 2010-205 “A By-Law To Define The Mandate And Meeting Procedures For Committees Established By The Corporation Of The City Of Kingston” (To Establish Age-An Age-Friendly Advisory Committee Mandate)  
THREE READINGS PROPOSED NO. 2013-95  
**(See Clause (4), Report No. 56)**

- (14) A By-Law To Amend By-Law No. 2010-128, "A By-Law To Regulate Parking".  
THIRD READING PROPOSED NO. 2013-71  
**(See Clause (h), Report No. 48)**
- (15) A By-Law To Amend 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", (Amend Speed Limits On Various Streets) (School Zones)  
THIRD READING PROPOSED NO. 2013-72  
**(See Clause (i), Report No. 48)**
- (16) A By-Law To Amend 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", (Amend Speed Limits On Various Streets) (Rural Areas)  
THIRD READING PROPOSED NO. 2013-73  
**(See Clause (j), Report No. 48)**
- (17) A By-Law To Enact A Heritage Conservation Easement Over Lands Located At 610  
Montreal Street, Pursuant To The Provisions Of The Ontario Heritage Act (R.S.O. 1990,  
0.18)  
THIRD READING PROPOSED NO. 2013-77  
**(See Clause (5), Report No. 51)**
- (18) A By-Law To Repeal By-Law No. 84-172 "A By-Law Implementing The Market Square  
Heritage Conservation District Plan And Designating The Market Square Area Of The  
City Of Kingston As A Heritage Conservation District"  
THIRD READING PROPOSED NO. 2013-78  
**(See Clause (6), Report No. 51)**
- (19) A By-Law To Designate And Adopt The 'Market Square Heritage Conservation District  
Plan, 2013', Pursuant To The Provisions Of The Ontario Heritage Act (R.S.O. 1990,  
0.18)  
THIRD READING PROPOSED NO. 2013-79  
**(See Clause (6), Report No. 51)**
- (20) A By-Law To Amend By-Law No. 2005-10 "A By-Law To Establish Fees And Charges  
To Be Collected By The Corporation Of The City Of Kingston".  
THIRD READING PROPOSED NO. 2013-81  
**(See Clause (6), Report No. 51)**
- (21) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday,  
April 9, 2013, Reconvened On Thursday April 11, 2013.  
THREE READINGS PROPOSED NO. 2013-96  
**(City Council Meeting No. 2013-11)**

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**ADJOURNMENT**

Moved by Councillor Downes  
Seconded by Deputy Mayor Hector

**THAT** Council do now adjourn.

**CARRIED (11:1)**  
**(See Recorded Vote)**

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

NAYS: Councillor Glover (1)

ABSENT: Councillor Schell (1)

Council adjourned at 11:06 pm.

(Signed)

John Bolognone  
City Clerk

Mark Gerretsen  
Mayor