



CITY OF KINGSTON
PLANNING COMMITTEE
MEETING NO. 01-2010
AGENDA

Thursday, December 3rd, 2009
6:30 p.m. Council Chambers, City Hall

Please provide regrets to James Thompson, Committee Clerk at 613-546-4291, Ext. 1268; jthompson@cityofkingston.ca

COMMITTEE COMPOSITION

Councillor M. Gerretsen	Councillor W. Glover
Councillor D. Hector	Councillor L. Osanic
Councillor V. Schmolka	Councillor E. Smith

**PUBLIC MEETING
HELD PURSUANT TO THE PLANNING ACT
6:30 p.m.
APPLICATION FOR ZONING BY-LAW AMENDMENT**

The purpose of the requested Zoning By-Law Amendment is to increase the total number of permitted units in the 'B3.216' Zone from 343 to 363 dwelling units. The applicant contends that the increase is necessary to facilitate the development of a senior's residence apartment with a mix of apartments and suites, including ancillary services to the senior's residence use. In addition, the applicant is requesting permission to modify the parking regulations and increase the number of permitted accessory uses within the 'B3.216' Zone.

File No. D14-164-2009

**1102, 1106 and 1110 King Street West
Elevator Bay Developments.; Applicant
IBI Group; Agent**

**(See Report PC-10-004)
(Pages 1-25)**

**PUBLIC MEETING
HELD PURSUANT TO THE PLANNING ACT
6:30 p.m.
APPLICATION FOR ZONING BY-LAW AMENDMENT**

The purpose of the requested Zoning By-Law Amendment is to facilitate a lot addition of 38 m² to the abutting property to the south and municipally known as 269 Main Street. The subject property is located within Barriefield Village, a designated heritage conservation district under the Ontario Heritage Act.

File No. D14-166-2009

**271 Main Street
David Gay & Melia Holder.; Applicant
Barry Gordon; Agent**

**(See Report PC-10-005)
(Pages 26-35)**

**PUBLIC MEETING
HELD PURSUANT TO THE PLANNING ACT
6:30 p.m.
APPLICATION FOR OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT**

Official Plan and Zoning By-Law Amendment Applications were submitted for the property municipally known as 1371 Spooner Road, which is a vacant parcel of land located on the south side of Spooner Road, an unopened road allowance, with frontage on Collins Lake. The purpose of the requested Official Plan Amendment and Zoning By-Law Amendment is to facilitate the construction of a single detached dwelling on an existing lot of record with frontage on an unopened road allowance.

File No. D09-049-2009 & D14-163-2009

**1371 Spooner Road
James and Lois Roettger.; Applicant
FoTenn Consultants Inc.; Agent**

**(See Report PC-10-006)
(Pages 36-61)**

1. ELECTION OF OFFICERS
2. MEETING TO ORDER
3. DISCLOSURE OF PECUNIARY INTEREST
4. CONFIRMATION OF AGENDA
5. CONFIRMATION OF MINUTES
6. DELEGATIONS / BRIEFING
7. BUSINESS
- a) COMPREHENSIVE REPORT
APPLICATION FOR OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT
FILE NOS. D09-048-2009 AND D14-161-2009
GEORGE EDWARD LLOYD AND JEAN MARC RAPIN
247-249 BROCK STREET

(Report No. PC-10-007)
(Schedule Pages 62-78)

Recommendation:

THAT it be recommended to Council that the application for Official Plan Amendment (Our File No. D09-048-2009) submitted by George Edward Lloyd and Jean Marc Rapin, for the property located at 247-249 Brock Street, **BE APPROVED**.

AND BE IT FURTHER RESOLVED that it be recommended to Council that the City of Kingston Official Plan be amended as follows:

1. The City of Kingston Official Plan, as amended, is hereby further amended by the following map and text change, which shall constitute Amendment No. 41 to the City of Kingston Official Plan:
 - (a) **AMEND** Schedule 'C', 'Site and Area Specific Policies', of the City of Kingston Official Plan, so as to designate the property located at 247-249 Brock Street, as shown on Schedule 'A' to By-Law No. 2009-___, as 'Site Specific Policy Area No. 37'.
2. That the Official Plan for the City of Kingston, as amended, be further amended by adding the following new Site Specific Policy as Section 4.8(t):
 - "(t) **247-249 Brock Street**
Notwithstanding the policies of the Official Plan, a residential use shall be permitted on the ground floor of the building in addition to the existing permitted commercial uses."

AND BE IT FURTHER RESOLVED that it be recommended to Council that the application for Zoning By-Law Amendment (Our File No. D14-161-2009) submitted by George Edward Lloyd and Jean Marc Rapin, for the property located at 247-249 Brock Street, **BE APPROVED**.

AND BE IT FURTHER RESOLVED that the Downtown and Harbour Zoning By-Law No. 96-259, as amended, be further amended as follows:

1. That Zoning Map No. 1 of Zoning By-Law No. 96-259, as amended, is hereby further amended by changing the zone symbol of the subject site from 'C1-1' to 'C1-28' as shown on Schedule 'A' attached hereto and forming part of By-Law No. 2009-___.
2. That the following be added as Section 7.3.28 of the Zoning By-Law:

"7.3.28 247-249 Brock Street (C1-28):

7.3.28.1

REGULATIONS

Notwithstanding any provisions of the By-Law to the contrary, the following shall only apply to the 'C1-28' Zone:

- (a) Conversion of Commercial Buildings for Residential Use
Residential Uses may be permitted on the ground floor."

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

b) DELEGATION OF AUTHORITY TO STAFF FOR ALL UNCONTESTED CONSENT APPLICATIONS

(Report No. PC-10-003)
(Schedule Pages 79-83)

Recommendation:

THAT it be recommended to Council that **NO ACTION** be taken on the request for further delegation of approval authority to staff for all "uncontested" consent applications.

**c) AMENDMENTS TO SITE PLAN CONTROL BY-LAW NO. 2006-65
SECTION 7-FINANCIAL SECURITIES – REVISED CALCULATION**

(Report No. PC-10-008)
(Schedule Pages 84-95)

Recommendation:

WHEREAS it is necessary to amend the method for calculating Site Plan Control securities in order to balance a proponent's ability to finance their project and at the same time ensure the municipality has sufficient financial securities to complete any required works that may not be developed in accordance with the approved site plans or Agreement conditions:

THEREFORE BE IT RESOLVED that Council amend By-law No. 2006-65 as follows:

- (a) By deleting Section 7(7) Financial Securities and replacing it with the following new Section 7(7):

"(7) Financial Securities

Where an agreement is required pursuant to Section 7 of this By-law, and said agreement requires the submission of financial securities to ensure the satisfactory completion / maintenance of the works required by the Agreement and approved plans listed therein, the amount of the financial security shall be calculated as follows:

50% of on site improvements (paving, grading, stormwater management, and landscaping; includes all hard and soft landscaping, walkways, retaining walls, and fencing), exclusive of buildings or structures, is required as part of the Site Plan Control Agreement; and

Where a proposed development covers 100% of the site, the method for calculating securities shall be as follows:

- 10% of the first \$500,000.00 of the total value of construction; plus
- 1% of the balance of the value of construction in excess of \$500,000.00.

For all works on municipal property, 100% of the cost of the works is required."

8. OTHER BUSINESS

9. CORRESPONDENCE / DOCUMENTS

- a) Correspondence received from Mr. Ian Semple, Cataraqui Region Conservation Authority, dated November 20th, 2009 regarding 585 Sibbit Avenue.

Schedule Page 96

- b) Correspondence received from Mr. Ian Semple, Cataraqui Region Conservation Authority, dated November 20th, 2009 regarding 271 Main Street.

Schedule Pages 97-98

- c) Correspondence received from Mr. Ian Semple, Cataraqui Region Conservation Authority, dated November 18th, 2009 regarding 1035-1085 Gardiners Road/Little Cataraqui Creek Drainage Area.

Schedule Pages 99-100

- d) Correspondence received from Rob and Alevia Colwell regarding 1102, 1106 and 1110 King Street West.

Schedule Pages 101-103

- e) Correspondence received from Mr. Rob Colwell, dated November 25th, 2009 regarding 1102, 1106 and 1100 King Street West.

Schedule Pages 104-105

10. DATE OF NEXT MEETING

The next meeting of the Planning Committee is scheduled to be held on Thursday, January 7th, 2010.

11. APPLICATIONS RECEIVED / IN PROCESS

	Application Type	Applicant	Civic Address	File No(s).	Proposal	Status
i.	OPA/ZBA	Tim Donut Limited	667 Cataraqui Woods Drive	D09-022-2006 D14-065-2006	To allow commercial use on site	In abeyance
ii.	Draft Plan Sub	J.A. Pye (Ontario) Ltd.	Lyndenwood Sub, Block 133, 13M-69	D12-031-2007	To create 34 single family dwellings	Public Meeting held March 6, 2008.
iii.	ZBA	J.A. Pye (Ontario) Ltd.	Lyndenwood – Lots 63 – 84 & 106 – 111 & Block 134	D14-108-2007	To allow single family dwellings	Public Meeting held March 6, 2008.
iv	ZBA	Queen's University	143 Union Street	D14-116-2008	Expansion to School of Business.	Public Meeting held June 19, 2008
v	OPA/ZBA	Duffe Lane Cottage Assoc.	Duffe Lane Condominium	D09-038-2008 D14-131-2008	Proposed 14 unit vacant land condominium	Public Hearing held on Feb 19/09.
vi	OPA/ZBA	Chris Elliott	2959 Burbrook Rd.	D09-039-2008 D14-013-2005	to establish a material re-use facility	Public Meeting held October 16, 2008
vii	ZBA	Nigel & Tessa Dearsley	1368 Highway 15	D14-133-2008	to allow Bed & Breakfast	On hold by Owners request.
viii	ZBA	1684426 Ontario Inc.	2500 Princess St.	D14-079-2007	To change from Industrial Development to allow mixed Commercial & Industrial	Public Meeting held Sept 18/08, in process
ix	ZBA	CJM Property Management	299 Concession St.	D14-142-2009	To increase the maximum height, lot occupancy, and gross leasable office area and to decrease the number of parking spaces, number of barrier free parking spaces and loading spaces in order to add 3 storeys to the existing building.	Public Meeting held on March 5, 2009
x	OPA/ZBA/Draft Plan of Sub	King's Town Development	790 Hwy 2 East	D09-041-2009, D14-146-2009 & D12-045-2009	Proposed residential development of 27 single family homes	In process
xi	ZBA	Kingston Independent Nylon Workers Union	725 Arlington Park Place	D14-149-2009	To expand the range of permitted uses	Council approval November 3/09 – Last day for appeals November 26, 2009
xii	OPA/ZBL/Draft Plan of Sub	1766804 Ontario Ltd.	585 Sibbit Ave.	D09-042-2009 D14-151-2009 D12-049-2009	To allow for 8 single family dwelling, with a minimum 1 acre lot area	Public Hearing held Sept 17/09
xiii	ZBA	1324777 Ontario Ltd.	177-179 Alfred Street	D14-153-2009	To permit 3 storey rear addition resulting in 4-dwelling unit building with 24 bedrooms	Planning Committee recommendation for approval to Council on December 1, 2009
xiv	OPA/ZBA	Queen's University	390 King St. West	D09-046-2009 D14-158-2009	500 seat auditorium, 78 seat studio theatre, art gallery, lecture hall, music rehearsal room, and a production studio.	Public Hearing held on Sept. 17/09

xv	ZBA	City of Kingston	370 King St. West	D14-159-2009	Reduction in front, side and rear yard set-backs, reduction in parking, reduction in loading bays and increase in maximum height	Public Hearing held on Sept 17/09
xvi	OPA/ZBA	George Edward Lloyd & Jean Marc Rapin	247-249 Brock Street	D09-048-2009 D14-161-2009	The purpose of the applications is to additionally permit residential uses on the ground floor in the front of the building.	Public Hearing held on October 15/09 – comprehensive report to Planning Committee December 3, 2009
xvii	OPA/ZBA/Draft Plan of Sub	Greenwood Park Limited	Baxter Farm	D09-047-2009 D14-160-2009 D12-051-2009	To allow 144 single family residential lots, 6 future residential blocks, a stormwater pond, an environmental protection area and a park.	Public Hearing held on October 15/09
xviii	ZBA	Clermont Venture Group	652 Dalton Ave.	D14-162-2009	To allow office and restaurant as permitted uses.	Public Hearing held on October 15/09
xix	ZBA	Elevator Bay Development Ltd.	1102, 1106 & 1110 King St. West	D14-164-2009	To increase the amount of units from 343 dwelling units to 363.	Public Meeting Scheduled for Dec 03-09
xx	OPA/ZBA	James & Lois Roettger	1371 Spooner Road	D09-049-2009 D14-163-2009		Public Meeting Scheduled for Dec 03-09
xxi	ZBA	Dave Gay & Melia Holder	271 Main St., Barriefield	D14-166-2009		Public Meeting Scheduled for Dec 03-09
xxii	ZBA	Children's Aid Society	817 Division Street	D14-157-2009	The applicant is proposing to demolish the existing buildings and construct a three storey, 7,023 square metre administrative office building. In addition to the Frontenac Children's Aid Society, a portion of the office space will be leased to other similar social service agencies and a day-care centre.	Public Meeting held on Sept 3/09
xxiii	ZBA	City of Kingston	Cataraqui Business Park (Phase 1)	D14-170-2009	The purpose of the application is to reduce the minimum lot area and lot frontage required for industrial development on the proposed future subdivided land.	Going to Public Meeting Jan 7/10

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

	Applicant	Civic Address	Related File No(s).	Proposal	Bump Up Request	Details
i.	Admiral Walk Residences Inc	1102, 1106 & 110 King Street	D14-092-2007	Senior Citizen Apartment	Planning Committee	Application not submitted
ii	Rock Bottom Holdings	Marker Crescent & Conacher Dr.	D14-053-2006	Townhouses/Condo Development	Planning Committee	Application not submitted
iii.	Peter Splinter	2435 Princess Street	D14-075-2006	Mixed Commercial/ Residential development	Planning Committee	Phase 1 & Phase 2 approved ,
iv	KCAP King's Crossing Inc.	1040 – 1162 Division Street 88 Dalton Ave.	D14-062-2006	38,740 sq. m. retail power centre	Planning Committee	Phase 1 & 2 approved , Phase 3 in process
v	2078508 Ontario Ltd.	805 Development Drive	D14-150-2009	To allow for the construction of dental & chiropractic office	Planning Committee	Site Plan Application has been received.
vi	Clermont Venture Group	652 Dalton Ave.	D11-263-2009	To allow for the construction of Tim Horton's	Planning Committee	Site Plan Application to construct restaurant with drive through
vii	Homestead Land Holdings Ltd.	72,74 & 76 Johnson St.	D11-266-2009	The Applicant proposes to new addition at the rear of the buildings and to add 5 additional parking spaces.	Planning Committee	Site Plan Application for Alteration and Renovation going to Planning Committee on October 15/09
viii	Conseil Des Ecoles Publique De L'est De L'Ontario	72 Gilmour Ave.	D11-271-2009	41 parking spaces for the elementary school with bus loading in front of school, increase of landscaping	Planning Committee	

13. Approved Site Plan Items:

D11-2672009-M – 1213485 Ontario Inc., 2339 Princess Street – Addition of Automatic Car Wash

14. Applications Appealed To Ontario Municipal Board:

D09-032-2007 & D14-106-2007 Lowe's Companies Canada, ULC, 1085 Gardiners Road – Mediated Settlement in progress.

D09-035-2008 & D14-111-2008 Jay Patry Enterprises Inc., 495-513 Frontenac Street – Completed Awaiting Decision.

15. ADJOURNMENT

16. ABEYANCE ITEMS

Date & Mtg No.	Description of Item	Who is To Respond	Deadline	Status
21-08-06	Streamlining Planning Approval Process – Delegation of Approval Authority of “uncontested” consents Report from staff to Committee after 1 year to process approvals and achieving internal efficiencies. Report will include examining expanding delegation of consent granting authority.	Commissioner Sustainability & Growth	TBD	COMPLETED
22-02-07	Staff will report further on issues relating to Site Plan Control under Section 41 regarding exterior design and accessibility guidelines	Commissioner Sustainability & Growth	Q2	
07-06-07	Report on how to identify woodlots within Urban Boundary including treed areas less than 1 hectare, whether publicly or privately owned and suggestions on how to protect existing woodlots from clear cutting prior to site plan approval so that this information can be used during Official Plan review	Commissioner Sustainability & Growth	Q4	