



CITY OF KINGSTON
PLANNING COMMITTEE
MEETING NO. 04-2010
AGENDA

Thursday, February 18th, 2010
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 this report is to provide general information regarding an application for Zoning By-Law Amendment which has been submitted by Geertsma Homes Ltd. with respect to 29 lots located on the south side of Crossfield Avenue, west of Abbot Street, in the Cataraqui North Neighbourhood. The applicant is requesting to amend the existing site specific Medium Density Residential (MDR*1) zone in order to permit the development of single and semi detached dwellings.

File No. D14-171-2009

**Lots 167 to 195, 13M-58 (1191 to 1235 Crossfield Avenue and 686 to 700 Augusta Drive)
Geertsma Homes Ltd.; Applicant**

**(See Report PC-10-019)
(Pages 1-9)**

**PUBLIC MEETING
HELD PURSUANT TO THE PLANNING ACT
6:30 p.m.
APPLICATION FOR DRAFT PLAN OF SUBDIVISION**

The purpose of this report is to provide general information regarding an application for Draft Plan of Subdivision which has been submitted by J.A. Pye (Ontario) Ltd. with respect to Block 133, Registered Plan 13M-69 which is located on the west side of Augusta Drive, north of Crossfield Avenue and lands to the north on Atkinson Street (future road). Block 133 was set aside for a potential school site however the Algonquin and Lakeshore Catholic District School Board have indicated that they do not require the land for school purposes. The applicant proposes to develop 91 townhouse lots on the site.

File No. D12-031-2007

**Block 133, Registered Plan 13M-69 (Augusta Drive) and Part of Lot 14, Concession 3
J.A. Pye (Ontario) Ltd.; Applicant**

**(See Report PC-10-020)
(Schedule Pages 10-29)**

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

The purpose of this report is to provide general information regarding an application for Zoning By-Law Amendment which has been submitted by J.A. Pye (Ontario) Ltd. with respect to 46 existing undeveloped lots located on Augusta Drive and Crossfield Avenue. These lots were approved with a rear lane however the applicant proposes to eliminate the rear lane, reconfigure the lots to increase the lot frontage and rezone the lots to a Low Density Residential (LDR) zone in order to construct single family dwellings without rear lanes. In addition, as a result of the increased lot frontages a portion of Block 217 is requested to be rezoned from Neighbourhood Commercial (NC-H) to Low Density Residential (LDR).

File No. D14-108-2007

**Lots 63 to 79, and Block 134, 143 and 144, Plan 13M-69 and Lots 132, 155 to 166 and 196 to 211 and Blocks
213, 214, 215, 217, 219, 220 and 221, Plan 13M69
J.A. Pye (Ontario) Ltd.; Applicant**

**(See Report PC-10-021)
(Schedule Pages 30-52)**

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

The purpose of this report is to provide general information regarding an application for Zoning By-Law Amendment which has been submitted by J.A. Pye (Ontario) Ltd. with respect to several undeveloped lots located on Augusta Drive, Atkinson Street and Crossfield Avenue. The applicant is requesting to increase the allowable garage and driveway widths for lots proposed for single detached dwellings and townhouses. The application is also requesting to decrease the lot frontage of the interior units of the townhouse blocks.

File No. D14-112-2008

**Lots 132, 155 to 166 and 196 to 211 and Blocks 213, 214, 215, 217, 219, 220 and 221, Plan 13M-58, Lots 63 to 111 and Blocks 133, 134, 143, and 144, Plan 13M-69 and Part of Lot 14, Concession 3
J.A. Pye (Ontario) Ltd.; Applicant**

**(See Report PC-10-022)
(Pages 53-59)**

Regular Planning Committee Meeting No. 04-2010

1. MEETING TO ORDER
2. DISCLOSURE OF PECUNIARY INTEREST
3. CONFIRMATION OF AGENDA
4. CONFIRMATION OF MINUTES

Meeting No. 16-2009 held Thursday, September 17th, 2009

Meeting No. 02-2010 held Thursday, January 7th, 2010

5. DELEGATIONS / BRIEFING
6. BUSINESS
 - a) 100 Days Road, Kingston West
Application for Site Plan Control - Request to Install a
Communications Tower – Additional Information
Applicant – City of Kingston
Agent – Bell Mobility Inc.
(File No. D11-253-2009)

(Report No. PC-10-023)
(Schedule Pages 60-150)

Recommendation:

Pursuant to the requirements of Industry Canada for consultation with the City of Kingston prior to the licensing of significant antenna structures and subject to additional information, as requested from the Planning Committee, provided from the Vancouver School Board, the Kingston, Frontenac and Lennox & Addington Public Health Unit, Medical Officer of Health for York Region, Town of Markham and Bell Mobility Inc., and comments received at the Public Forum, it is recommended that the Planning Committee advise Industry Canada that it has **no objections** to the location of the proposed 34 metre tower, to be located to the northeast of the existing building at 100 Days Road.

- b) **COMPREHENSIVE REPORT**
652 Dalton Avenue
Application for Site Plan Control
Applicant – Clermont Venture Group
Agent – Josselyn Engineering Inc.
(File No. D11-263-2009)

(Report No. PC-10-024)
(Schedule Pages 151-165)

Recommendation:

WHEREAS an application for Site Plan Control has been submitted by Clermont Venture Group, for the lands known municipally as 652 Dalton Avenue, to construct a commercial office building and a Tim Horton's restaurant with a drive-through facility; and

WHEREAS a member of Council requested that the Site Plan Control Application be referred to Planning Committee for final approval; and

WHEREAS the application has been reviewed by City Departments and outside Agencies and all technical requirements will be addressed by the Applicant:

THAT it be recommended to Planning Committee that the application for Site Plan Control (Our File No. D11-263-2009) submitted by Clermont Venture Group respecting the parcel of land known municipally as 652 Dalton Avenue, requesting approval for the construction of a commercial office building and a Tim Horton's restaurant with a drive-through facility, 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 Site Plan Control approval subject to:

- (a) All outstanding technical issues being resolved to the satisfaction of the City;
- (b) 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
- (c) The submission of the required financial security.

- c) **COMPREHENSIVE REPORT**
771 Montreal Street
Official Plan Amendment & Zoning By-Law Amendment
Applicant – John Howard Society of Kingston and District
(File No. D09-050-2009 & D14-165-2009)

(Report No. PC-10-026)
(Schedule Pages 166-188)

Recommendation:

THEREFORE BE IT RESOLVED that it be recommended to Council that the application for Official Plan Amendment and Zoning By-Law Amendment (Our File No. D09-050-2009 and D14-165-2009) submitted by John Howard Society of Kingston and District for the property located at 771 Montreal Street, **BE APPROVED**;

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

1. The Official Plan for the City of Kingston, as amended, is hereby further amended by the following map change which shall constitute Amendment No.1. Amend Schedule '3-D' of the former City of Kingston Official Plan so as to redesignate the approximately 0.13 hectare of land located on the east side of

Montreal Street and known municipally as 771 Montreal Street, as shown on Schedule 'C' attached hereto, from 'Residential' to 'Site Specific Residential'.

2. That Section 3.18 is hereby amended by the addition of the following new section as Section 3.18.38, 771 Montreal Street:

"The 0.13 hectare parcel of land shown on Schedule '3-D' as Site Specific Policy Area No. ___ is intended to continue to be used for offices, training and counseling in addition to the uses permitted in the 'Residential' land use designation. "

AND BE IT FURTHER RESOLVED that the former City of Kingston Official Plan be amended as follows:

3. The Official Plan for the former City of Kingston, as amended, is hereby further amended by the following map change which shall constitute Amendment No.42. Amend Schedule 'C' of the former City of Kingston Official Plan so as to redesignate the approximately 0.13 hectare of land located on the east side of Montreal Street and known municipally as 771 Montreal Street, as shown on Schedule 'C' attached hereto, from 'Residential' to 'Site Specific Residential'.

4. That Section 4.8 is hereby amended by the addition of the following new section as Section 4.8 (r) 771 Montreal Street:

"The 0.13 hectare parcel of land shown on Schedule 'C' as Site Specific Policy Area No. 37 is intended to continue to be used for offices, training and counseling in addition to the uses permitted in the 'Residential' land use designation."

AND FURTHER THAT it be recommended to Council that the former City of Kingston Zoning By-Law No. 8499, as amended, be further amended as follows:

1. 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:
 - 1.1. Map 15 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from Industrial 'M7' Zone to Special Multiple Family Dwelling 'B1.390' Zone, as shown on Schedule "A" attached to and forming part of By-Law No. 2010-___.
 - 1.2. By **Adding** a new Part VII, subsection 390 thereto as follows:

"771 Montreal Street

Notwithstanding the provisions of Section 14 hereof to the contrary, the lands zoned 'B1.390' on Schedule 'A' hereto, the following regulations shall apply:

- 1) Additional Permitted Uses: office use, transitional house, training and counseling centre
- 2) Definition:
 - a) **Transitional House:**

Is a residential building containing a maximum of 9 dwelling units or habitation units within a facility where the individual is participating in assistance or counseling programs in a training and counseling centre located on the subject property. The residential building is subject to 24 hour supervision. The maximum length of stay for an individual in a transitional house shall be one year less a day. A transitional House does not include a community home, recovery home or boarding house as defined in Zoning By-Law No. 8499.

- b) **Training and counseling centre:**
 Is a place where an individual can obtain assistance through the application of mental health, psychological or human development principles, through cognitive, affective, behavioural or systematic intervention strategies that address wellness, personal growth or career development and includes programs that are designed to bring an individual to an agreed standard of proficiency in a prescribed skill or trade.
- 3) That the aggregate parking for a combined office, transitional house units, and training and counseling centre shall be 13 parking spaces. For all other permitted uses the regulations of Section 5.3 shall apply.
 - 4) Notwithstanding any regulations to the contrary a loading bay is not required for a combined office, transitional house units, and training and counseling centre. For all other permitted uses the regulations of Section 5.4 shall apply.
 - 5) Notwithstanding any regulations to the contrary play space is not required for a combined office, transitional house units, and training and counseling centre. For all other permitted uses the regulations of Section 5.27 shall apply.
 - 6) Notwithstanding any regulations to the contrary the minimum area for a transitional house unit shall be 18.5 square metres.
 - 7) Notwithstanding any regulations to the contrary the minimum rear yard shall be 4.7 metres
 - 8) Notwithstanding any regulations to the contrary front yard parking is permitted."

AND FURTHER THAT the Amending By-Law be presented to City Council for all three readings.

7. OTHER BUSINESS

8. CORRESPONDENCE / DOCUMENTS

9. DATE OF NEXT MEETING

The next meeting of the Planning Committee is scheduled to be held on Thursday, March 4th, 2010.

10. APPLICATIONS RECEIVED / IN PROCESS

	Application Type	Applicant	Civic Address	File No(s).	Proposal	Status
i.	OPA/ZBA	Tim Donut Limited	667 Cataraqi 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 permit the development of 91 townhouses	Public Meeting to be held Feb 18/10.
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 to be held Feb 18/10.
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	ZBA	Nigel & Tessa Dearsley	1368 Highway 15	D14-133-2008	to allow Bed & Breakfast	Public Meeting held on Jan 7/10
vii	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

viii	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
ix	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
x	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 Comprehensive Report to Committee Jan 7/10
xi	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. In Process
xii	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. In Process
xiii	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.	Approved by Council on December 15/09. Last day for Appeals Jan 13/10
xiv	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
xv	ZBA	Clermont Venture Group	652 Dalton Ave.	D14-162-2009	To allow office and restaurant as permitted uses.	Approved by Council on Jan 19/10 and the last day for Appeals is Feb 18/10
xvi	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 held on Dec 03-09
xvii	OPA/ZBA	James & Lois Roettger	1371 Spooner Road	D09-049-2009 D14-163-2009		Public Meeting held on Dec 03-09
xviii	ZBA	Dave Gay & Melia Holder	271 Main St., Barriefield	D14-166-2009		Public Meeting held on Dec 03-09

xix	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
xx	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.	Council Approved on Jan 19/10 and last day for Appeals is Feb 18/10
xxi	ZBA	John Howard Society	771 Montreal Street	D14-165-2009		Public Meeting held Jan 21/10. Comprehensive Meeting to be held on Feb 18/10
xxii	ZBA	Ann Harrison	3029 Creekford Rd.	D14-169-2009		Public Meeting held on Jan 7/10
xxiii	ZBA	Geertsma Homes Ltd.	1191-1235 Crossfield Ave. & 686-700 Augusta Dr.	D14-171-2009	To amend specific zone provisions in order to permit the development of single & semi detached dwellings	Public Meeting to held on Feb 18/10
xxiv	ZBA	J.A. Pye (Ontario) Ltd.	Lots 132, 155 & 196 to 211 & Blocks 213,214,215, 217,219 & 221, Plan 13M-58	D14-112-2008	To increase the allowable garage & driveway widths for lots for single detached dwelling & townhouses to decrease the lot frontage.	Public Meeting to be held Feb 18/10

11. 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	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
vi	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	
vii	Barr Homes	1 Potter Street	D12-053-2009	Residential Subdivision	Lisa Osanic	Application Being Processed

12. APPROVED SITE PLAN ITEMS:

D11-225-2008 – Peter Splinter, 2395 Princess Street. – Mixed commercial/residential use.

13. 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.

14. ADJOURNMENT

15. ABEYANCE ITEMS

Date & Mtg No.	Description of Item	Who is To Respond	Deadline	Status
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	#84 on priority matrix
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	#33 on Priority Matrix