



CITY OF KINGSTON
PLANNING COMMITTEE
MEETING NO. 07-2010
AGENDA

Thursday, April 15th, 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 FoTenn Consultants Inc. on behalf of 1003758 Ontario Ltd. regarding the properties located at 234 and 236 Albert Street. The subject properties have a total area of 793 square metres and each contain a single family dwelling. The applicant is proposing to sever off a rear portion of 234 Albert Street and obtain a lot addition from 236 Albert Street in order to create a new lot fronting on Couper Street for the construction of a single family dwelling. The Zoning By-Law Amendment requests to reduce the minimum required lot area and to recognize the existing non-complying exterior side yard setback (that is treated as a front yard in Zoning By-Law No. 8499, as amended) of 234 Albert Street.

File No. D14-176-2010

**234 and 236 Albert Street
1003758 Ontario Ltd - Applicant**

**(See Report PC-10-037)
(Schedule Pages1-14)**

Regular Planning Committee Meeting No. 07-2010

1. MEETING TO ORDER
2. DISCLOSURE OF PECUNIARY INTEREST
3. CONFIRMATION OF AGENDA
4. CONFIRMATION OF MINUTES
Meeting No. 05-2010 held Thursday, March 4th, 2010
5. DELEGATIONS / BRIEFING
6. BUSINESS
- a) COMPREHENSIVE REPORT
Application for Zoning By-Law Amendment
Frontenac Children's Aid Society
817 Division Street
File No. D14-157-2009

(Report No. PC-10-038)
(Schedule Pages 15-41)

Recommendation:

THAT it be recommended to Council that the application for Zoning By-Law Amendment (Our File No. D14-157-2009) submitted by Frontenac Children's Aid Society, for the property located at 817 Division Street), **BE APPROVED.**

AND THAT the City of Kingston Zoning By-Law No. 8499, as amended, be further amended as follows:

That Zoning Schedule "A", Map 15 of Zoning By-Law No. 8499, as amended, is hereby further amended by changing the zone symbol to 'M9.392' of the lands shown as "Subject Lands Rezoned from M1 to M9.392" on Schedule "A" attached hereto and forming part of amending By-Law No. 2010-__.

1. That the By-Law be amended by the addition of the following section to Part VIII – EXCEPTIONS TO VARIOUS ZONE CLASSIFICATIONS:

"392. **817 Division Street**

Notwithstanding any provisions of Section 31B.1 hereof to the contrary, on the lands zoned 'M9.392' on Schedule "A" attached hereto, the following provisions shall apply:

- a) PERMITTED USES:
 - i) corporate administrative office
 - ii) day care centre, accessory to a corporate administrative office

- b) MINIMUM YARDS:
 - (i) north property line - 10.0 metres
 - (ii) east property line - 7.5 metres
 - (iii) south property line - 6.0 metres
 - (iv) west property line - 7.5 metres
- c) MINIMUM LOT OCCUPANCY: 12%
- d) MINIMUM OFF-STREET PARKING:
 - i) corporate administrative office: 2.96 parking spaces per 100 m² of gross floor area
 - ii) day care centre: 0.85 parking spaces per 100 m² of gross floor area
- e) MINIMUM OFF-STREET LOADING FACILITIES:
 - i) 1 off-street loading space
 - ii) loading facilities shall be located at the rear or interior side of a building only
- f) LANDSCAPING AREA:
 - i) adjacent to existing or proposed street, not less than 7.5 metre of landscaped area, excluding driveway;"

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

- b) **COMPREHENSIVE PLANNING REPORT**
Final Subdivision Approval in Principle
1135 Maria Avenue (Woodhaven (Tamarack) Subdivision)
Applicant: Tamarack (Catarqui West) Corp.
Agent: FoTenn Consultants Inc.
File No.: D12-046-2009

(Report No. PC-10-040)
(Schedule Pages 42-61)

Recommendation:

THAT Planning Committee recommends to Council that the application for Final Subdivision Approval submitted by FoTenn Consultants Inc., on behalf of Tamarack (Catarqui West) Corporation respecting the lands municipally known as 1135 Maria Avenue, for the development of the first phase of a Draft plan of Subdivision identified as Woodhaven (Tamarack) Subdivision Phase 1, consisting of 323 residential dwelling lots and 1 park block be **APPROVED IN PRINCIPLE**;

AND THAT final approval of the application be referred back to staff and that the Director of Planning and Development be authorized to issue Final Subdivision Approval subject to:

- (a) All outstanding technical issues being resolved to the satisfaction of the City;
- (b) The Owner entering into a Subdivision Agreement with the City which shall list the approved plans and any special municipal conditions pertaining to the development; and
- (c) The owner submitting the required security deposit and certificate of insurance.

- c) **COMPREHENSIVE REPORT**
Application for Zoning By-Law Amendment
Queen's University, Goodes Hall
143 Union Street
File No. D14-116-2008

(Report No. PC-10-039)
(Schedule Pages 62-80)

Recommendation:

THAT it be recommended to Council that the application for Zoning By-Law Amendment (Our File No. D14-116-2008) submitted by Queen's University, for the property located at 143 Union Street), **BE APPROVED**.

AND THAT the City of Kingston Zoning By-Law No. 8499, as amended, be further amended as follows:

1. That Section 276 to Part VIII – EXCEPTIONS TO VARIOUS ZONE CLASSIFICATIONS of the By-Law be **deleted** and **replaced** in its entirety, with the following:

"276. **143 Union Street**

Notwithstanding any provisions of Section 17 hereof to the contrary, on the lands zoned 'E.276' on Schedule "A" attached hereto, the following provisions shall apply:

- (i) Minimum number of off-street parking spaces shall be 83;
- (ii) The existing Victoria School building shall be deemed to be in conformity with the minimum front, side and rear yard requirements of the By-Law.
- (iii) The minimum setback requirements for any proposed additions to the existing building shall be as follows:

From Union Street	20.0 metres
From Alfred Street	2.7 metres
From Frontenac Street	2.2 metres
Rear Yard:	0.9 metres
- (iv) Minimum number of off-street loading spaces shall be 1."

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

- d) **City of Kingston Archaeological Master Plan**
File No. CHE-R01-005-2006

(Report No. PC-10-041)
(Schedule Pages 81-98)

Recommendation:

- 1) That it be recommended to Council that the report entitled "The City of Kingston Archaeological Master Plan" dated February 2010 and prepared by Archaeological Services Inc. in association with Bray Heritage, attached as Exhibit 'A' and 'B,' be received in fulfilment of the terms of reference for the City of Kingston Archaeological Master Plan project (RFP No. CDS-C&R-2006-08.)
- 2) That all of the recommendations of The City of Kingston Archaeological Master Plan be adopted:
 - "That the policies attached as Appendix A be incorporated into the Official Plan.

- It is recommended that the archaeological potential and Archaeologically Sensitive Area (ASA) mapping be used in determining requirements for archaeological assessments.
 - It is recommended that the Planning and Development Department work with City departments to establish protocols that ensure that in all appropriate circumstances, construction projects undertaken by developers, ratepayers and the City of Kingston that may impact archaeological resources on public lands (e.g. trail, playground, playing field, public washroom, parking lot construction, road widening/extension, trunk sewer and watermain construction, stormwater management facility construction, municipal building and structure construction, etc.) and which are located in areas of archaeological potential or areas identified as being archaeologically sensitive, are subject to archaeological assessment prior to any land disturbing activity.
 - It is recommended that when there are any new designations of heritage properties (which include constructions dating before 1920) under Part IV of the Ontario Heritage Act, that the property footprint be added to the final potential mapping (Appendix B). If the newly designated property is surrounded by greenfields, the newly designated property should be buffered by 100 metres for archaeological potential.
 - No Stage 4 archaeological investigations on Aboriginal sites should be undertaken within the City of Kingston without first filing a First Nations consultation report with the Planning and Development Department.
 - Archaeological assessment reports should contain advisories on the steps to be taken should unanticipated deeply buried archaeological remains or human remains be found on a property during construction activities.
 - In order to ensure the long term viability of the Archaeological Master Plan, it should be subject to comprehensive review on a five year basis and should be carried out by a licensed archaeologist in co-ordination with the five year review of the City's Official Plan.
 - Procedures outlined in the Memorandum of Understanding between the Ministry of Tourism and Culture and the City of Kingston should be followed regarding the sharing of information concerning archaeological site locations.
 - It is recommended that the City develop and adopt, in consultation with the Ministry of Tourism and Culture, relevant Aboriginal communities, other agencies, landowners, and the public, a "Contingency Plan for the Protection of Archaeological Resources in Urgent Situations."
 - The City of Kingston should implement a public awareness initiative by which the general public might be made more knowledgeable of the wide range of archaeological resources present within the City,
 - The City of Kingston should consider preparing both an accurate and comprehensive inventory of the archaeological collections currently held by museums and consulting archaeologists and a guideline encouraging the curation of material from archaeological sites within Kingston at local museums."
- 3) That By-law No. 2010-XXX "A By-law to By-law No. 2006-132 'A By-Law To Establish A Legal Deposit For Archaeological Assessments Carried Out Within The City Of Kingston', attached hereto as Exhibit 'D' be recommended to Council for adoption.

- e) **COMPREHENSIVE PLANNING REPORT
 OFFICIAL PLAN AMENDMENT & ZONING BY-LAW AMENDMENT**
 Address: 1371 Spooner Road
 Applicant – James and Lois Roettger
 Agent – FoTenn Consultants Inc.
 File No.'s D09-049-2009 & D14-163-2009

Please Note: Report to be distributed separately.

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, May 6th, 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 Comprehensive Report on Mar 4/10
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	Dormant files

x	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
xi	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
xii	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
xiii	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
xiv	OPA/ZBA	James & Lois Roettger	1371 Spooner Road	D09-049-2009 D14-163-2009		Public Meeting held on Dec 03-09
xv	ZBA	Dave Gay & Melia Holder	271 Main St., Barriefield	D14-166-2009		Public Meeting held on Dec 03-09 Comprehensive Report on March 4/10
xvi	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 Comprehensive Report to be held on April 15/10
xvii	ZBA	John Howard Society	771 Montreal Street	D14-165-2009		Public Meeting held Jan 21/10. Comprehensive Meeting held on Feb 18/10
xviii	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 held on Feb 18/10
xix	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 held on Feb 18/10
xx	ZBA	1126497 Ontario Inc.	346 University Ave.	D14-172-2009		Public Meeting held on Mar 4/10
xxi	ZBA/Draft Plan of Sub	City of Kingston	Cataraqui Estates Business Park	D14-173-2009 D12-054-2009		Public Meeting held on March 4/10
xxii	ZBA/Draft Plan of Sub	Braebury Homes	2939 Creeksford Rd.	D14-168-2009 D12-052-2009		Public Meeting held on March 4/10

xxiii	ZBA	R. Neil & Sunni Rideout	1305 Princess St.	D14-174-2010	To permit an "office" as a use	Public Meeting & Comprehensive Report held on April 1/10
xxiv	ZBA	1003758 Ontario Ltd.	234-236 Albert St.	D14-176-2010	Application for Zoning By-Law Amendment to reduce the minimum required lot areas for the new single-unit residential lot (created by consent and lot addition) and the retained residential lots and to recognize the existing non-complying exterior side yard setback for 234 Albert Street	Public Meeting held on April 15/10
xxv	ZBA	Unicum Management Corp.	780 Division St.	D14—177-2010	To build a 3 storey 46 unit apartments & 16 stacked townhouses	

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:

D11-278-2010-M – Kingston Christian Fellowship - 2621 Hwy 38 – Daycare

13. APPLICATIONS APPEALED TO ONTARIO MUNICIPAL BOARD:

D09-032-2007 & D14-106-2007 Lowe's Companies Canada, ULC, 1085 Gardiners Road – Completed Mediated OMB Settlement to allow Site Plan Control to be finalized.

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