



**CITY OF KINGSTON  
AGENDA  
PLANNING COMMITTEE  
MEETING NO. 03-2008  
January 17, 2008  
5:00 p.m. Council Chambers, City Hall**

**COMMITTEE COMPOSITION**

*Councillor W. Glover*                      *Councillor D. Hector*  
*Councillor R. Matheson*                *Councillor L. Osanic*  
*Councillor V. Schmolka*                *Councillor E. Smith*

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*Please provide regrets to K. Irwin, Administrative Assistant, at 613-546-4291, Ext. 1210)*

Please note that this Planning Committee Meeting will begin at 5:00 p.m. in Council Chambers, City Hall with a presentation by Queen's University on its future direction, followed by a question and answer period until 6:00 p.m.

The Planning Committee will hold four (4) Public Meetings this evening.

**PUBLIC MEETING  
HELD PURSUANT TO THE PLANNING ACT  
6:30 p.m.**

**APPLICATION FOR ZONING BY-LAW AMENDMENT**

Application for Zoning By-Law Amendment to permit a two storey, 160 bed long term care facility.

**File No. D14-103-2007**

**Extendicare Canada - Applicant  
100 Portsmouth Avenue**

See Report PC-08-017  
(Pages 1 to10)

**PUBLIC MEETING  
HELD PURSUANT TO THE PLANNING ACT  
6:30 p.m.**

**APPLICATION FOR OFFICIAL PLAN AMENDMENT AND  
ZONING BY-LAW AMENDMENT**

Applications for Official Plan Amendment and Zoning By-Law Amendment to develop a large format home improvement retail store with a total of 16,167 square metres of retail floor area and a 465 square metre stand alone retail building.

**File Nos. D09-032-2007 and D14-106-2007**

**Lowes Companies Canada, ULC - Applicant  
1085 Gardiners Road**

See Report PC-08-016  
(Pages 11 to 19)

**PUBLIC MEETING  
HELD PURSUANT TO THE PLANNING ACT  
6:30 p.m.**

**APPLICATION FOR OFFICIAL PLAN AMENDMENT AND  
ZONING BY-LAW AMENDMENT**

Applications for Official Plan Amendment and Zoning By-Law Amendment for 1093 Midland Avenue to permit permanent outdoor and open storage on a site to be developed with a retail store.

**File Nos. D09-033-2007 and D14-100-2007**

**TSC Stores – Applicant  
1093 Midland Avenue**

See Report PC-08-018  
(Pages 20 to 58)

**PUBLIC MEETING  
HELD PURSUANT TO THE PLANNING ACT  
6:30 p.m.**

**APPLICATION FOR ZONING BY-LAW AMENDMENT**

Applications for Zoning By-Law Amendment to amend existing Restricted Rural 'A1' Zone to add a 'H'-Holding symbol to zone.

**File No. D14-104-2007**

**George Ticehurst – Applicant  
1539 Joyceville Road**

See Report PC-08-015  
(Pages 59 to 70)

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Regular Planning Committee Meeting No. 03-2008

1. MEETING TO ORDER
  
2. APPROVAL OF AGENDA
  
3. CONFIRMATION OF MINUTES

Minutes of Planning Meeting No. 01-2008 held Thursday, December 6, 2007 [distributed December 21, 2007] be amended with respect to the Application for Site Plan Control Approval, File No. D11-160-2007, Peter Splinter, 2437 Princess Street (page 15), to replace the third "whereas" clause which reads "there are no technical requirements" with the wording "and there are technical requirements which need to be addressed by the Applicant"; and confirmed as amended.

4. DISCLOSURE OF PECUNIARY INTEREST
  
5. DELEGATIONS / BRIEFINGS
  
6. BUSINESS

- i) PUBLIC HEARING/COMPREHENSIVE REPORT  
Zoning By-Law Amendment Application  
1539 Joyceville Road  
Applicant: George Ticehurst  
(Planning File: D14-104-2007)

(Report No. PC-08-015)  
(See Pages 59 to 70)

For discussion and approval of the following recommendation:

**THEREFORE BE IT RESOLVED** that, subject to the comments received at the public meeting, it be recommended to Council that the Application for Zoning By-Law Amendment (Our File No. D14-104-2007) submitted by George Ticehurst for the property municipally known as 1539 Joyceville Road, **BE APPROVED**.

**AND BE IT FURTHER RESOLVED** that it be recommended to Council that the former Township of Pittsburgh Zoning By-Law No. 32-74, as amended, be further amended as follows:

1. Map 2 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from 'A1' to 'A1-59-H', as shown on Schedule "A" attached to and forming part of By-Law No. 2008-\_\_\_\_.

2. That the following Section 23(3)(ggg) be added as follows:

“(ggg) A1-59 1539 Joyceville Road (Amending By-Law 2008-\_\_\_)

Notwithstanding the provisions of Section 23 hereof to the contrary, the lands zoned as "A1-59" on Schedule 'A' attached hereto, the following regulations shall apply:

(i) Special Holding Symbol Provision:

a) Notwithstanding the provisions of Section 5(24) to the contrary, the Holding symbol shall only be removed upon completion and approval of the following:

- A hydro-geological Study verifying adequate water quantity and quality; and
- A Stage 1 Archaeological Assessment.

2. **AND BE IT FURTHER RESOLVED** that the Amending By-Law be presented to City Council for all three readings.

ii) **COMPREHENSIVE REPORT**

**SITE PLAN CONTROL**

**982 Nottinghill Avenue**

**File No. D11-114-2006**

**Applicant – CaraCo Development Corporation**

(Report No. PC-08-014)

(See Pages 71 to 101)

(This item was deferred from December 20, 2007 meeting and a copy of Report PC-08-14 is being redistributed)

For discussion and approval of the following recommendation:

**WHEREAS** an application has been submitted by CaraCo Development Corporation for the lands known municipally as 982 Nottinghill Avenue, for the proposed 8 storey residential condominium apartment containing 62 dwelling units; and,

**WHEREAS** the Site Plan Control application for Site Plan Control was appealed to the Ontario Municipal Board concurrent with the Zoning By-Law Amendment application; and

**WHEREAS** Council has directed City Staff to negotiate a possible settlement of the appeal with CaraCo Development Corporation; and

**WHEREAS** the application has been reviewed by City Departments and outside Agencies and there are no technical requirements which cannot be addressed by the Applicant;

**THEREFORE BE IT RESOLVED** that it be recommended to Planning Committee that the application for Site Plan Control Approval (Our File No. D11-146-2006) submitted by CaraCo Development Corporation respecting the parcel of land known municipally as 982 Nottinghill Avenue, requesting approval for the proposed 8 storey residential condominium apartment containing 62 dwelling units be **APPROVED IN PRINCIPLE**.

**AND BE IT FURTHER RESOLVED** that the application be referred back to staff and that the Director of Planning and Development be authorized to issue final approval subject to:

- a) All outstanding technical issues being resolved to the satisfaction of the City;
- b) The approved Site Plan being included as part of the settlement negotiations with CaraCo Development Corporation;
- c) The approved Site Plan being subject to review and approval by the Ontario Municipal Board;
- d) The Owner entering into a Site Plan Control Agreement with the City which shall list the approved plans and any special municipal conditions pertaining to the development; and
- e) The submission of the required security.

iii) **2008 Livable City Design Awards**  
File No. M02-001-2007

(Information Report No. PC-08-020  
(See Pages 102 to 110))

Background information on the 2008 Livable City Design Awards.

iv) **ADMINISTRATIVE AMENDMENTS HOTEL / MOTEL PARKING**  
City of Kingston – Applicant  
File No. D14-107-2007

(Report No. PC-08-021  
(See Pages 111 to 116))

For discussion and approval of the following recommendation:

**WHEREAS**, pursuant to the requirements of the *Planning Act*, a Public Meeting will be held on December 20, 2007 to obtain public input with respect to City-initiated amendments to the five (5) existing Zoning By-Laws in force in the City of Kingston, in order to harmonize the parking requirements for hotels / motels (File No. D14-000-2007); and

**WHEREAS**, consideration has been given to the proposed amendments and staff are of the opinion that the proposed regulations will ensure that there is sufficient parking to meet the needs of the patrons of new hotel developments:

**THEREFORE BE IT RESOLVED** that, subject to the comments received at the Public Meeting, it be recommended to City Council that the administrative amendments to harmonize the parking requirements for hotels / motels **BE APPROVED**.

**AND BE IT FURTHER RESOLVED** that By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston", as amended, be further amended as follows:

- (a) By amending Section 5.3 A. (b) so as to **Delete** the existing parking requirements for "HOTELS" and **Replace** same with the following new regulations:

"HOTELS / MOTELS - 1 parking space for each guest room / suite **plus** 1 parking space for each 4 persons that can be accommodated at any one time in any beverage room or liquor lounge **plus** 1 bus parking space (minimum dimensions 3.6 metres [12 feet] by 12 metres [39 feet]) for each 50 guest rooms, to a maximum of 3 bus parking spaces."

**AND BE IT FURTHER RESOLVED** that By-Law No. 96-259, "Downtown and Harbour Zoning By-Law of The Corporation of the City of Kingston", as amended, be further amended as follows:

(a) By amending Section 5.22.5.1 so as to **Delete** the existing parking requirements for "Hotel / Motel" and **Replace** same with the following new regulations:

"HOTELS / MOTELS - 1 parking space for each guest room / suite **plus** 1 parking space for each 4 persons that can be accommodated at any one time in any beverage room or liquor lounge **plus** 1 bus parking space (minimum dimensions 3.6 metres [12 feet] by 12 metres [39 feet]) for each 50 guest rooms, to a maximum of 3 bus parking spaces."

**AND BE IT FURTHER RESOLVED** that By-Law No. 76-26, "Restricted Area By-Law of the Township of Kingston", as amended, be further amended as follows:

(a) By amending Section 5.16 (a) so as to **Delete** the existing parking requirements for "Tourist Establishment" and **Replace** same with the following new regulations:

"Tourist Establishment - 1 parking space for each guest room / suite **plus** 1 parking space for each 4 persons that can be accommodated at any one time in any beverage room or liquor lounge **plus** 1 bus parking space (minimum dimensions 3.6 metres [12 feet] by 12 metres [39 feet]) for each 50 guest rooms, to a maximum of 3 bus parking spaces."

**AND BE IT FURTHER RESOLVED** that By-Law No. 97-102, "The Cataraqui North Zoning By-Law", as amended, be further amended as follows:

(a) By amending the "Parking Standards Table" in Section 5.17 to **Add** the following new regulations under Non Residential Uses:

"HOTELS / MOTELS - 1 parking space for each guest room / suite **plus** 1 parking space for each 4 persons that can be accommodated at any one time in any beverage room or liquor lounge **plus** 1 bus parking space (minimum dimensions 3.6 metres [12 feet] by 12 metres [39 feet]) for each 50 guest rooms, to a maximum of 3 bus parking spaces."

**AND BE IT FURTHER RESOLVED** that By-Law No. 32-74, "Township of Pittsburgh Zoning By-Law", as amended, be further amended as follows:

(a) By amending Section 5.14 (a) so as to **Delete** the existing parking requirements for "Tourist Establishment" and **Replace** same with the following new regulations:

"Tourist Establishment - 1 parking space for each guest room / suite **plus** 1 parking space for each 4 persons that can be accommodated at any one time in any beverage room or liquor lounge **plus** 1 bus parking space (minimum dimensions 3.6 metres [12 feet] by 12 metres [39 feet]) for each 50 guest rooms, to a maximum of 3 bus parking spaces (hotel, motel uses only)."

**AND BE IT FURTHER RESOLVED** that the Amending By-Laws be presented to City Council for all three readings.

## 7. MOTIONS

## 8. OTHER BUSINESS

## 9. CORRESPONDENCE / DOCUMENTS

- a) Memo from George Wallace, Director, Planning & Development, regarding the Preliminary Draft Official Plan – Review of Planning Committee – Tuesday, January 29 and Thursday, January 31, 2008 – 6:30 p.m. – Rideaucrest Rooms A and B

(See Schedule Page 117)

## 10. DATE OF NEXT MEETING

- The next Special meeting of the Planning Committee (Official Plan Review) is scheduled for Tuesday, January 29, and Thursday, January 31, 2008.

## 11. APPLICATIONS RECEIVED / IN PROCESS

- i. **Official Plan & Zoning By-Law Amendment**  
1110, 1112, 1128 Sunnyside & 2245 Mclvor Rd  
Gary Oosterhof – Applicant  
File No. – D09-013-2005 & D14-040-2005  
Proposal: To permit commercial uses.  
Status: Incomplete applications were submitted in February 2006. Consultant indicated in February 2007 that information will be forthcoming.
- ii. **Official Plan, Subdivision & Zoning By-Law Amendment**  
700 Gardiners Road  
Arcturus Realty Corporation – Applicant  
File No. – D09-024-2007 D12-023-2007 & D14-082-2007  
Proposal: Redevelopment of former Nordx/CT site for residential, commercial and light industrial development.  
Status: Incomplete applications, waiting for numerous supporting studies.
- iii. **Official Plan & Zoning By-Law Amendment**  
653-663 Princess Street & 582 – 598 Victoria Street  
Auburn Developments Inc. – Applicant  
File No. – D09-025-2007 & D14-085-2007  
Proposal: To permit an 11-storey student apartment building.  
Status: Incomplete applications.
- iv. **Zoning By-Law Amendment**  
455 Front Road  
Vector Energy - Applicant  
File No. - D14-039-2006  
Information required from applicant.  
Proposal: to permit power generation by a non-utility provider through the construction of 3 wind-turbines of 100 metres in height.  
Status: Awaiting noise report.

11. APPLICATIONS RECEIVED / IN PROCESS continued

- v. **Zoning By-Law Amendment**  
667 Cataraqui Woods Drive  
Tim Horton Donut Limited – Applicant  
Files No. D09-022-2006 & D14-065-2006  
Proposal: To permit an automatic car wash, gasoline retail facility and associated convenience retail.  
Status: Information required from applicant. Applications on hold at request of Applicant.
  
- vi. **Zoning By-Law Amendment**  
2500 Princess Street  
1684426 Ontario Ltd. – Applicant  
File No. D14-079-2007  
Proposal: to add a variety of retail, office, wholesale and daycare uses, including open storage and display.  
Status: Incomplete application.
  
- vii. **Official Plan Amendment**  
267, 283 & 295 Parkway Avenue  
CaraCo Development Corporation – Applicant  
File No. D09-028-2007  
Proposal: to change designation of right-of-way from OS to residential.  
Status: Incomplete application.
  
- viii. **Official Plan Amendment and Zoning By-Law Amendment**  
993 and 1041 Princess Street  
Kingston Shopping Centres Limited – Applicant  
File Nos. D09-027-2007 and D14-089-2007  
Proposal: To permit a commercial centre with a total of 55,742 m<sup>2</sup> (600,000 ft<sup>2</sup>) of retail floor area.  
Status Public Meeting held July 19, 2007, waiting for further information from applicant.
  
- ix. **Official Plan and Zoning By-Law Amendments Draft Plan of Subdivision Application**  
998 Highway # 15  
Novatech Engineering Consultants Limited – Applicant  
Files No. D14-087-2007, D09-026-2007 & D12-024-2007  
Proposal: To develop 25.24 ha for single and multiple family dwellings, seniors housing and commercial use.  
Status: Incomplete application. Waiting for supporting studies.
  
- x. **Draft Plan of Subdivision**  
1102, 1106 & 1110 King Street West  
Admiral's Walk Residence Inc. – Applicant  
File No. D12-027-2007  
Proposal: application to establish a subdivision consisting of one block  
Status: Public Hearing held on December 06, 2007

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11. APPLICATIONS RECEIVED / IN PROCESS continued

- xi. **Zoning By-Law Amendment**  
2649 Highway No. 15  
Bruce West and Sherry Gibbs – Applicant  
File No. D14-099-2007  
Proposal: to allow construction of semi-detached dwelling  
Status: Public Hearing & staff recommendation put forward on Dec. 6, 2007 Planning Committee Meeting.
  
- xii. **Official Plan and Zoning By-Law Amendments**  
1093 Midland Avenue  
TSC Stores – Applicant  
File No. D09-033-2007 & D14-100-2007  
Proposal: to amend zoning to include outdoor storage as a permitted use, to be associated with a new retail building  
Status: Public Hearing scheduled for December 6, 2007 has been cancelled Official Plan Amendment required.
  
- xiii. **Official Plan and Zoning By-Law Amendments**  
2611 Highway No. 15  
Kingston Nurseries Inc. – Applicant  
File No. D09-031-2007 & D14-101-2007  
Proposal: to develop a 3600 square metre garden centre on a 7.93 ha portion of the lot  
Status: Public Hearing scheduled for December 6, 2007
  
- xiv. **Zoning By-Law Amendment**  
Greenwood Park Subdivision, Phase 9  
Greenwood Park Limited Partnership No. 1 – Applicant  
File No. D14-102-2007  
Proposal: Application for Zoning By-Law Amendment to permit the lot frontage requirement to be measured from a distance of 7.5 metres from the front lot line. Currently lot frontage is measured from a distance of 3 metres from the front lot line. This amendment will bring lots that are located on cul-de-sacs or curves in the road in this phase of the subdivision into compliance with the provisions of the Zoning By-Law.  
Status: Public Meeting and Comprehensive Report presented at December 20<sup>th</sup>, 2007 meeting.
  
- xv. **Zoning By-Law Amendment**  
100 Portsmouth Avenue  
Extencicare Canada – Applicant  
File No. D14-103-2007  
Proposal: Proposal to develop a 10,000 m<sup>2</sup> long term care facility with a capacity of 160 beds.  
Status: Public meeting scheduled for January 17<sup>th</sup>, 2008.
  
- xvii. **Zoning By-Law Amendment**  
1539 Joyceville Road  
George Ticehurst – Applicant  
File No. D14-104-2007  
Proposal: Rezoning as a condition of Consent.  
Status: Public Meeting scheduled for January 17<sup>th</sup>, 2008.

11. APPLICATIONS RECEIVED / IN PROCESS continued

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- xviii. **Official Plan and Zoning By-Law Amendments**  
1085 Gardiners Road  
Lowes Companies Canada, ULC – Applicant  
File No. D09-032-2007 & D14-106-2007  
Proposal: To permit the construction of large format home improvement retail store.  
Status: Processing. Public Meeting Scheduled for January 17, 2008.
- xix. **Zoning By-Law Amendment**  
321 Aragon Road  
Michaela & Chuck Dickison – Applicant  
File No. D14-105-2007  
Proposal: Rezoning as a Condition of Consent  
Status: Incomplete application.
- xx. **Zoning By-Law Amendments**  
Administrative Amendment Hotel / Motel Parking  
File No. D14-107-2007  
Proposal: To harmonize the By-Law requirements across the municipality to ensure the provision of sufficient parking for patrons, and to include the requirement for bus parking on site.  
Status: Comprehensive Report scheduled for January 17, 2008.
- xxi. **Draft Plan of Subdivision & Zoning By-Law Amendment**  
Lyndenwood Sub. Phase 3  
J.A. Pye (Ontario) Ltd. - Applicant  
File No. D12-031-2007 & D14-108-2007  
Proposal:  
Status: Under Review
- xxii. **Draft Plan of Subdivision**  
Cataraqui North Subdivision  
Tamarack Subdivision - Applicant  
File No. D12-030-2007  
Proposal:  
Status: Under Review
- xxiii. **Draft Plan of Subdivision**  
Midland Park Sub. Phase 2, Stages 2 & 3  
Jovinton Developments Ltd. - Applicant  
File No. D12-029-2007-M  
Proposal:  
Status: Under Review

12. **Applications Requested To Be Bumped Up To Planning Committee  
For Site Plan Control Approval:**

- D14-092-2007**            **1102, 1106, 1110 King Street (Elevator Bay)**  
Owner: Admiral Walk Residences Inc.  
Proposal: Senior Citizen apartment proposed.  
Status: The site plan application has not been received to date.
- D14-075-2006**            **564 Tanner Drive**  
Owner: 1003379 Ontario Limited  
Proposal: three storey, 160-bed long term care facility with an associated daycare centre and 23 bungalow style townhouses for seniors  
Status: Site plan application has not been received to date.  
Bumped up by: Planning Committee on January 18<sup>th</sup>, 2007.
- D14-053-2006**            **Marker Crescent (Conacher Drive)**  
Owner: Rock Bottom Holdings Inc.  
Proposal: Condominium townhouses development.  
Status: Site plan application has not been received to date.  
Bumped up by: Planning Committee on January 18<sup>th</sup>, 2007.
- D14-075-2006**            **2435 Princess Street**  
Owner: Peter Splinter  
Proposal: four storey, 44 unit, residential apartment building, four storey office building, additional retail buildings and renovation of existing plaza  
Status: Site plan application received (D11-160-2007) and being processed.  
Bumped up by: Planning Committee on February 22, 2007 to review buffer between site and existing residential development.
- D14-062-2006**            **1040-1162 Division Street and 88 Dalton Avenue**  
Owner: KCAP King's Crossing Inc.  
Proposal: 38,740 square metre retail power centre  
Status: Site plan application received (D11-148-2007) and being processed.  
Bumped up by: Planning Committee on February 22, 2007.
- D11-051-2005**            **841 Highway No. 15**  
Owner: 6037071 Canada Inc.  
Proposal: To construct a one-storey commercial plaza and replace the existing gas station on site.  
Bumped up by Councillor Leonore Foster due to resident's concerns.  
Status:

12. **Applications Requested To Be Bumped Up To Planning Committee For Site Plan Control Approval, continued**

**D09-031-2007 & D14-101-2007 2611 Highway No. 15**

Owner: Kingston Nurseries Inc.

Proposal: To permit the establishment of a Garden Centre on a 7.93 hectares portion of a 40 hectares parcel of land. Including a 2700 square metre green house building, a 900 square metre retail building and a 13060 square metre nursery stock display area and storage.

Bumped up by Councillor Glover to ensure that water issues are addressed.

Status:

13. **Approved Site Plan Items:**

D11-141-2007 Union Gas Facility, 1653 Fortune Crescent

14. **Applications Appealed To Ontario Municipal Board:**

D09-009-2004 Application For Official Plan Amendment  
Catarauqui West Land Owners Group

Appealed on grounds City did not make a decision within 180 days. Hearing date set for February 19, 2008

D14-071-2006 Application For Zone Change and Site Plan Control  
Caraco Development Corporation – 982 Nottinghill Ave

Council decision to deny application appealed to OMB by applicant.

15. **ADJOURNMENT**



**ABEYANCE ITEMS**

1. Streamlining Planning Approval Process – Delegation of Approval Authority for Consents (effective December 1, 2006)
  - i. Report from staff to Planning Committee after one year's time to assess effectiveness of the revised process for streamlining approvals and achieving internal efficiencies;
  - ii. If it is determined to have been successful, the report will include examining expanding the delegation of consent granting authority to include all "uncontested" consent applications. (abeyance item added August 21, 2006)
2. To harmonize the by-laws of the City of Kingston, the former Township of Kingston and the former Pittsburgh Township that apply to cash in lieu of parkland payments with respect to the 2% cash in lieu of parkland for commercial and industrial properties to be brought forward by February, 2008. (abeyance item added December 20, 2007)
3. Staff be instructed to bring forward the site alteration by-law for review by Planning Committee by March, 2008 (abeyance item added December 20, 2007)